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Criminological problems of domestic violence against women

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NORMATIVE REFERENCES

This thesis refers to the following standards:

1 Compilation of regulatory document of organization of the educational process of the al-Farabi Kazakh National University // Guidebook for a PhD student of al-Farabi Kazakh National University. - Almaty, 2010. - 104 p.

2 Requirements for a dissertation thesis for a PhD degree. // Ministry of Education and Science. - Almaty, 2014. - 18 p.

3 Academic Policy of al-Farabi Kazakh National University. // Academic Council of al-Farabi - Almaty, 2019. - 96 p.

DEFINITIONS

In this dissertation, the following terms are used with the relevant definitions, designations, and abbreviations:

Abuse – a pattern of behavior in any relationship that used to treat someone cruelly or violently [1].

Battering – one form of domestic or intimate partner violence. It is characterized by the pattern of actions that an individual uses to intentionally control or dominate his intimate partner [2].

Crime – a guilty socially dangerous act (action or inaction) prohibited by this Code under penalty of a fine, corrective labor, restriction of freedom, imprisonment, or the death penalty [3].

Controlling behavior (s) – including isolating a person from family and friends; monitoring their movements; and restricting access to financial resources, employment, education, or medical care [4, p.1].

Domestic violence (abuse) – domestic abuse or intimate partner violence – a set of actions or behaviors in a romantic relationship that are intended to acquire or uphold power and authority over one's partner is known as a pattern of behavior as an instrument to influence physically, economically psychologically (emotionally) on the partner [5]. These actions encompass any conduct that instills fear, controls, demeans, isolates, scares, coerces, menaces, accuses, harms, damages, or injures an individual.

Emotional (psychological) abuse – such as insults, belittling, constant humiliation, intimidation (e.g., destroying things), threats of harm, and threats to take away children [4, p.1].

Femicide – Femicide is a homicide of women (*Fem – lat. Femininus – woman + lat. cidium – an act of killing*) [6].

Gaslighting – one form of non-physical violence, emotional abuse in which an individual or a group makes someone doubt or question their own mental stability, memories, or perception of reality. Those who experience gaslighting may feel confused, disoriented, anxious, or have a sense of self-distrust.

Gender-based violence – human rights violation expressed in any violence against a person because of their gender [7].

Intimidation – one form of domestic non-physical violence in which one partner intimidates the other using looks, actions, and gestures, by smashing things, destroying their property, abusing pets, or displaying weapons [2].

Intimate partner violence – domestic violence refers to the behavior demonstrated by an ex or present romantic partner that causes physical, sexual, or emotional injury, which may include physical assault, sexual coercion, emotional maltreatment, and manipulative conduct. [8].

Investigation of the crime – is a task assigned to state agencies with specialized authorization to gather information on an act or failure to act that could indicate a criminal offense. It aims to establish the details of the crime, identify those responsible for its commission, take measures to compensate for the damage of the crime, and determine the elements that contributed to the perpetration of the offense [1].

Isolation - one form of domestic non-physical violence in which one partner controls what the other partner does, who they see, what they read, and where they go. This can also include limiting their outside involvement and using jealousy to justify actions [2].

Machismo – male behavior that is strong and forceful and shows very traditional ideas about how men and women should behave [9].

The pyramid of Machismo – is a system of social relationships in which each man benefits from femicide. The pyramid of machismo consists of levels, with women allies of patriarchy, medicine, and education at the foundation. The pyramid is formed by actions such as jokes, ignoring, approaching without consent, touching without consent, harassment, and rape, and at the top of the pyramid is the femicide. Women researchers developed the pyramid of machismo to counteract femicide and violence against women [10].

Physical abuse – violent action such as slapping, hitting, kicking, and beating [1, p.1].

Special knowledge – refers to recognized and acquired expertise in a particular field of science or its related disciplines, which can be applied in the criminal justice system through court proceedings, training programs, or practical experiences to resolve legal issues [11].

Special scientific knowledge – domain expertise in or in connection with the science obtained and tested using the scientific method, the substance of it is comprised of scientific knowledge implemented through the forensic investigation method [11].

Victimology – means "the doctrine of sacrifice" (*Latin Victima – Sacrifice, Greek logos/logia – Discourse*, *Doctrine*, *Science*). Area in the field of criminology focuses on the victim of a crime, referred to as victimology. It involves the study of individuals or groups who are susceptible to being victimized by criminal activities [12].

Victimization – a situation refers to a circumstance marked by favorable conditions that may lead to the first step in making an individual a sacrificial victim [12].

Victim-blaming – the practice of holding a crime victim responsible for behaving in an unsafe way, rather than concentrating on the crime offender [13].

DESIGNATIONS AND ABBREVIATIONS

APPC	Administrative procedural and process-related code of the Republic of Kazakhstan
CPC	The Criminal Procedure Code of the Republic of Kazakhstan
CoAO	The Code of Administrative Offences
CEDAW	The UN Convention on the Elimination of All Forms of Discrimination against Women
CIS	Commonwealth of Independent States
CQAFSHE MSHE RK	Committee for Quality Assurance in the Field of Science and Higher Education of the Ministry of Science and Higher Education of the Republic of Kazakhstan
DV	Domestic violence
ICCPR	The International Covenant on Civil and Political Rights
GBV	Gender-based violence
OSCE	Organization for Security and Co-operation in Europe
OHCHR	Office of the High Commissioner on Human Rights
PC	The Penal Code of the Republic of Kazakhstan
RK, KAZ	Republic of Kazakhstan
UK	United Kingdom
UN	United Nations
USA	United States of America
WHO	World Organization of Health

INTRODUCTION

The relevance of the study of the dissertation research is due to the need to develop effective measures to counteract domestic violence against women in the Republic of Kazakhstan. Despite differences in cultural traditions and legislation, domestic violence is a global challenge that requires immediate action and joint efforts from all social groups and state structures. Violence in all forms and manifestations is a violation of human rights and freedoms. Prevention of domestic violence against women is the main task of our society and state.

As the head of the state, Kassym-Jomart Tokayev has repeatedly mentioned the importance of reducing the level of violence in the sphere of family and domestic relations. Thus, in his message to the people of Kazakhstan on 16th March 2022, he stated: "…systemic measures should be taken to reduce the level of violence in society. In this regard, effective counteraction to offenses in the sphere of family and household relations plays an important role. Today requests from citizens and social activists have become more frequent regarding the need to toughen punishment for violence against women and children. Previously, I gave instructions to determine the advisability of criminalizing such offenses [14]." After this, on September the 1st 2022 in his annual address, he again mentioned: "The issue of criminalization of violence in the family and domestic sphere has been raised in society for a long time. Law enforcement agencies doubt the need for this step since they believe that it will lead to a decrease in the detection of such offenses. There is some truth in this. However, be that as it may, we cannot turn a blind eye to the numerous cases of domestic violence. The impunity of rowdies gives them a free hand and leaves their victims defenseless. I believe that the time has come to tighten responsibility for such acts [15]." In 2023, on November 15th K. Tokayev held consultations with heads of law enforcement agencies and gave direct instructions to prevent any violent actions against women and children in the country and said that he believes that the whole society needs to fight such negative phenomena. It is necessary to create an atmosphere of absolute rejection in the country of any violations of Law and Order, including domestic violence, vandalism, rudeness, and hooliganism. Any instances of violence against women and children must be decisively suppressed: "Lawlessness, disorder, and lack of culture will lead the country to the abyss. We must resist such negative phenomena as a whole society. It is important to understand this deeply. A society in which there is order will be civilized - this is an axiom. If every citizen respects the laws of the country, there will be unity and prosperity [16]."

According to the Bureau for National Statistics of the Agency for Strategic Planning and Reforms of the Republic of Kazakhstan, in 2021 61,464 (Sixty-one thousand four hundred sixty-four) cases of domestic violence were recorded [17]. In the Report to the Government in 2022, ex-Minister of Internal Affairs of the Republic of Kazakhstan M. Akhmetzhanov mentioned that over the past year, to protect victims, 67,000 (Sixty-seven thousand) protective orders were issued because of more than 100,000 (One hundred thousand) domestic violence reports. In 2023, 60,741 (Sixty thousand seven hundred forty-one) offenders were brought to administrative responsibility for illegal actions in family and household relationships [19]. At the same

time, in November 2023, the Minister of Internal Affairs Y. Sadenov at the law enforcement briefing mentioned the reduction of the level of domestic violence, saying that "there is a trend of decreasing the cases of domestic violence [20]." Given the above, we believe that there is still an urgent need for the country and society to provide recommendations on the prevention of domestic violence against women.

The degree of scientific elaboration and materials. The regulations and legal basis for the study are determined by international standards and those provisions that have been accepted or ratified by public authorities of Kazakhstan, along with legislation already in effect in the Republic of Kazakhstan (i.e. Constitution, Penal Code, and Procedural Code). Secondly, other legal acts in various branches of law connected to the research subject have been consulted. International acts to which Kazakhstan has acceded: International Covenant on Civil and Political Rights (New York, December 16, 1966), UN Convention on the Elimination of All Forms of Discrimination against Women (1998); Optional Protocol to the UN Convention on the Elimination of All Forms of Discrimination against Women (2001); Council of Europe Convention on preventing and fighting violence against women and domestic violence – Istanbul Convention (2011), Declaration on the Elimination of Violence against Women, proclaimed by General Assembly resolution 48/104 of 20 December 1993.

The theoretical foundation of this research is built upon the scholarly works of foreign and national scientists (J. Hamel, Tonia L. Nicholls, Nicola Graham- Kevan, K.M. Beaver, J.K. Barnes, Stacy L. Williams, Lynn Shipway, G.I. Schneider, D.V. Rivman, Y. M. Antonyan, A. E. Volkova, V. D. Ermakov, Zulkarneev R. M., Golod S. I., Beltsov N. I., Shestakov D. A., several other specialists) and domestic scientists (Dzhansarayeva R.E., Shondybaeva A., Ayupova Z.K., Kussainov D.U., Mahadieva A., Shalgynbaeva K., etc.) formed the theoretical basis of the study.

Significant contributions to the study of issues related to domestic violence have been made by representatives of domestic science in the Republic of Kazakhstan. For instance, K.H. Rakhimberdin and M.R. Geta [21] have addressed issues of countering domestic violence, while K.R. Balabiev [22] has focused on the causes and conditions of criminality in the sphere of familial relations. S.M. Rakhmetov [23] and V.I. Oleynik [24] have contributed to the enhancement of legislation in the Republic of Kazakhstan aimed at countering domestic violence. Research on the victims of domestic violence has been conducted by R.E. Dzhansarayeva, S.B. Duzbayeva, and M.E. Akbolatova [25]. B.Sh. Sarsenbaev and B.U. Seitkhozhin [26] has been involved in issues related to the restoration of the rights of victims of domestic violence. Authors such as K. Shalgynbaeva and A. Makhadieva [27] have focused on the rehabilitation of women who have suffered from domestic violence. Z.K. Ayupova and D.U. Kusainov [28] has explored the implementation of family policy in the Republic of Kazakhstan as a mechanism for protecting women's rights. Such authors as M.Kh. Khasenov, A.S. Zholdybaliyina, and L.T. Kultemirova [29], have been engaged in the development of proposals and recommendations for improving legislation and state gender policy in the Republic of Kazakhstan.

The purpose of the study is to develop primary strategies for countering domestic violence against women, providing enhancements to preventative initiatives, and exerting efficacious influence on determinative factors.

To achieve the goal of the study, the following tasks are set:

1. To study the genesis of gender-based violence and identify the classification of types of domestic violence against women.
2. To analyze legal mechanisms for protecting women from domestic violence and their effectiveness.
3. To identify problems of criminal liability for committing domestic violence against women.
4. To analyze statistical data to identify the state, structure, and dynamics of violent Offences against women in the domestic sphere in the Republic of Kazakhstan.
5. To reveal the criminological characteristics of the personality of the subject who commits violent crimes in the family.
6. To explore the main directions of socio-legal and victimological measures in foreign countries to counteract domestic violence against women.

The object of the study is social relations in the family and household sphere, arising in connection with violence against women.

The subject of the study. This study focuses on violent crimes against women that occur in domestic settings. It covers various aspects such as the prevalence of such crimes, their composition and changes over time, the legislative status, theories, and methods to combat them as well as the personality of people who commit such types of crimes against women in the household environments.

The empirical base of the study was statistical data in the period from 2000 to 2021, obtained from open official sources of law enforcement agencies of the Republic of Kazakhstan, 1500 materials of criminal cases of the category under study, considered by the courts of the Republic of Kazakhstan, were studied, a content analysis was carried out on publications in the media and social networks, related to the problem under study, as well as a victimological analysis of victims was carried out based on the results of a survey of 250 respondents, victims of domestic violence, 157 of whom were in crisis centers of the country at the time of the survey.

The methodological basis was the dialectical method of cognition, which provided a scientific approach to the study of domestic violence against women. The study applied qualitative and quantitative research methods through the collection of data on life experiences, behavior, case studies, observations, and analysis of peer-reviewed journal articles and legislation, which allowed us to determine the nature of domestic violence, regulations, and the possible impact of the studies.

The scientific novelty of the dissertation stems from being among the initial extensive research that examines the criminological features of violence against women in domestic settings. The novelty of the study is not only in examining the current legal framework and protective measures for women experiencing domestic violence, but also in creating strategies to enhance the existing protection system, eliminate contradictions and inadequacies in the legislation, and ensure more effective safeguarding of women's rights who suffer from domestic violence. Also, an important element of novelty is the analysis of the practical implementation of legal mechanisms for protecting women from domestic violence, which makes it possible to identify real problems and inconsistencies between legislation and practice.

The main provisions of the dissertation for defense:

1. The concept of gender-motivated violence has been introduced into scholarly discourse, accompanied by a proposed authorial definition. Gender-motivated violence is defined as any violent action or inaction causing physical, psychological, and material harm, directed against any individual based on socially determined or gender differences between men and women.

Following our analysis, the following types of gender-motivated violence have been identified: various forms of physical violence (direct or indirect impact on the victim with the intention of causing physical harm such as beatings, torture, kicks, pinches, slaps, etc., not only resulting in injuries, severe bodily harm, but also intentional harm to health, causing physical pain, and depriving basic needs such as freedom, housing, food, clothing, etc.), psychological violence (humiliation of one family member by another, causing harm to the psychological health of an individual through insults, intimidation, threats, blackmail, control, etc.), economic violence (deprivation of resources necessary for satisfying material needs, manifesting in prohibitions on education and work, financial support denial, complete control over expenditures), and sexual violence (violent actions compelling an individual through force, threat, or deception to engage in any form of sexual relations against their will). Additionally, forced marriages, female genital mutilation (FGM), cyber violence, as well as domestic violence, are also included.

2. Based on the analysis of legal mechanisms, several instruments providing protection were identified, including protective orders, measures of procedural coercion (including detention and apprehension), administrative detention, administrative penalties, administrative-legal impact, preventive conversations, the establishment of specific requirements for the offender's behavior, and the provision of special social services. In analyzing the legal protection mechanisms for women against domestic violence within the scope of this research, proposed:

- To extend the duration of a protective order from thirty days to one year, thereby amending Part 5, Article 20 of the Law of the Republic of Kazakhstan on the Prevention of Domestic Violence.

- To review the penalty for violating a protective order, ensuring that it is proportionate to its duration to prevent its violation, considering the minor sanctioning consequences. Therefore, to increase the severity of the penalty under Article 461 of the Administrative Code for the violation of a protective order, by imposing administrative arrest for a period of 10 to 30 days or a fine equivalent to two hundred (instead of thirty) monthly calculation indices for individuals to whom, by Part 2 of Article 50 of the Administrative Code, an arrest is not applicable.

Alternatively,

- To introduce criminal liability for the violation of a protective order, add Article 378-1 to the Criminal Code of the Republic of Kazakhstan, and prescribe a punishment in the form of imprisonment for up to one year. In the case of repeated offenses, the penalty could be imprisonment for up to two years.

- To remove the words in the 2nd Part of the 54th Article of the Administrative Code of the RK: “if the person has another place of residence. (в случае наличия у этого лица другого жилища)”. The norm of this article provides for the eviction of a

person who has committed an administrative offense in the family and domestic sphere, but only if this person has another home. We believe that regardless of whether a person has another home, the court still has the right to apply eviction as an administrative measure to ensure the safety of the victim and family members from domestic violence which will give the victim a chance for recovery and rehabilitation instead of seeking the safest place to hide from abuser.

3. Having studied the problems of criminal liability for domestic violence in the Republic of Kazakhstan, we concluded that the current criminal legislation does not contain provisions on criminal liability for committing domestic violence, thus we propose:

– Criminalize the article "Battery (Побои)" in a new edition, adding to paragraph 2 the qualifying criterion "action committed against a family member".

– Criminalize the article "Intentional infliction of minor harm to health" in a new edition, adding to paragraph 2 the qualifying criterion "action committed against a family member".

– Add paragraph 6 of Article 54 of the Criminal Code of the Republic of Kazakhstan with a qualifying aggravating feature indicating "gender".

– To amend paragraph 5 of Article 4 of the Law of the Republic of Kazakhstan "On the Prevention of Domestic Violence" (No. 214-IV ZRK dated December 4, 2009), adding the qualifying criterion for the crime of "restriction", which includes not only deprivation but also restriction of human rights to housing, food, clothing, property and means to which he is legally entitled.

Also, to update, fill gaps, protect the interests of society, and bring it into line with international standards, it is proposed to amend the Criminal Code by introducing new criminal actions: Domestic violence, Sexual harassment, and Cyberstalking.

4. Having analyzed the data and identified the structure of violent crimes against women in their living environments (i.e., domestic sphere) within the Republic of Kazakhstan, we have concluded that forms of domestic violence come as physical, psychological, economic, or sexual abuse and the occurrence of domestic violence based on cultural, social, and economic factors or individual characteristics (age, race, religion, or social status). Within the data analysis of domestic violence, we suggest amending the existing crime statistics system regarding domestic violence by official state agencies that are involved in gathering statistics on domestic violence (Agency for Strategic Planning Reforms of the State Committee on Legal Statistics and Special Records at the Prosecutor's Office of Republic Kazakhstan; Ministry of Internal Affairs) to obtain precise objective relevant accountancy in the future. This might include building a single united database which should function as an easy-to-use tool for showing statistical information. This includes developing user-friendly tools and materials for the research community to track crime phenomena, domestic violence cases recorded, victim numbers, gender, and age among others of both perpetrators and victims. It is also essential to guarantee uniformity in such information across different government bodies.

5. A study conducted on 1500 criminal cases revealed the criminological characteristics of the personality of the subject who commits violent crimes in the family and found that patriarchal attitudes and gender imbalance were the grounds for

violence against women in family settings (19%); cultural practices humanizing male dominance contributed to this anomaly standing at 18%. Other causes included financial challenges faced by the families, which stood at 16%; substance abuse specifically alcoholism and drug use (14%); mental health issues (8%), childhood memories of violence (7%) and lack of social support (18%) were also an issue contributing significantly.

A survey of 250 women victims of domestic abuse, including 150 women at Almaty city's crisis centers from 2020-2022 established that one of the key reasons why most cases are hidden is because those women elect not to engage with law enforcers or other organizations. Of all the interviewed victims, more than 83% admitted that they did not report family conflicts and violent acts. The high degree of the latent character dramatically impacts on development of quantitative and qualitative indicators for domestic violence conditions.

6. The analysis of the criminological characteristics of individuals committing domestic violence has revealed that domestic violence is often perpetrated by individuals with low levels of education, low income, and living in unstable family relationships.

Qualitative analysis of criminological indicators of those committing violence in the family allows the formulation of a profile of a domestic violence offender as a middle-aged man with secondary education, unemployed, prone to alcoholism or drug addiction, and more likely to commit crimes related to causing harm to health or violating sexual freedom or integrity. At the same time, having a higher education is not a guarantee of a negative attitude toward violence in general and, specifically, towards family members or close relatives.

The main reason lies in the psychophysiological properties of the offender's personality – the desire for control over the victim through violent actions, known as controlling behavior, which is fueled by affective motives [34]. These motives are expressed through emotions and feelings such as jealousy, anger, and hate. From the roots of controlling behavior grows distortion in social roles – a patriarchal stigma that strengthens its superior positions for men. Thus, in the context of family relationships, a specific socio-psychological type of criminal personality emerges, characterized by increased conflict in interpersonal communication and combining violence and cruelty in their behavior.

The criminological profiling of individuals committing domestic violence promotes better identification of risk-behaving types and the development of personalized correction and rehabilitation programs.

7. The study of the socio-legal foundations of countering domestic violence against women in foreign countries, including a multifaceted preventive strategy based on the consolidated efforts of various preventive entities, served as the basis for the following recommendations:

- To implement the experience of the United Kingdom, and its Domestic Violence Disclosure Scheme (DVDS) within the adaptation of some of its elements in the context of Kazakhstan. The procedure represents a prospective step in combating domestic violence and ensuring the safety of victims. These efforts are crucial for creating a fairer and safer society for all citizens of Kazakhstan.

- To establish specialized family violence courts based on the experience of the United States. It is based on the need to ensure special attention and solutions to cases related to family violence. The essence of the specialized courts will significantly improve the efficiency of judicial prosecution, simplify the process for victims, and enhance the accessibility for the victims to receive justice.

8. It is proposed to consider victimological foundations to counter domestic violence against women as an independent form of counteracting, which includes state and public measures focused on the protection of the legal interests of citizens, society, and the state through increasing awareness among citizens and potential victims of domestic violence within the framework of victimological prevention and social control over domestic violence. This prevention aims to establish zero tolerance for violence and to develop an unacceptability of discrimination in society.

The theoretical and practical value of the work is in that it contributes to criminology theory and criminal justice approach to the problem of scientific development towards combating domestic violence against women. The practical importance of the research is that it is possible to demand its conclusions and proposals in practice by internal affairs bodies when developing measures for preventing domestic violence against women.

An analysis of the causes and factors contributing to domestic violence is practical since it defines a strategy to address this problem comprehensively, as well as allows the identification of effective prevention measures both at the level of state policy and on the side of the local community.

The study resulted in an identification of the problem underpinning domestic violence against women stating its condition, structure, and dynamics as well as revealed criminological features of personality committing gendered violence consisting of proposals on how to combat it or prevent it along with current legislation analysis within laws which should be amended.

Confirmation of sufficient completeness of publication of the main provisions, results, and conclusion of the dissertation.

General provisions of the thesis are published in 5 journals recommended by the CQAFSHE MSHE RK, one article in a journal included in the Scopus Database, and one article in the materials of an international conference. Overall – 7 published:

The structure and scope of the dissertation. The structure of the dissertation is determined by the topic, purpose, and objectives of the study. The dissertation consists of an introduction, three chapters, a conclusion, and a list of references, each chapter consists of several paragraphs. Total number of pages: 120 pages.

1 THEORETICAL AND LEGAL FOUNDATION FOR COUNTERING DOMESTIC VIOLENCE AGAINST WOMEN

1.1 Historical and global studies of gender-based violence

Gender issues are priority areas of public policy in many countries like USA, United Kingdom, Canada, Australia, and Kazakhstan (Gender Equality Strategy 2020-2025, National Strategy on Gender Equity and Equality, USA [35]; UK Gender equality at every stage: a roadmap for change [36]; Women and Gender Equality Canada (WAGE) 2022-2023, Canada [37]; National Strategy to Achieve Gender Equality, Australia; 2030 Concept of Family and Gender Policy in the Republic of Kazakhstan [39]). This is because gender discrimination remains one of the major types of practice in many spheres, i.e. its presence can be noticed within areas like education, the health care system, or the political sphere.

Gender inequality is recognized by governments throughout the world as an obstacle of achieving the goals of sustainable development and formation of a fair and equal society. In order to address these challenges, they have come up with certain strategies and initiatives that would help raise the awareness about gender-related issues, empower women's rights and abilities, provide girls with more opportunities for education and health care as well as support them in their entrepreneurship activities or on the labor market. Some of these policies and programs are creation of gender committees and departments, creation of specialized agencies and funds, as well as campaigns against violence against women and girls. In a broader perspective, public policy is concerned with guaranteeing gender equality, enhancing the welfare of women and girls, and establishing a society that is fairer and more equal to all [40].

Gender-based violence can be directed at children, adolescents and adults the most frequent role of a performer of gender-related cruelty is played by relatives or partners their acquaintances. Worldwide studies show that certain acts of violence are inflicted not only on women but also on men. For example, in the 2005 World Health Organization's Women's Health Study, a total of 23% women and 16% men have reported experiencing partner violence [41]. Nonetheless, it is essential to concentrate attention on some kinds of violence against girls and women as the main victims like these forms: domestic aggression, sexual assault or street harassment; rape process including psychological aggression and stalking with threats.

The issue of gender-based violence is characterized by a high social risk – the ultimate display of such a crime is premeditated murder, regardless of whether it takes place in public or private. The victims of such a killing do not die by chance – it is not something that happens suddenly and unpredictably; rather, this case represents the final stage in a cycle of multiple acts of domestic violence against women. The reason for these murders is to be found in the fact that violence becomes normal as a part of everyday life, i.e. on the streets and at work due to constant harassment.

At any rate, domestic violence is a problem that can be encountered in many countries of the world; hence there may not be accurate statistics concerning all cases. According to the United Nations Interagency Working Group on Violence against Women, as reported by the WHO, roughly one out of every three women worldwide -

or approximately 30% - have experienced physical and/or sexual violence from a sexual partner or non-partner, or both [8].

According to a study by the World Economic Forum (WEF), in 2020 45% of women in the Middle East and North Africa suffered from partner or sexual violence, while in Eastern Europe the percentage of such women is 19%, 22% in Western Europe became victims of such violence, in South Asia and East Asia and the Pacific 38% and 23% of women respectively and North America and Latin America and the Caribbean showed an amount of 32% and 27% of women-victims of partner physical and/or sexual violence [42]. (Image 1)

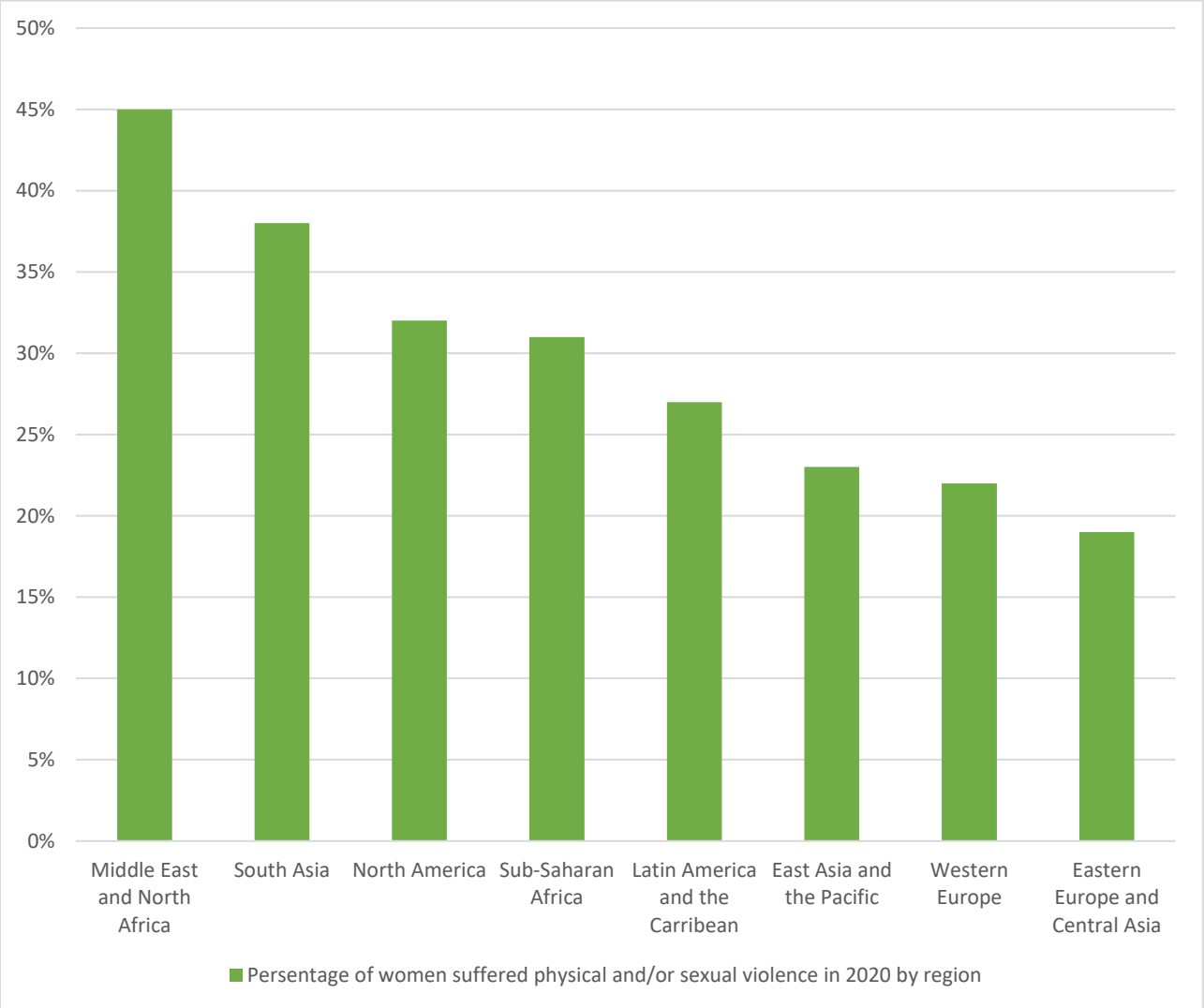


Image 1 – Women who suffered physical or sexual violence from a partner in 2020 by WEF.

Note - compiled by the author based on the source [42]

In addition, country-specific statistics may vary. For example, in the United States, according to the National Institute of Justice, more than half of the murders of women are committed precisely as a result of domestic violence [43]. According to

official data from the Ministry of Internal Affairs of the Republic of Kazakhstan, 276 murders of women were registered in 2020, of which 51 occurred as a result of domestic violence. However, experts point out that official statistics may not be accurate enough, as many cases of domestic violence and murder of women are not reported to the police [44].

The international community regularly monitors rankings in the field of gender equality. According to the Gender Gap Index by WEF, Kazakhstan in 2022 ranks 65th out of 146 countries, with an index of 71.9%, showing an increase of 0.9% compared to the previous year [45]. In the countries of Central Asia, Kazakhstan occupies the 4th place. This index measures the gender inequality in access to resources and opportunities in the country and not the levels of available resources in them. Regardless of the level of economic development, civil rights, and healthcare, a country takes a certain place in the ranking only based on whether women and men receive the same number of opportunities [46].

Existing studies point to the fact that worldwide the prevalence of various manifestations of gender-based murders is increasing.

Femicide is the highest degree of violence against women.

Usually, gender-based violent crimes are considered as violent actions including killing a woman or a man solely based on their gender. It also does not matter where such crimes occurred – at home or outside. Gender-based violence is a result of social and economic inequality [47]. One of the main goals of the UN's "Agenda for Sustainable Development" – 2030 is to "achieve gender equality and empower all women and girls", and "eliminate all forms of violence against women and girls in the public and private sphere" [48]. Gender-based violence is one of the most widespread but least recognized human rights violations in the world [49].

One of the conceptions of gender-based violence against women first started to develop in the 1970s and was named in research as "femicide" or "feminicide" [26]. Femicide is a homicide of women (*Fem – lat. Femininus – woman + lat. cidium – an act of killing*) [1]. Femicide can sometimes be the result of persistent domestic abuse. This theory gave a start to recent reforms in the sphere of criminal law in Latin America. Within a UN Report (number 6 A/HRC/20/16/Add.4) it states that femicide can be indirect and intentional or even as a result of domestic violence which could result in the death of the woman [50]. Femicide is one of the forms of violence against women when violence leads to murder. This type of violence is a global social and health problem that is getting more attention from society and the media today [51].

Defining the different types of femicide and killing of women is essential to understanding the extent of violence against women by men. We also believe that, depending on the type of femicide, different strategies should be developed to prevent and punish this practice.

Feminicido.net presented a classification of types of feminicide and murder of women [52]:

– **Intimate feminicide.** A murder committed by a person with whom the victim had a close relationship: husband, ex-husband, boyfriend, ex-boyfriend, or lover. This can also include a friend who kills a girlfriend or a woman acquaintance who refuses to enter into an intimate relationship with him [52].

– **Non-intimate feminicide.** Murder committed by a person with whom the victim had no relationship: sexual assault culminating in the murder of a woman by a stranger. We also include cases where a neighbor kills a neighbor who had no relationship with him [52].

– **Children's feminicide.** The murder of a girl under the age of 14, committed by a man in the context of a relationship based on responsibility, trust, or power, due to his adult status to a minor [52].

– **Family feminicide.** A murder that takes place in the context of a family relationship between the victim and the perpetrator. Relationships can be by consanguinity, marriage, or adoption [52].

– **Feminicide in the process of committing another murder.** When a woman is killed "in the line of fire" by a man who is trying to kill or is killing another woman. This may be a friend, a relative of the victim, a mother, a daughter, etc., or an outsider who happened to be in the same place where the perpetrator attacked the victim [52].

– **Feminicide due to prostitution.** The murder of a woman involved in prostitution by one or more men. This typology includes cases where the perpetrator or perpetrators kill women out of misogyny and hatred towards the status of the victim. These cases also carry the burden of social stigma and justification in the minds of prostitution feminicide killers: "She deserved it", "she asked for it because of who she was", "she was a bad woman", and "her life was worthless"[52].

– **Feminicide in the slave trade.** Death or murder occurs in a situation of enslavement and imprisonment of a female victim of human trafficking. By human trafficking, we mean, as defined by the United Nations, the capture, transportation, transfer to others, the forcible retention of women and girls through the threat or use of force or other forms of coercion, whether by kidnapping, fraud, deception, abuse of power, or giving or receiving payments. or allowances to obtain the consent of women and girls for exploitation. This exploitation includes prostitution and other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude, or the removal of organs [52].

– **Feminicide in trafficking.** The murder of the female victim takes place in the context of trafficking in illegal migrants. We understand human trafficking, as noted by the UN, as facilitating the illegal entry of a woman into a state where the woman is not a citizen or permanent resident to obtain, directly or indirectly, a financial or other material benefit [52].

– **Racist feminicide.** Murder committed against a woman because of her ethnicity or her phenotypic traits, motivated by hatred or rejection [52].

– **Feminicide as an international crime.** This type of feminicide is proposed by the authors as a term that can be used in the field of international law so that states bear political and legal responsibility for such crimes. Feminicide as an international crime combines three types: feminicide as genocide, feminicide as a crime against humanity, and feminicide as a war crime [52].

– **Systematic sexual feminicide.** Sexual feminicide is the killing of women who are kidnapped, tortured and raped. Their bodies, half-naked or completely naked, are dumped in desert areas, wastelands, drainpipes, garbage dumps, and on railroad tracks. Through brutal actions, killers reinforce unequal social relations: otherness,

difference, and inequality. At the same time, the state, supported by hegemonic groups, strengthens the patriarchal family and fails to provide security for women in general and victims' relatives in particular, often leaving perpetrators unpunished and victims without justice. Systematic sexual feminicide is divided into organized and unorganized and includes those who committed the crime and potential criminals [52].

– **Non-systematic sexual feminicide.** The murder of women is accompanied (although not always) by abduction, torture, rape, and disposal of the corpse. The killers are believed to only kill once per period and may be unfamiliar men, close friends, or relatives of the victims and leave their bodies in secluded places, hotels, or women's residences [52].

Countering femicide is one of the main obligations of every state following international human rights law, and within its jurisdiction, the state is obliged to prevent violence against human rights, protect people, punish the perpetrators, and pay compensation to the victims [53].

UN Declaration on the Elimination of Violence Against Women contains a very specific call to "Promote research, data collection, and statistical data collection, especially about domestic violence". It is one of the most important research areas for higher education institutions around the world involved in gender studies and the general promotion and protection of fundamental freedoms and human rights [53].

For example, a UN study found that in Ghana, domestic violence led to a 4.5% reduction in the number of women working in that country in 2019. Another example showed that in Vietnam, the total cost of service access missed work, and lost productivity combined totaled more than 3% of the Gross Domestic Product [54].

The study has already enabled various countries to advocate for investment in prevention and response, including through the adoption of new legislation and increased budget allocations for primary shelters for victims of domestic violence. Overall, the study has had a positive impact on the lives of individual women, as well as drawing the attention of relevant stakeholders to a better understanding and assessment of the consequences of domestic violence [54].

The United Nations Declaration on the Elimination of Violence against Women (VAW) in 1993 defined violence against women as "any act of gender-based violence that results or is likely to result in physical, sexual or psychological harm or suffering to women including threats of acts such as coercion or arbitrary deprivation of liberty, whether in public or private life" [53].

In 2022, the UN General Assembly's report "Interfering with the killing of women and girls (femicides) and violence against them" noted that: "The most obvious examples of gender-related killings are, among others, murders with rape; homicide as a result of intimate partner violence; dowry killings; so-called honor and death killings, which are caused by harmful practices and neglect. As a rule, gender-related killings are not isolated cases that occur suddenly and unexpectedly; more often they are the extreme manifestation of the combination of gender discrimination and violence. Although these manifestations vary, they all involve the deprivation of women of socio-political and economic opportunities and the systematic disregard of women's equal right to enjoy human rights [55]."

Globally, 38% of all murders of women are committed by their intimate partners. The United Nations Population Fund (Office of the High Commissioner on Human Rights) estimates that every year 5,000 women in the world are victims of so-called honor killings by family members [56].

The killing of women accused of practicing magic/witchcraft is reported to be a significant phenomenon in Africa, Asia, and the Pacific Islands. For example, in Papua New Guinea, there are reported cases of torture and murder of approximately 500 women accused of practicing magic/witchcraft. Dowry killings are still a common practice in some South Asian countries. For example, according to statistics for 2007-2009, in India, from 8093 to 8383 cases of dowry killings were registered [57].

In Mexico and Central America, the growing phenomenon of organized crime, human and drug trafficking, and the proliferation of small arms have led to a significant increase in the homicide rate of women. According to some estimates, only from 1993 to 2009. in Ciudad Juarez (Mexico), approximately 740 femicides were committed [53].

In 2014 in Italy, ISTAT (Italian Institute for the Collection of Statistics) carried out the second study of violence against women funded by the Department of Equal Opportunities. The study was conducted on a sample of about 24,700 women aged 16–70 years. According to a 2014 study, 6,778,000 women were victims of some form of violence, both physical and sexual, representing 31.5% of women aged 16-70 over a lifetime; 20.2% were victims of physical violence; 21% of sexual violence (including sexual unwanted touching) and 5.4% of the most serious forms of sexual violence such as rape and attempted rape: 652,000 women were victims of rape, and 746,000 were victims of attempted rape [58].

Current or former partners are the perpetrators of the most serious violence. 2 million and 800,000 women were victims of violence: 5.5% of women with a current partner (855,000) and 18.8% of women who had a partner in the past (2 million and 44). In particular, partners are responsible for 62.7% of rapes and 90.6% of unwanted sexual relationships that women experience as violence, while the perpetrators of sexually unwanted touching are unknown in most cases (76.8%) [58].

Women also experienced psychological and economic violence from partners (26.5% by current partner, 46.1% by former partner) and 16.1% of stalking (15.3% of women with a partner in the past suffered from partner stalking, 10.3% of women were stalked by a non-partner) [58].

In 37.8% of cases of partner violence, women were injured, bruised, and so on. About 20% were hospitalized after their injuries, and more than a fifth of those who went to the hospital were permanently disabled. Violence does not stop even during pregnancy: in about 1 case out of 4, violence decreased, while for 11.3% of women, it increased [58].

ISTAT collects data and information from a variety of sources, including women's experience in population surveys and administrative data, to provide a comprehensive framework for addressing gender-based violence in line with international conventions and guidelines.

Gender equality requires that institutions, laws, policies, and social norms allow women to access and enjoy opportunities on an equal basis with men. However,

women's voice and decision - the ability to speak their minds and be heard, and to make decisions about their lives in the absence of violence, retribution, or fear - is not always guaranteed.

In several countries, the employment of women in paid work outside the home is viewed negatively, and it is widely believed that men have more rights to work than women during times of economic hardship.

Women continue to be underrepresented at all levels of decision-making. At the local level, women hold less than 10 percent of elected positions in countries such as Lebanon, Armenia, and Turkey [59].

1 out of 3 men in the world would prefer his wife to stay at home, take care of the family, and do unpaid housework, rather than take a paid job [60].

Social and gender norms are some basic underlying factors, which contribute to the woman's ability to work, if she should work, what type of work she can do, and obligates her unpaid caregiving duties. Regional and national social norms remain with women and tend to govern their ability to access the labor market, certain occupations, or physical movement.

Not all girls or women have a chance to report abuse and do not have the right to leave an abusive family member. Financial, housing, and education problems lead women to being killed at home. On the other hand, according to Lin Shipway: "These women can be career and job holders, positions, successful managers of enterprises present outside the household sphere as professional ones [61]."

GBV is a major concern for public health all over the world; it also serves as one of many human rights violations that leave millions endlessly traumatized and with numerous psychological issues years after those allegations occurred. Collecting and generating data on gender-based violence is crucial for several reasons:

1) Data collection is required to arrive at the prevalence and incidence of gender-based violence. This data is critical in coming up with efficient prevention and intervention mechanisms, not to mention the advocacy efforts that will address public knowledge on this issue.

2) Data includes age, gender, socioeconomic status and location are used to determine the trends as well patterns related to GBV. This information can be used to formulate policy as well help in targeting prevention and intervention efforts more appropriately.

3) The process of data gathering regarding the results or outcome from prevention and intervention programs can also aid in determining such effectivity, which will then be used as basis to improve on such services.

4) Data will also be used to provide proof of the extent and consequences on gender-based violence which will enable actions much forward powerful execution that ensures those who perpetrate it against entire institutions carry blame.

5) Statistics collected for gender-based violence would be a good use during budget allocation discussions to convince the lawmakers of increased need in putting more funds and at least resources towards prevention.

Collecting and generating data on gender-based violence is a challenge, since the majority of such acts have a latency, all of them hidden because of stigma mostly motivated by shame or financial or traditional dependence. For example, the latest

research about reasons why women did not leave and why did they leave abusive relationships, was made by R.L. Herron, M. Eisma, and K. Browne [62]. Qualitative research with in-depth interviews among twenty intimate partner violence victims in the United Kingdom showed three main reasons why women stayed in or left abusive relationships. Reasons for staying indicated as economic reasons, love, and investments such as marriage, pregnancy, or keeping family together, while reasons for leaving were external professional and informal support, fear of harm, and children protection [62].

Another study conducted in Kazakhstan showed that disputes over property and jealousy are the main causes of domestic violence [63]. Women aged between 18 and 75 were asked about the reasons for abuse in their families. Thus, 34% of respondents stated the cause of domestic violence - property disputes, 26% - jealousy of spouses, 25% - alcoholism, 12% - intrusion of other persons in the family life, 7% - lack of agreement between partners [63].

Women may choose not to leave their abuser for several reasons, such as having children, financial dependence, fear, and adherence to social customs and traditions that prevent them from accurately assessing their situation and protecting themselves. This creates a victimization situation for these women from a victimological perspective, where certain initial events contribute to their transformation into a victim, despite their intentions and regardless of objective circumstances. The most significant danger of domestic violence and violence in general is that it places women at the highest risk of mortality [63].

Domestic violence is a recurring incident of multiple types of physical, sexual, psychological, and economic abuse [64].

E.P. Agapov defines domestic violence as the intentional causing of physical and/or psychological harm and suffering to family members, which includes not only actual harm but also threats, coercion, and the deprivation of personal freedoms. In this setting, violence is used to gain complete control over another individual, including their thoughts, actions, and feelings [65].

M. Zakharova defines domestic violence as a pattern of behavior aimed at establishing and maintaining the power and control of one family member over the others. This behavior involves such aspects as physical, psychological and sexual abuse, threats, and other types of control and domination [66].

Considering the concept of the negative consequences of violence, one can mention the views of C. Montesquieu, who noted the danger of using violence against people: “forces to control or dominate him [67]”. Charles Beccaria took the same categorical position in relation to violence, seeing it as unjust and unfair actions of some members of society against others, and suggested that “any display of man’s power over others” is tyranny [68].

A.N. Ilyashenko remarks upon the special need to consider his viewpoint of a negative attitude towards violence. According to him, the violence is one of the negative phenomena of life that in all times and in all circumstances has caused and continues causing torment and suffering, regardless of the form and sphere of life of people in which it reveals itself [69].

Domestic violence is a human rights violation that includes the violation of the right to equal legal protection, the right to protection against discrimination based on sex, the right to protection from cruel treatment, the right to life and physical safety, and other fundamental rights enshrined in international legal instruments.

Control and controlling behavior.

The psychological manipulating behavior consists of control and controlling behavior which involves the following types, such as abuse injury treatment aggression or violence, maltreatment verbal. Controlling abusers may appear in three roles: controller, abuser, and batterer.

Control is a very common behavior associated with the perpetrators of gender-based violence, and usually in domestic environment to have an ability always they use controlling behaviors. These acts could be such things as cutting off the victim from friends and family, limiting their access to certain resources monitoring of activities or threats and violence.

Understanding and researching controlling behaviors is urgent for several reasons:

1) Control behaviors are pervasive in gender-based violence. The World Health Organization says that one in three women in the world has been subjected to physical or sexual violence, with controlling behaviors being a major part of this violence.

2) Control behaviors can lead to severe long-term effects on the victims such as psychological trauma, physical injuries, and death. Studies have indicated that victims of domestic violence have a higher likelihood of developing mental health problems such as depression and post-traumatic stress disorder, and they may also suffer from chronic physical health issues.

3) It is essential to understand the dynamics of controlling behaviors for purposes of curbing gender-based violence. The prevention strategies that work need to deal with the root causes of controlling behaviors, such as gender inequalities and foster healthy relationship dynamics.

4) Studies on controlling behaviors can support the creation of efficient interventions for victims and offenders. This may involve measures to make the victims stronger, tackle the underlying causes of controlling behaviors, and ensure that the perpetrators are responsible for their actions.

5) Knowing how controlling behaviors affect an individual can help in the formulation of policies and in advocacy work towards preventing and addressing gender-based violence.

O'Leary and Maiuro noted four dimensions of psychological abuse, the first being denigrating damage to a partner's self-esteem which involved shouting and swearing at a partner; insulting them in relation to appearance, personality or intelligence; invalidating or projecting feelings. The second factor was 'passive-aggressive', which involve withholding affection, silent treatment towards the mate and being emotionally detached. The third dimension was "threatening behavior" which included overt threats to harm the partner, their children, or others and threats of abandonment and infidelity. The final dimension was "restricting personal territory" and included social isolation, violation of personal privacy, and financial and physical control [70, p .87].

Feminist researchers like Pence and Paymar, have placed such behaviors under the umbrella term “controlling behaviors”. The term “controlling behavior” emphasizes the perpetrator’s motivation rather than the impact such behaviors have on the victim, which is an improvement over terms that presuppose domineering/abusive perpetrator motivations or negative victim impact [70, p .88].

Feminist theory of controlling behavior.

A feminist analysis of domestic violence places victims within a patriarchal family and societal structure. Feminist theorists assert that phenomena such as domestic violence cannot be studied without applying a gendered lens. It is believed that men and women live gendered lives, and therefore a failure to consider their differentiated experiences would result in research that lacks validity [70 p.90].

Patriarchal explanations for abuse are certainly not irrelevant, but they are insufficient and often lead to superficial assessments and inappropriate treatment, thus reducing rather than increasing the odds of treatment success.

The dominance of men over women is not an inherent or universal trait; rather, their positions of power and the likelihood of abusing it are determined by economic scarcity and other ecological factors [70, p. 5 Chapter 1]. The polarization of the field ‘Gender Camp’ (i.e., guided by the belief that men are the vastly predominant perpetrators) and women make up the considerable majority of victims and that patriarchy and male privilege drive domestic violence [70, p. XLII].

The ongoing financial reliance of women on men is a common focus of feminist writers. Even if a woman is employed and lives with a male partner, she may not have financial autonomy and may be unable to leave a home where violence occurs.

Gender-based violence, such as domestic violence is a complicated and multidimensional problem that may not be attributed to one or several factors. While it is more likely to find women and girls being victims of domestic violence, males too can be victimized through acts of violence while females may also engage in perpetrating the act.

Research has, however, proven that domestic violence is a vice practiced by all social classes because it cuts across both men and women as the victims or often on different instants. Causes of home violence are also different, and they may change from one person to another. Among the factors that could result in domestic violence include a history of childhood abuse, use and misuse of substances, associated mental health problems as well as financial related triggers.

It is important to mention that every case of domestic violence should be regarded as an individual one and it cannot act as a basis for generalization. Those ‘violent’ are also likely to experience various emotions due to other adaptation mechanisms they might have. In the same vein, abusers may have varied driving forces behind their aggression and many not know that they are inflicting an injury.

It is very important to realize that domestic violence is not a straightforward problem, which can just vanish on its own. It could not be fully addressed by a fragmentary recommendation but necessitates every little aspect to reach the root of all causes and factors that produce such condition. This includes activities that seek to achieve gender equality, prevent violence against women and provide services for victims as well as perpetrators.

In conclusion, it should be noted that domestic violence is a multifaceted problem which encompasses everyone, both men and women as the victims or perpetrators. Domestic violence is a sensitive issue that requires better understanding and careful consideration of all factors involved in order to address it properly enough to support the development of healthy relationships.

Biological and evolutionary explanation of controlling behavior.

According to socio-biological perspectives, it is possible to explain controlling behavior and partner violence by making reference mate guarding behaviors. The evolutionary theorists term actions by one of the members in a reproductive pair to reduce and restrict the chances for their sexual partners from mating as mate guarding. For instance, mate guarding may be manifested through behavior control, verbal aggression and physical battles as well [70].

Mate guarding is one of the aspects that can be found in such species, including humans, which engage in internal fertilization and thus need male parental care [70]. Within such a context, mate guarding can be understood as various strategies employed by one individual among the reproductive pair to prevent their partner(s) from having access to males or females who may offer mating opportunities. These behaviors can present themselves in different manifestations, including control behavior, verbal aggression and physical aggressiveness. For males, this phenomenon is beneficial because it increases confidence about paternity and for females – through mate guarding by having more resources available to her and her offspring. As such, both evolutionary theory and feminist approach agree that men employ controlling behavior and violent physical action in order to subdue females while the evolutionist's account also admits that women can likewise be known for similar actions towards their partners [70, p.93].

In any case, the principle of gender-based killing of women and girls is connected to their structural discrimination system concept. Thus, prevention of gender-based killings demands a comprehensive approach combining legalistic, administrative as well as political and other means aimed against social psychical economic cultural of this or that factor nourishing the steady tendency towards discrimination with violence [71].

This will also involve societal change, such as the elimination of deleterious stereotypes; building information systems and collecting quality data on gender-based homicides; adequate provision by police and judiciary of civil remedies and criminal sanctions where appropriate' providing life-saving services to women victims of violence [53].

Numerous jurisdictions in the Latin American region have put legislative practices used to address violence against women, and this includes femicide-related legislation. A few countries have already created such legislations, for instance in Chile during 2010; Mexico in 2011 was next after that successful story followed by Argentina a year later at this same course, Bolivia tried the process in 2013,Venezuela in 2014 and from 2016 to 2017; Paraguay borrowed it from remnants some times last year while Among such countries are Paraguay, Uruguay and Bolivia that have issued sentences up to 30 years on misogynistic killers while; El Salvador and Mexico offer

imprisonment of between 20-50 years. In addition, Paraguay has established Ministry of Women's affairs [72].

The unit for the security of women from violence was opened in 1999 by decree of the President Republic of Kazakhstan [44]. The main task of such an organization is to ensure the protection before violations, encroachments upon their constitutional rights and freedoms as well as legitimate interests of women with prohibition prevention suppression violence in all areas. This service is a subunit of the Ministry of Interior; it focuses on handling complaints and implementing measures to ensure women are shield away violence, while also conducting preventive initiatives under this rubric. This is a crucial program that has been designed to protect women as well alleviate violence in Kazakhstan.

So, the statistics of femicide associated with 20 countries are worked by pan-European coalition. There are many institutions in the US, Canada and Latin America that conduct researches or undertake initiatives to fight femicide. Enhancing the issue of violence against women, it should be stated that laws regarding this form of crime adopted by more civilized countries such as United States and western European states do not necessarily include term "femicide" but are quite strict which allows any woman to fight with crimes related even to minor levels while committing an offense [72].

In the year 2011, Council of Europe Convention on Preventing and Combating Violence against Women and Domestic violence was enacted. The convention became effective on August 1, 2014 [73]. Article 11 of the Convention emphasizes on consistent provision to information collection relating to all acts if violence and documented disaggregated statistics thence resulting including supporting research focusing more all forms such as covered with by national conventions aimed analyzing underlying root causes, consequences, level frequencies and ratios convincing results achieved in implementing various domesticated statutory provisions underlined formally. The measurement of gender-based violence (GBV) is, in fact among the major areas addressed by Istanbul convention [73].

Since 2015, the United Nations have made efforts to launch a femicide global observatory [52]. A femicide law adoption campaign was launched in Georgia, back in 2017 [52]. At national level, femicide prevention was discussed by state of Albania back in 2018. Shalva Weil is developing the femicide law in Israel and Kosana Beker is implementing the scheme to fight with femicides Serbia. The European Council of Yazidi Women mandate August 3 to be considered as the International Day of Action Against Femicide [52].

We owe it to the active figure of Graciela Atencio who has created site masculicidio.net, that we know how many Spanish women were killed by their men in 2018 – 97 (official number 49). The highest number of crimes are done in Andalusia and Catalonia. At the start of 2019, an additional fourteen women have died. The structure of mortality is analyzed by age, region, nationality profession and the social status of victims; they also cover the nature of their relationship with a killer perform temporal and geographical analysis as well track in Spanish-speaking countries [52]. Feminicidio.net is an online platform based on the problem of femicide and violence toward women. It was established in Spain back in 2010 with the purpose of fighting femicide and has since then turned into a resource providing one-stop information

synergy between activists, researchers, organizations as well government structures from different countries [52].

Feminicidio.net offers a variety of materials and resources related to femicide, such as news articles, reports' summaries or reviews', analysis or opinion's sections; in addition provides with some helpful tools making easier the understanding work. Furthermore, the site offers information regarding femicide carried so far in various countries as well as regions by providing cases of reference where readers can access a database of femicides detailing on victims and conditions surrounding them plus consequences [52].

Feminicidio.net is an important tool of combating violence against women and femicide, providing data information as well resources helping in the management and organization of responses to this phenomenon.

Domestic violence against women in Kazakhstan is hidden, the number of reports to law enforcement agencies are less than acts committed by domestic abuse. Specialists observe that the majority of cases of violence are either unsolved or unregistered. In cases of domestic violence, the major forms that are prevalent in most incidences include physical abuse and psychological torture; sexual assaults as well as economic repression. Depending on its type, domestic abuse can have several forms and be considered physical battery or rape, mental torture or economic violence [53]. Gender-based killings of women may not always be prevented or addressed through gender-responsive measures by criminal justice institutions due to their lack of capacity. To eliminate this problem, it is necessary to eliminate gender stereotypes and discrimination through preventive measures, eliminate the lack of specialized knowledge, and ensure the training of human resources.

The different types of family (domestic) violence involve any infringement on the personality of a family member and their right to control their own life, which may include emotional and psychological abuse such as insults, ridicule, and emotional abandonment. The following types of family (domestic) violence are identified [30]:

– Physical violence: which can include beatings, slapping, and other forms of physical assault.

– Sexual abuse: this can involve forcing a partner or child to have sex, committing sexual acts against their will, or any other form of using them for sexual pleasure.

– Psychological and emotional abuse: which can involve isolation from friends and family, threats of violence, and humiliation.

– Economic violence: this can include controlling all the finances, not allowing the partner to vote on how money is spent, forcing them to work, or prohibiting them from working.

– Neglect: which can involve a systematic failure or refusal to provide basic needs such as food, clothing, medical care, protection, and affection to a dependent family member.

Referring to the general theory of domestic violence, domestic violence is understood as:

– Control;

- Physical violence;
- Sexual abuse;
- Emotional abuse;
- Intimidation;
- Isolation;
- Verbal abuse;
- Economic violence;
- Stalking [4].

In 1984 DAIP distributed a “Power and Control Wheel” to explain battering for several types of audiences such as victims, offenders, and practitioners in the criminal justice system and the general public. PCW was created using the qualitative approach within the focus group research method, where the stories of battered women have been documented [74].

“Battering is one form of domestic or intimate partner violence. It is characterized by the pattern of actions that an individual uses to intentionally control or dominate his intimate partner. That is why the words “power and control” are in the center of the wheel. A batterer systematically uses threats, intimidation, and coercion to instill fear in his partner. These behaviors are the spokes of the wheel. Physical and sexual violence holds it all together—this violence is the rim of the wheel [74].”

Duluth model of power and abuse explains the “power and control behavior” of physical and sexual violence as a complex of such actions as intimidation, emotional abuse, isolation, coercion and threats, economic abuse, male privilege, using children, minimizing, denying, and blaming [74].

Emotional abuse of women refers to various behaviors such as belittling, criticizing, and shaming her, making her question her sanity, playing mind games, humiliating her, and making her feel guilty.

Intimidation tactics are also used, such as using threatening looks, gestures, or actions, damaging her belongings or pets, or displaying weapons to create fear.

Isolation is another form of abuse where the abuser tries to control the woman's actions, relationships, and movements, limiting her outside involvement and using jealousy as a pretext for their actions [2].

Economic abuse involves restricting her ability to earn or keep a job, controlling her finances by giving her an allowance or taking her money, and keeping her unaware of or denying access to family income [74].

Coercion and threats are common strategies of abusers to make women comply with their demands or silence them by using physical, emotional, or legal force, such as by threatening to hurt them, kill themselves, report them to authorities, or make them do illegal things [74].

Male privilege is a form of sexism that reinforces gender inequality by treating women as inferior or subordinate to men, such as by expecting them to serve men's needs, submit to their authority, or follow traditional gender roles [51].

Using children as pawns in domestic violence is a cruel and manipulative tactic that harms both the children and the women by exploiting their emotional attachment and vulnerability, such as by using them to convey messages, punish the women, or threaten to take them away [74].

Minimizing, denying, and blaming are common tactics of abusers to avoid taking responsibility for their violent behavior or to discredit the women's experiences by downplaying or denying the abuse, shifting the blame to the women, or trivializing the harm caused [74].

Stalking.

Stalking came into public awareness in the United States in 1990 with the advent of the first anti-stalking law in California following several high-profile stalking cases [70, p.109, ch.5].

Stalking is a form of intimate violence. Some researchers identify stalking as ‘obsessional relational intrusion’, while others tend to identify stalking as ‘unwanted relational pursuit’ domestic violence researchers define stalking as a ‘separation abuse’ in describing the level of violence victims are suffering from after attempts to leave their partner [70, p.110, ch.5].

Intimate stalking behavior may best be understood as a continuum of behaviors, escalating from courtship persistence to threats of physical violence, wherein, the pursuer repeatedly attempts to maintain unwanted contact, directly and indirectly, with a target, and this behavior, intentionally or unintentionally, causes the target discomfort and in extreme cases, fear. A theoretical explanation of stalking, for why some people engage in stalking behaviors has been demonstrated that such behaviors likely occur in situations where an attachment to another is threatened or at times when individuals feel they have lost control over partners. In this way, one might consider the breakup of a relationship to be the ultimate unrequired love scenario, particularly in the case, where the decision to end the relationship is not mutual.

Analyzing historical and global research on gender-based violence, we conclude that gender-based violence encompasses all forms of physical, psychological, economic, and sexual violence, as well as forced marriages, female genital mutilation (FGM), cyber violence, and domestic violence. In the context of historical dynamics and global trends, special attention is given to domestic violence (DV) due to its prevalence, where it manifests as a structural and sociocultural issue. In the context of this analysis, we propose considering the term "gender-based violence" (GBV) as a comprehensive term that encompasses various forms of violence where gender plays a significant role.

Thus, we propose the term "gender-based violence" (GBV) to refer to any violent action causing physical, psychological, and material harm directed against any individual solely based on their gender.

Domestic violence (DV), therefore, constitutes a part of this broader concept, emphasizing not only individual instances of violence within the family context but also their roots in systemic gender inequalities.

Historical analysis reveals the evolution of understanding and responses to domestic violence in various societies. It has allowed the identification of changes in cultural norms, legislation, and social consciousness that could impact the dynamics of family relationships and the condemnation of domestic violence.

In global research, there is an emphasize on the forms of gender-based violence that take diverse shape or perspective in terms of cultural standing point including economics and sex. This also helps in determining shared patterns, such as the high

level of quiet compliance or justification to use violence within families amongst certain cultures.

First, the different terminologies employed in scholarly studies helps to have a clearer understanding of violence nature and its elements which may encourage targeted development intervention to ensure better prevention as well containment measures.

Second, the application of a wide range of terms enables researchers to give precise definitions and descriptions specifically reflecting such types as psychological, financial or emotional ones among others that leads them towards understanding root causes more adequately thus creating relevant means for fighting these tendencies.

The third point is that diverse terminologies can contribute to addressing many sides of violence, which regards not only the traits inherent in victims and abusers but also its dynamics as well as aftermaths ultimately enhancing both quantitative and qualitative outcomes derived by researchers.

Finally, the deployment of heterogeneous terminology may help practitioners and supporters of violence research communicate more productively thus accumulating a rise in legitimacy. This is additionally crucial for a deeper understanding of violence and its features, better approaches to addressing it, as well as an enhancement in the quality and quantity of data that researchers receive.

At this new development stage, it is important for Kazakhstan to outline strategies of family policy formation because the latter occupies an essential place in human capital quality related social institutions.

According to foreign practice, gender construct is a significant factor that determines the level of functional equilibrium in families. With an increased level of gender equality, the family members are more responsible and equal in fulfilling significant functions within households such as economic ones or important social roles including moral, educational protectional et cetera.

Therefore, gender violence is a critical issue which affects the lives of females in every part of this world. It is against fundamental rights to human beings and leads towards immense pain, which can affect the victim permanently including hisher surrounding. The level of gender-based violence, however, still remains high despite the huge investments by various international bodies and respective national governments on issues to deal with such forms of crime.

However, it is to be seen that gender based violence does not take the term only as physical but includes psychological and sexual violations along with economic abuses also. The fight against gender-based violence must be holistic and include multiple measures to encompass legislative changes, education on the subject for all parties involved, raising awareness of this problem among people with influence, as well as international cooperation.

Nevertheless, despite all the above-mentioned points scientifically worded and presented research in this area is only beginning to receive full-fledged attention of professional community.

Summarizing the research of the historical and international formation of understanding domestic violence as a category, conducted within this chapter we can state that so far there is no unambiguous perception on issues related to social

phenomenon which is defined under ‘violence’ title; however there are only direct assertions about negative process in strictly formulated problematic component in family relations.

1.2 Legal mechanisms for women’s protection from domestic violence.

Domestic violence has negative social consequences which not only hurt the victim, but also society as a whole because it produces its group members who are subjected to destructive behavior. Of these effects it is possible to single out social and family instability, destruction of the institution of a family, demographic problems, alcoholism and other dangerous phenomena which affect in their turn on socialand economic development of state.

The protection of women from domestic violence is a significant problem in the legislation of multiple states, Kazakhstan being one such example. There are various protection mechanisms in the world, which may vary depending on the legislation of each country, including the following:

- Criminal prosecution. Legislation against violence on the women side is known to define aggressive behaviors, which are committed as physical harm or that cause potentially harmful situation towards others therefore; they also address representatives of sexual assault and psychological oppression. With these laws in place, women are able to get help from the police that would enable them seek legal redress against their offenders.
- Protective orders. In a few countries, there are certain rules given to the women in court for protection which do not allow rapist people from coming into contact with their victims. Depending on the raped order violation, any such violator can be arrested and convicted.
- Centers for help to the victims of violence. In a number of countries, there are institutions for victims to violence which offer assistance and counselling services provided by specialists. The centers may also give victims short-term shelter and other related services.
- – Publicly denounce violence against women. Recently in different regions, a weak against women and the fight for getting rid of it have been increasingly driven by huge masses. This May result in a shift of public sentiment and laws.

The legal instruments of protecting women from domestic violence include abuse prevention, assistance to the victims, punishment for perpetrators and compensation. They are part of the international law and statute in nearly every country across the globe. Nevertheless, in reality, the effectiveness of such mechanisms may be undermined by a range of factors including lack of awareness among the population regarding their rights and availability support services as well obstacles to getting legal aid and prosecuting offenders alongside insufficient governmental funding assistance programs aimed at combating domestic violence. In order to ensure the protection of rights for women and prevent violence against them, these issues should be solved jointly by state, society as a whole and international organizations.

Since the mid-20th century, the international community recognized the significance of combating domestic violence effectively. As a result, several documents were adopted, which not only urged states to revise their policies in supporting and

protecting families and their members as the primary unit of society but also offered specific proposals [75], including model legislation, to allow for the development of unified approaches and criteria for addressing the issue across all countries.

Many international and regional documents around the world regulate the protection of women's rights and the fight against violence against women. For example, in 1993, the World Conference on Human Rights in Vienna recognized violence against women as a violation of human rights and established that states have a responsibility to protect women's rights [76]. In 1995 accepted Beijing's valid plan of action, which contains concrete measures by strengthening the rights of women and fighting against violence in respect women [77]; International Covenant on Civil and Political Rights (New York, December 16, 1966) [78], ratified by the Law of the Republic of Kazakhstan dated November 28, 2005 No. 91-III; UN Convention on the Elimination of All Forms of Discrimination against Women (1998); Optional Protocol to the UN Convention on the Elimination of All Forms of Discrimination against Women (2001) [79]; The Council of Europe's Convention on preventing and combating violence against women and domestic violence: Istanbul Convention (2011) [73]; Declaration on the Elimination of Violence against Women Proclaimed by General Assembly resolution 48/104 of 20 December 1993 [53].

Having ratified some of these documents, the Republic of Kazakhstan has pledged to be accountable not only for its citizenry but also internationally. After this process, the states could no longer invoke privacy as a defense mechanism for failure to protect victims of domestic violence.

The International Covenant on Civil and Political Rights (ICCPR) is 1966 Charter, which was adopted in 1966 by the UN General Assembly and gained power in 1976 [78]. The covenant has provisions that require participating States to uphold and ensure such rights including the right to life, freedom from torture and inhuman treatment, thoughts free of oppression or any form what is mentioned above; it also provides for an allowable opinion as well gathering, courtesy, rights whereof protection should be accorded etc. [78]. This document focuses on discrimination issues and more so gender-based discriminations. The Covenant has requirements for the participating States that should avoid such discrimination and ensure equal rights of men and women in all realms [78].

Kazakhstan ratified the ICCPR in 2005, thus making its application to be mandatory for that country. For instance, the state ensures that it provides a guaranteeing security of human rights and individual freedoms on Kazakhstan’s territory as well as creates conditions for their observance.

The International Covenant on Civil and Political Rights is extremely important when it comes to protecting human rights and freedoms all over the world; both this treaty becomes such a vital tool in obtaining equal opportunities for everyone thus implementing efforts against discrimination, including sex-based one.

In 1979, the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was accepted by The United Nations General Assembly and entered into force in 1981. In 1998, a protocol for this Convention was established which supplemented the provisions of the violence against women protection.

CEDAW recognizes that rights and freedoms of women are infringed upon by the gender–based discrimination then a lists series of measures to prevent such actions thus promoting equality. The treaty obliges member states to adopt all procedures necessary for the elimination of every manifestation gender-related injustice regarding employment, education, health and medical coverages invited in various forms including political participation, as well legal outreach [53].

By way of elaboration, the 1998 Protocol spells out what is contained in this convention and requires States parties to enact statutory provisions aimed at preventing combating and eradicating any form violence meted against women. The Protocol also elaborates on the definition of gender discrimination to incorporate violence and contains guidelines for offering protection to women subjected [79].

The 1998 Convention and Protocol have reflected the most relevant principles of ensuring women's rights as a priority area for combating discrimination against violence towards them. They acknowledge that such inequality is a barrier to the realization of equality, justice and development as well as they impose an obligation on participating states to act towards suppressing this form [53; 79].

Kazakhstan became a member to the UN Convention on elimination of Discrimination against women, by ratifying CEDAW in 1998. As a result, it was made obligatory for adoption on the territory of that particular state implying that Kazakhstan committed to act to eliminate all types of discrimination against women and promote gender equality in different spheres.

The Istanbul Convention, also known as the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence is a pioneer international document designed to address violence against women or domestic-based.

The Istanbul Convention describes violence against women as a human rights infringement and presumes the actions that should be taken by the states to shield females from aggression, penalizing assailants. It clearly understands the fact that violence against women is considered a gross breach of women's' rights and freedoms; thus, enforcing specific measures to prevent such acts from occurring in addition to protecting victims and acting swiftly on offenders [73].

The Convention not only widens the understanding of violence against women and includes different forms of it (physical, psychological, sexual), but also defines economical abuse as one more variation to be in charge for. It also provides measures to prevent violence against women and protect victims, label in the form of support for a victims from violence, the creation of shelters and crisis centers as well as the consolidation at a national level legal protection an important segment for victims [73].

One of the key characterizes of the Convention is its evolutionary nature in addressing violence against women prevention and combating. One of the crucial mechanisms in addressing domestic violence against women is with regards to ratifying Sates given that Istanbul Convention serves as a dynamic platform through which innovative policies and measures can be formulated or adopted. The Convention recognizes violence against women to be the outcome of such a notion as gender inequity and contains measures aimed at the prevention of its underlying causes. These

strategies include raising women's status in the society, involving men directly into efforts aimed at violence prevention and promoting a culture of equality rights [73].

At present 45 countries are the participants of Istanbul Convention it for possible logical sequence is to say about most country's European Union and CIS. But not all countries have accepted and implemented the convention; including Kazakhstan, Russia, Azerbaijan, Armenia withdrew this year (2021), while Turkey left from Istanbul Convention. The respective decision was made by President Recep Tayyip Erdogan, the Turkish president, and became effective since July 1st ,2021. On the other hand, it can not be overlooked that many people at home and abroad were strongly against Erdogan's choices. The decision by Turkey to pull out from the Istanbul convention has been viewed as a backward move in women protection against violence and many organizations for fighting rights of women have criticized it. Kazakhstan received an invitation to sign the Istanbul Convention on April 22, but it remains valid until 2025.

In 1993, the UN General Assembly passed a resolution on adopting The Declaration on the Elimination of Violence against Women. By this declaration, it also ensures violence against women is a gross human rights violation and condemns all forms of sexual assault to the women as well blows at home in addition for violence under slavery and inheriting property [53].

The Declaration offers frameworks for preventing the abuse of women, as well as guidance on how to handle its victims. It is binding upon the parties, which shall take measures to prevent violence – for example, by educating and informing about prevention of physical abuse against women or creating legislation on prohibition of such practices and protection victims. The Declaration also demands defending mechanism of the population influenced by violence and this matter includes crisis centers, shelters for women [53].

The Declaration on the Elimination of Violence against Women is a relevant document discussing importance to fight violence towards women and defend their rights. She also appeals to the participating States for taking measures towards development of legislation that would ensure equal rights and opportunities with women having strong sexuality in society. Meanwhile, the Declaration comes as an essential reminder to address violence against women and requires inter-relations on this issue in a global domain [53].

Kazakhstan ratified the Declaration on Elimination of Violence against Women in 1998, once again pledging its promise of fighting violence against women and ensuring their rights.

Therefore, the outlined conventions above are significant international instruments which encourage their member states to act respectively in order to preserve correct of women and challenge discrimination or violence towards them.

These instruments formalize standard principles and norms that should be adopted by participating States to ensure the rights of women against violence towards them. Some of the principles enshrined in these conventions include the obligation of state parties to:

- outlaw sex discrimination and lead to the realization of equal rights for both men and women in every sphere, such as politics, economics fields, education sectors physical safety.
- ensure that women are safe from violence and fight all forms of abusing them which include rape, battering in families as well harassment at workplaces.
- create avenues that protect women against violence and assure them justice besides health.
- protect women from human trafficking and slavery, as such things are exploitation of these realities.

Yet, in order for these conventions and declaration to be of any practical application it is imperative that participating States adopt effective arrangements as well their mechanisms with regard towards its enforcement. This may involve the enacting of applicable legislation or developing institutional mechanisms such as government agencies and non-governmental organizations that work on women's violence issues, combating discrimination.

Furthermore, it is vital to educate the police officers, health practitioners, teachers and the society on these conventions and declarations so as they can be in a better position of handling cases relating women violence while eliminating discrimination.

There is also a need to monitor and evaluate whether the measures' taken as well mechanisms that are adopted will work in practice not only but more important ensure women's rights have an effective protection.

It is worth mentioning that domestic violence legislation in Kazakhstan has a number of standards providing women with legal protection. Such acts as: the Criminal Code; Family and Marriage Code; The Law on Prevention of Domestic Violence; the Penal Procedural Code; Code of Administrative Offences; Administrative Procedural Code; the Law on State Guarantees of Equal Rights and Equal Opportunities for Men and Women etc.

The law "On Prevention of Domestic Violence" adopted in 2009, which establishes measures protecting individuals affected by domestic violence crimes such as lifelines restricting approach towards the victim temporary arrangement possessions security alongside repaying him or her with moral and economic damages caused [80].

Department on women's security from violence has also been organized in the Republic of Kazakhstan by the decree of the President of the republic in 1999. The provision purpose of this structure is protection against unlawful attacks by the constitutional rights, freedoms and legal interests of women with a view to prevention and cessation violence in all spheres or human life. The body is a department within the ministry for internal affairs that receives citizens' complaints and initiates actions to protect women from violence as well as carries out preventive measures in this area. This is an important initiative aimed at ensuring the safety of women in Kazakhstan and get rid of violence.

The 2009 Law of the Republic of Kazakhstan "On State Guarantees for Equal Rights and Opportunities for Men and Women" stands out as one such regulatory framework that guarantees gender parity in this jurisdiction.

The law primarily seeks to establish a legal structure that safeguards women from gender-related discrimination and brings about equal rights between men and women in education, labor, healthcare among others [58].

However, the law sets guidelines for ensuring that women's rights are protected by having equal opportunities with men according to various spheres of life. It also outlines methods to protect women from the violence due to their gender and makes government bodies; employees, among other organizations take actions in preventing gender discrimination as well as providing equal rights for both genders [81].

In addition, the "Concept of Gender Policy until 2006", and the "Strategy for gender equality in the Republic of Kazakhstan for the years of 2006–2014", facilitate certain steps toward elaboration refinement further development or improvement national legislation related to protection against discrimination by sex [82]. In Kazakhstan today, the Concept of Family and Gender Policy until 2030 approved in May 2018 proposes measures based on which equality should proceed.

Based on the results of third and fourth periodic reports regarding implementation provisions, UN Committee estimated in a positive way relationship between development regulations legislation basis at questions of human rights and equality referring to "Convention on Elimination of all forms of Discriminations against Women".

Moreover, in September 2015, Kazakhstan joined the UN sustainable development goals, which were formulated in the document "Transforming our world: The 2030 Agenda for Sustainable Development", where twelve out of seventeen goals are gender-sensitive. The goals listed above should be modified taking into account each national state and treated in the system of all strategic directions and tasks that a particular state sets for itself. This enabled Kazakhstan to commit itself in previously international problems of economic, social development, environmental pollution and fighting equal.

Thus, in the current documents of state planning system institution of family is regarded only as a subject to social protection.

In the Republic of Kazakhstan, a set of measures is being implemented aimed at strengthening family values, creating favorable environment for families' living and development protection their rights to improve spirituality. In order to reach this objectives, appropriate legal acts were passed and national programs and strategies are developed.

The Concept of Family and Gender Policy in the Republic of Kazakhstan until 2030 is an important document that outlines definition to a state family policy. It is however pertinent to formulate acting out concept of family and gender policy in Kazakhstan standards that can be used on the basis further concepts within pool competitiveness and social development. This is important since it enhances successful integration of a country into the international community.

The family policy of the state is a very important component of social council in Kazakhstan, it includes justifications and values as well as ways for improvement used to support families through organizational measures types designed at enhancing quality based on economic environment legal system science education information couple with specialist approach.

Therefore, the Concept of Family and Gender Policy in the Republic of Kazakhstan until 2030 serves as a significant document that formulates strategic guidelines for state policy on family relations and gender equality on an extended basis. This Concept was elaborated based on best world's practices and UN guidelines in the area of Family, gender equality. Specifically, it forms goals and objectives aimed at the development in the family, protection of women's and children's rights and interests as well as enhancing gender equality level with that in society [84]. As a result of Concept on Family and Gender Policy implementation in the Republic Kazakhstan until 2030 attitude towards family values is to be enhanced, society will become more equitable from gender position and sustainable social-economic development for country should be ensured.

The concept was developed based on the Constitution of the Republic of Kazakhstan, the "Kazakhstan 2050" Strategy, the "100 Concrete Steps" Nation Plan, the Concept for Kazakhstan to become one of the 30 most developed countries in the world, the United Nations Convention on the Elimination of All Forms of Discrimination against Women, UN Sustainable Development Goals (SDGs) and other ratified international treaties and agreements.

Over the years of implementation of the Gender Strategy, positive dynamics have been achieved in the empowerment of men and women in marriage and family relations. Despite this, the problem of domestic violence against women has not been fully resolved.

The Law of the Republic of Kazakhstan "On the Prevention of Domestic Violence" contains several general provisions for the protection of victims of domestic violence. The provision of a guaranteed and additional volume of special social services provided more than the guaranteed volume is within the competence of local executive bodies of districts and cities of regional significance. The law provides for the activities of individual entities to prevent, protect, and provide assistance to family members caught in situations of violence. Among such entities are the internal affairs bodies, whose tasks include responding to acts of domestic violence. Within their structure, there is a special unit for the protection of women and children from violence. It is also worth noting the provisions of the Law that provide for the liability of persons who disclosed information about domestic violence that became known to them due to their official position. The law also provides for protection orders, which are aimed not only at protecting victims of violence but also as preventive measures against persons who have committed unlawful acts [80].

Article 5 of the Law of the Republic of Kazakhstan "On the Prevention of Domestic Violence" states that the victim, recognized in the manner prescribed by law as a person in need of special social services, is provided with special social services. These services include a guaranteed (free) volume of special social services and paid special social services [80].

Standards for the provision of special social services, the procedure for their provision, and the rights and obligations of a person in need of special social services are determined by the Code of the Republic of Kazakhstan dated April 20, 2023 No. 224-VII "Social Code of the Republic of Kazakhstan", Art. 133, part 1, paragraph 9: "A person (family) is recognized as in need of special social services on the following

grounds: ... cruel treatment leading to social maladjustment and social deprivation; [81]."

The provision of special social services is carried out based on assessing the criteria for the presence of abuse and determining the need for special social services of a person (family) in a difficult life situation, determined by a social worker by assessing and determining the need for special social services [81].

“Forms of cruel treatment leading to social maladaptation and social deprivation are actions related to domestic violence, trafficking in persons, including minors, and other types of exploitation, as well as kidnapping, regardless of whether criminal proceedings have been initiated regarding the actions committed [81]."

There have been multiple amendments to the national legislation regarding domestic violence. For instance, Battery as a criminal offense was decriminalized and transferred to the category of administrative offenses (Article 79-1 of the Administrative Code) by the Law of the Republic of Kazakhstan dated December 9, 2004 [85]. Criminal acts involving intentional infliction of minor harm to health were decriminalized and transferred to the category of administrative offenses (Article 79-3, Part 2 of the Administrative Code) by the Law of the Republic of Kazakhstan dated January 18, 2011 [86]. Starting from January 1, 2015, when the new Penal Code of the Republic of Kazakhstan came into effect, the aforementioned offenses were re-criminalized and are covered under Articles 108 and 109 of the Penal Code [3]. However, in 2017, as part of the humanization of the criminal legislation, the acts were once again decriminalized and transferred to the category of administrative offenses (Articles 73-1 and 73-2 of the Administrative Code) by the Law of the Republic of Kazakhstan dated July 3, 2017 [87].

By the Law of the Republic of Kazakhstan dated February 18, 2014, the duration of a protection order has been increased from 10 to 30 days. Additional restrictions have been imposed on a person who has committed domestic violence, prohibiting them from residing in an individual residential house, apartment, or other dwelling with the victim in the presence of alternative housing for the perpetrator [88]. By the Law of the Republic of Kazakhstan dated July 12, 2018, a special requirement was introduced, prohibiting the consumption of alcoholic beverages, as well as the use of narcotics and psychotropic substances, and their analogs for non-medical purposes [89].

In compliance with the President's directive [15], in 2023, the responsibility for domestic violence has been intensified. Corresponding amendments have been made to the Penal Code of the Republic of Kazakhstan (hereinafter referred to as the PC) and the Code of the Republic of Kazakhstan "On Administrative Offences" (hereinafter referred to as the CoAO).

Thus, the following amendments have been made to the Code of Administrative Offences (CoAO) and the Penal Code (PC):

– Transition from a complainant-based to an investigative registration of domestic Offences by amending the CoAO, removing from part 1 of Article 64 of the CoAO such articles as 73 (unlawful actions in the sphere of family relations), p. 1-1 art. 73 (intentional infliction of minor harm to health committed against a person in

family relations with the offender), p. 1-1 art. 73-2 (infliction of bodily harm against a person in family relations with the offender) [90].

– Strengthening requirements for the reconciliation procedure under Articles 73, p. 1-1 art. 73-1, p. 1-1 art. 73-2 of the Code of Administrative Offences (CoAO), suggesting that reconciliation should only be proposed in court once a year. For repeat Offences, the provisions of part 1-1 of Article 64 of the CoAO (exemption from administrative liability due to reconciliation of the parties) concerning the offender are proposed to be excluded in the suggested revision [90].

– Intensification of responsibility for Offences in the family sphere (Article 73, Article 73-1, Article 73-2, Article 461 (violation of a restraining order), part 2 of Article 669, part 3 of the Article 669 of the Code of Administrative Offences (CoAO)) by specifying specific terms of administrative arrest under these articles (removing the variability of the punishment "up to," leaving 10, 15, 20 days of arrest), as well as an increase in the duration of administrative arrest for repeat Offences [90];

– Introduction of a qualifying feature for the most common criminal Offences against individuals in material or other dependency (Article 106 of the Penal Code (intentional infliction of grievous bodily harm), Article 107 of the Penal Code (intentional infliction of moderate bodily harm)) [90].

The reclassification of domestic violence from the category of cases of private prosecution to the category of cases of public prosecution in criminal law can significantly increase the effectiveness of the legal protection of women from this type of violence. Initially, domestic violence was treated as a private matter, and the victim woman had to go to court herself to receive protection and redress. However, reclassification of the case as a public prosecution allows the state to act as the main prosecutor and provides a higher likelihood of holding the rapist accountable for their crimes. In addition, such a protective measure can have a deterrent effect on would-be abusers by reducing domestic violence. In several countries, such as Spain, Brazil, and Mexico, the reclassification of domestic violence as a public prosecution case has already proven its effectiveness and has become one of the important tools to combat this problem.

An analysis of the work of social protection agencies showed that the existing assistance to victims of violence does not meet their needs. The help system needs to be improved: information work is limited to the dissemination of hotline contacts in case of a crisis.

Victim requires assistance of a more specific nature – legal aid, medical care and consultations with social workers and psychologist. It is also important to provide social and economic empowerment for the victims of violence that will allow them re-establish themselves without any fear of recurrent actions. Thus, it is essential to perfect the activities of state and non-state organizations dealing with violence victims as well as professional skills involved in this issue.

There is a lack of primary prevention work with family members who commit different types of violence. In specialized institutions and other social denominations, economic violence issues are virtually cast aside as irrelevant. Under the current circumstances, the mediation facility possesses a strong preventive force acting in

intra-familial communication correction as one of its functions is to eliminate family conflict situations along with manifestations connected with domestic violence.

Studying the practice according to these compositions, we can note that in 73% of cases crimes are committed without special tools for committing a crime. The assailants are confined within their own means, namely, by the fists and legs they use to beat up individuals resulting in different degrees of damage made towards health.

The laws regarding domestic violence and the legal relationships that come into play are not adequately defined. Moreover, the criminal law does not provide clear definition of a term family member. In other countries, these issues are directly regulated by the legislations on a number of various articles' including criminal offences committed by family members in terms of "qualified" crimes.

Nevertheless, even if there are laws and programs which exist today to protect its women population in Kazakhstan, still the efficient implementation of these mechanisms is hard for the country. In other words, they are not only unaware of their rights and afraid to approach for assistance, but women may also suffer from social ostracism criminal issue or problems with finance. Moreover, it also occurs frequently that laws and programs do not work however due to lack of financing vague measures in protest process but aside actions taken dishonest procedure among others.

The Istanbul Convention has been already stated as a progressive and essential document for the framing of proceedings under European convention. In this view, it is a hallmark global covenant that offers full and new grounds for fighting against women violation as well also the domestic violence.

This is why we suggest supporting initiatives aimed at eliminating violence and domestic abuse, increasing the responsibility for women's safety from potential threats to ensure that sustainable development becomes possible. The recommendation is provided to adopt the Istanbul Convention and start actively implementing its guidelines. The invitation to Kazakhstan to sign the Convention was received on April 22, 2020 and it is valid for five years (until 2015).

The Istanbul Convention gives the states that have ratified it solid groundwork for creating and implementing innovative policies and actions to prevent violence against women as well as domestic violence. The adoption of the Convention will help harmonize legislation and policy, as well as strengthen activities aimed at preventing violence against women in all member states.

The Convention's ratification will allow Kazakhstan to increase its efforts toward protecting the rights of women and set effective mechanisms for prevention, response as well contribute in creating public awareness and addressing this issue.

Increase the protective order to last not for only thirty days but also extend it further other a period of one year. The establishment of a one-year protective order period will elongate the time in which victims are protected from violent individuals and thus improve their chances for more complete recovery. It will provide consistent and efficient measures of preventing violators from potential risks without further renewal activities. It will also minimize the risk of recurring violence and further protect or reassure the victim, which is essential in their course to recovery where they take charge over regular life again.

Therefore, we recommend that Part 5 of Article 20 of the Law on the Prevention of Domestic Violence be formulated in the following version:

"5.The duration of the restraining order is three months to one calendar year upon issuance from filing against a person; in no case, periodicity of review not less than once every seven working days."

Additionally, the punishment for violating a restraining order should be commensurate with its duration to prevent its violation due to minor sanction consequences. Thus, I recommend presenting p. 7 of Article 20 of this Law in the following version:

"7. Violation of a restraining order entails liability established by the Code of the Republic of Kazakhstan on Administrative Offences."

or

"7. Violation of a restraining order entails liability established by the Penal Code of the Republic of Kazakhstan." Accordingly, Article 461 of the Code of Administrative Offences should be presented in the following edition:

"**Article 461. Violation of a restraining order.**

1. Violation of a restraining order issued by the law enforcement agency entails administrative arrest for thirty days.

2. The action stipulated in part one of this article, committed by individuals not subject to administrative arrest under part two of Article 50 of this Code, entails a fine of two hundred monthly calculation indices."

or

To supplement Chapter 16 of the Penal Code of the Republic of Kazakhstan with Article 378-1 of the following content:

"Article 378-1. Violation of a Restraining Order.

1. Violation of a restraining order issued by the law enforcement agency is punishable by restriction of freedom for up to one year or imprisonment for the same term.

2. The act provided for in Part 1 of this article, committed repeatedly, is punishable by restriction of freedom for up to two years or imprisonment for the same term."

Also, for better victim protection, we recommend removing the words "in case this person has another residence" (в случае наличия у этого лица другого жилища) from Part 2, Article 54 of the Code of Administrative Offences of the Republic of Kazakhstan and presents it in the following edition:

"2. When determining the special rules of behavior for a person who committed an administrative offense in family and household relations, to protect the victim and their relatives, the court may exceptionally apply an administrative-legal measure in order to prohibit a person committing domestic violence from living together with the victim in an individual residential house, apartment or other dwelling for up to thirty days."

In addition, for revision purposes and to fill up the loopholes and safeguard societal interests as well as conforming with international practices it is recommended that these offenses should be included under amendments in the Penal Code. Although,

at this point we only recommend the dispositions will be set up thereby leaving out the sanctions to be developed and approved later by lawmakers:

- Domestic Violence: Domestic violence is defined as the wilful act of physical, sexual or psychological slaughter among couples who live together in a marriage agreement with other members surrounding them. Such violence causes pain physical or psychological, impairment of health disorders deformity incapacity for work dependency to another person emotional death homelessness and disadvantage.
- Sexual Harassment: Sexual harassment may be defined as any deliberate unsolicited speech, written words, visual or physical act of sexually derogatory nature that offends a person's dignity by creating an intimidating hostile demeaning-offensive environment to the individual.
- Ultimately then, cyberstalking is meant to force those on the receiving end of persecution to feel threatened, bullied into silence and embarrassed. This problem needs deep research and introduction of relevant terms. Taking into account the dynamic development of technologies as well as appearance new ways and means this type cyberstalking to outside other forms it necessary that clearly define precise outline signs offence.

This study involves the investigation of this problem, the analysis of current cyberstalking patterns, its types and peculiarities, and consultations with experts and stakeholders. The development of the proper terminology will ensure that there is a clear definition of cyberstalking and hence it will be possible to apply legislative norms more precisely and fight this phenomenon efficiently. It will also provide a consistent definition of cyberstalking at the legislative level and enhance the court practice in cyberstalking cases.

The introduction of a special strategy of gender equality, in combination with the adoption of a special law on domestic violence, allows assuming that the improvement of criminal legislation in this area will make it possible to improve the situation with the implementation of the right to life, freedom, and personal security in the primary social institution. The fact that there are different prevention subjects with the definition of the functions of each of them also leads to the positive task resolution.

Understanding and implementing legal mechanisms to protect women from violence is urgent for several reasons:

1. The right of every woman to live free from violence is guaranteed by international human rights law. Violence against women is a violation to these rights and it calls for legal systems in place that the same can be protected from violent acts.
2. A substantial common and enduring phenomenon of violence is gender-based aggression including female suffering. The world over, one out of three women has been exposed to physical or sexual violence in her lifetime as provided by the World Health Organization. There should be mechanisms established in the manner of law so that women could access legal support and security against violence.
3. Legal instruments that shield women from the acts of violence can inhibit potential attackers. This can prevent violence instead of curing it and lead to healthy relations.

4. Legal avenues can as well be used to help the victims of violence; this is because they enable such group get legal representation, counselling and other related forms guidance.

5. It is imperative that a legal intervention in place to ensure culprits are charged for perpetrating violence. This can help in ensuring that justice is meted out and that, those responsible for harm caused are held accountable.

The necessity to understand and implement lawful actions that would protect the women population from murderous assaults has been acute due to intensively high rate of sex-based violence, requirement in counteraction upon it and assistance is given by society for victims, as well as urgency with responsibility issue. The creation of the legal environment is very important since it will support women's human rights and offer them the proper forms and means for a life without domestic violence.

In specific, the actual portrayal of preventive direction in this sphere leaves much to be desired. Violent crimes often receive the punishment, which however is not always well-tailored to every case of domestic violence because of victim-offender relationships prevail in this type of crime and there are other victims as children. The existing penal and criminological legislation in relation to domestic violence does not have indicators of an educational, preventive or organizational nature, nor a mechanism for their realization with reference to this phenomenon.

To sum it up, one can point out that legal frameworks aimed at securing women from the domestic violence are of significant importance in fighting this acute social issue. As a rule, legislative regulation in the area of domestic violence prevention is rather successful; however, some issues occur during its practical realization. Law enforcement structures are not always ready and trained to help victims of violence, the social protection system requires changes.

Therefore, we can add that it is important to reform the legislative act in regard of domestic violence for practical implementation of current laws including creation new mechanisms women's protection from assault. Moreover, it is important to change the functioning of social protection institutions and further increase accessibility for victims through quality legal and medicine support. Generally, the law reform is a significant move towards curbing international violence and ensuring that women victims gain justice. Nonetheless, the efficacy of these mechanisms depends a lot on their full execution and support from both state institutions, society at large as well as private actors.

1.3 Problems of criminal liability for the commission of family violent criminal offenses against women

As we have observed, women from all over the globe are subjected to violence within their own home and in families. Kazakhstan is in no way an exception because it also has problems related to domestic violence. Acts of violence against women in the family space not only leave physical and psychological injuries for them, but can result to their tragic death. In this respect, a range of laws and legal acts were discussed in Kazakhstan to address the issue associated with domestic violence and women's security.

Nevertheless, in such strict compliance with the authorities' intentions, a problem remains relevant. One of the dimensions that need to be further studied relates with respect in cases where offences against Violence Woman Family and Home, there is criminal liability. However, the existence of laws that ban and penalize such acts is not all cases disguised in court or when they do so-the punishment meted out to victims usually does not commiserate with capital offense.

For a number of reasons, the study on issues related to criminal responsibility for committing violent Offences committed against women within family and household domain is relevant.

One of the main reasons is that family and household violence against women has long been a practically universal malaise, as it seriously harms millions of female individuals across different countries. This violence encompasses different manifestations, which are physical sexual psychological and economic abuse that endangers the health of women's being human rights.

Second, there is a lack of comprehension and knowledge regarding the intractable legal as well as socio-cultural issues linked to domestic violence prosecution and prevention. However, most of the countries are still deficient in proper structures needed to address and prevent domestic violence through legal frameworks as well by law enforcers.

In the third place, studying violations of criminal responsibility due to violent crime against women in family and household space can contribute in revealing legislative gaps as well regarding difficulties that exist at prosecuting domestic violence issues and provide with effective strategies of prevention such type felonies.

Lastly, this study is timely given the fact that COVID-19 pandemic has spiked domestic violence cases immensely globally thus more demanding. Through an analysis of legal and societal problems concerning domestic violence prosecution, researchers will be able to offer knowledge on the best way protecting victims should occur during this difficult time while being able holding offenders responsible.

Thus, the analysis of issues related to criminal responsibility for committing family violent crimes against women is relevant and significant in this reference work. This paragraph aims at a thorough analysis of the present legislation and practice in regard to imposition of criminal liability for offences against women, such as violent offences committed within domestic environment in Kazakhstan; it also answers what deficiencies or obstacles are relevant to action towards this phenomenon. The findings of the study can become relevant for promoting and refining legislation and practice targeting domestic violence in Kazakhstan.

Criminal liability, being a link in the legal triad: crime – criminal liability - punishment, has a rather high social and legal significance as quite the complex consequence. As a multifunctional phenomenon, it combines four elements: the duty of a person to report on his actions to the state through its authorized bodies; official censure or condemnation both as regards the deed and mover in legal judgement by court, punishment meted guilt himself or another criminal law measures finally conviction passed for one holding.

Domestic violence against women is a pressing issue in many countries, including Kazakhstan. One of the key barriers to achieving an efficient solution to this

issue is quite a weak legislative policy, which does not always reflect victim peculiarities, causes behind people's engagement in violence and flaws.

One of the shortcomings is in legislation about understanding domestic violence as physical abuse, while it can also refer to psychological and economic abuses.

The law is also inadequate in the sense that punishment for domestic violence has not been given its actual severity. Sometimes, the abusers are only punished through small fees or suspended sentences that do not entirely facilitate care for those who were being mishandled. In Kazakhstan, even though domestic violence has been criminalized in law the average punishment for offenders is just two-year imprisonment.

Moreover, the issue is exaggerated by inefficiencies as a number of victims fail to take their husband or wife and batter in litigation due to fear, settled economic reliance on partners lack freedom consciousnesses assaults towards them plus other grounds for example nonexistence education capabilities alternative reduced scale fixing work. The implication of this is that abusers go scot-free without being punished while they victimize their significant others.

On the whole, these issues indicate that legislation and practical implementation should be developed to fight better against domestic violence towards women in Kazakhstan among other countries. The issues of the victims, reasons for violence and other specificities should be taken into account.

The existing criminal law in Kazakhstan does not define specifically domestic violence as an offence. In 2017 – decriminalized beatings and intentional infliction of minor harm to the health, in while fines were replaced with a written warning in cases of violence against relatives, including ex-spouses.

At a government meeting on 3 September 2022, ex-interior Minister Marat Akhmetzhanov said that after the Message of Kassym-Jomart Tokayev in Ministry formulated new punitive measures for domestic violence. So, the lower threshold of the term of arrest will be raised to five days and behind reoffending - before 25 days. The declarative principle of registration of domestic Offences will be changed to revealing. It is also planned to exclude the possibility of reconciliation in court for reoffending. It is proposed to change the administrative warning to public Works. "It is planned to tighten the requirements for the reconciliation procedure in court in case of a repeated offense. Change the administrative warning to community service." He noted that public works, such as street cleaning, would be a more effective punishment than an administrative warning. In addition, this way family brawlers can benefit society [18].

Domestic violence in the Law of the Republic of Kazakhstan No. 214- IV dated December 09, 2009 "On the Prevention of Domestic Violence" is defined as "an intentional illegal act (action or inaction) of one person in the sphere of family and domestic relations about another (others), causing or containing a threat causing physical and (or) mental suffering" [80].

Domestic violence has varieties and is divided into physical abuse, sexual abuse, psychological abuse, and economic abuse [80].

According to criminology, there are two types of violence: punishable violence, which encompasses physical and mental abuse that is illegal under criminal law, and

non-punishable violence, which refers to socially unacceptable behavior that is not illegal under criminal law but is considered immoral and may be expressed through different forms of psychological manipulation of individuals [91].

Victims of domestic violence often have different priorities than law enforcement agencies trying to protect them. Women who have been subjected to physical or emotional abuse, sexual harassment, or other violent behavior by their husbands may want to change their situation but may hesitate to do so, fearing that doing so will result in airing their dirty laundry in public, losing financial support, and possibly being abandoned if their partner is penalized for a crime committed against them.

In situations where victims of domestic violence report the crime to law enforcement, their interests may clash with the methods used by the authorities to protect them. For example, women who have suffered physical or emotional abuse from their husbands may want to change their situation but are afraid to speak out due to fear of losing financial support or being left alone if their partner is punished. On the other hand, law enforcement officers often follow a punitive justice system, which requires prosecution of the perpetrator regardless of the victim's wishes. In some cases, first-time offenders are punished with measures such as imprisonment or fines, which can cause harm to the victim and lead to "secondary victimization." This can include loss of financial support or a worsening of the victim's financial situation due to fines.

Conflicts of interest often lead to cases where victims of domestic violence, particularly women, retract their complaints about violent acts committed against them. This behavior is often due to the cyclical nature of domestic violence [92], which involves the following stages:

- increased psychological stress,
- the perpetration of violence,
- and then reconciliation between the parties, with the offender showing remorse and the victim forgiving them. This cycle tends to repeat itself over time.

In the future, the above periods may be repeated. In turn, law enforcement officials often refuse to accept and consider this category of cases, based on the belief that domestic violence is a private matter of the family [92], preferring to deal with specific facts that have a criminal law perspective.

In most situations, domestic violence can be transformed into a relevant act that ascribes it to the criminal behavior appropriate for liability under the Criminal Code of The Republic of Kazakhstan. For example:

- Murder (Article 99);
- Deliberate causing of grievous bodily harm to the victim’s health (Article 106);
- Deliberate causing of average bodily harm to the victim’s health (Article 107)
- Incitement to suicide (Article 105);
- Torture (Article 110);
- Threats (Article 115);
- Rape (Article 120);
- Sexual assault (Article 121);
- Insult (Article 131) and others [3].

In 2022 in Kazakhstan, the following crimes were committed against women: 14 murders; 21 cases of causing of grievous bodily harm to the victim's health; 81 cases of causing average bodily harm to the victim's health; 1 case that involved torture, there were also a total of 74 cases concerning reaping and 12 where threats conferred, plus another 26 for violent sexual assault, but no insults [93].

Psychological violence in committing several crimes is a method of threatening the victim through physical threats, and is most commonly depicted as an unavoidable retribution aided by specific assertions either verbally or physically using gestures such displaying weapons.

These are qualifying signs included in the system of rules and indicators provided by criminal law norms, which suggests that crime is committed using physical or psychological violence against a person or for subsequent torturing. Paragraphs 7), and 9) of 54th article of Criminal Code of Kazakhstan recognize the aggravation of guiltiness before a crime if crimes were committed against people who are dependent on a criminal, or such uniting act with physical violence (sadism, bullying etc.) that brings torment to its victim [3].

Frequently minor or medium caseloads, incidents of misdemeanors and crimes materialized due to domestic concern are quashed based on the individual accused conciliation with the victim.

To decide on the release of a person from criminal liability based on Article 68 of the Penal Code of the Republic of Kazakhstan, the courts must clarify several circumstances [3], in particular:

– whether the criminal law is correctly applied, whether the act refers to crimes of small or medium gravity since it is for these categories of cases that article 68 of the Penal Code can be applied;

– what and to whom is the property and moral damage caused by the crime, its amount and in what amount it is reimbursed at the moment, and whether the victim is satisfied with the amount of compensation;

– whether the accused and the victim agree to reconciliation;

– whether violence was used against the victim to persuade him to force reconciliation.

When applying part 2 Article 68 of the Criminal Code, the courts must take into account not only the circumstances that make it possible to formally terminate the case in connection with reconciliation, but also take into account the previous behavior of the defendant [3].

Problems of criminal liability for manslaughter as a result of domestic violence against women.

There is a significant controversy regarding holding a defendant criminally liable for involuntary manslaughter if they have subjected the victim to long-term emotional abuse, which has led to the victim committing suicide. This debate has been heavily scrutinized by legal experts and scholars, particularly regarding the applicability of the unlawful act manslaughter offense in such cases.

To prove this offense, it must be shown that the defendant's criminal conduct put the victim at risk of harm and that the abusive behavior significantly contributed to the victim's death, even if the abuse did not result in psychiatric injury.

The defendant is not required to anticipate or intend the victim's death. While imposing criminal responsibility for serious homicide Offences where the defendant does not have a subjective awareness of the risk of death has long been controversial, it is well-established in criminal law.

Therefore, if the necessary elements of the offense are met, there may be no valid reason to refuse to hold defendants accountable for domestic abuse-related suicides.

It is thus recommended that a less draconian and more open tactic for ascertaining the demands of unlawful act manslaughter be adopted, but it is also accepted by other means to create responsibility like poor negligence slaughter or generation of criminal offense definite according to condition specification.

Thus, it is assumed that the label constructive manslaughter reflects both moral contribution of the offender engaged in intrusive and repetitive conduct as well as gravity of non-fatal rural violence.

On the flip side, substantial moral controversy surrounds applying charges of manslaughter where death is caused but not foreseen or intended to occur with respect to result crimes.

Some scholars and activists believe that by criminalizing the crime of being a man, it can be prevented and fought against domestic violence on women. In a message dated March 16, 2022, to the people of Kazakhstan, the Head of State, K. Tokayev instructed to determine the feasibility of criminalizing offences in the sphere of family and domestic relations: “Currently, citizens and public activists have been increasingly appealing concerning the necessity of strengthening punishment for violence against women and children. Previously, I as tasked with identifying whether criminalization of such Offences was justified [15].”

There are both positive and negative aspects of increased penalties for domestic violence committed against women.

The main benefit of stricter punishments is to raise the responsibility for acts against women as well as increase their security from domestic violence. This might be an efficient means of combating the domestic violence and minimizing it. More harsh punishments can also be a signal to would-be lawbreakers not to engage in criminal acts.

Nevertheless, tougher penalties for domestic violence have their downsides. To begin with, it is likely that the criminal system may be overwhelmed by such a change as they might not have enough resources to handle more domestic violence cases. Second, more strict punishment will continue to further stigmatize the victims of violence and deter them from reporting their cases to law enforcement authorities. It may only make the situation worse, as those who were assaulted stay silent and never receive proper help.

Moreover, harder sentences may not correct the underlying issues that cause domestic violence like unstable socioeconomic statuses and psychological illnesses as well as broken family ties. Thus, apart from increasing the severity of punishment it is also crucial to work at prevention and solving deep-seated problems enrooting in domestic violence.

As a result, stricter punishment for domestic violence against women has both benefits and drawbacks. Yet, to get the best result in eradicating domestic violence one

must combine punitive measure with both preventive measures and addressing deep seated issues as well as effective victim protection system.

The existing criminal law does not have a separate provision under which domestic violence can be seen as an offense. In the Law of the Republic of Kazakhstan "On prevention of domestic violence", such concept as "domestic violence" is defined as an intentional unlawful act – action or inaction- conducted by one person from family circle about another (others) aimed to inflict physical/moral suffering a threat promising. [80]"

Today, domestic violence against women is characterized by latency, according to law enforcement officers, the criminalization of the law can contribute to even greater concealment and reduce the ability to identify the facts of domestic violence, which was announced by the Head of State Kassym-Jomart Tokayev in his message in September 2022: "For a long time, the problem of criminal responsibility for violence in relations within the family has been discussed at all levels. Law enforcement agencies are sceptical about this move because they claim that it will result in lower rates of detection such offences. There is some truth in this statement. Nevertheless, but we cannot ignore numerous facts of domestic violence [16]".

Moreover, sometimes women who were beaten by a husband or partner may refuse to bring an action on the grounds of fear, material dependency from that man; unwillingness to break up the family and social-cultural stereotypes. This can be problematic because the law stipulates a complaint by either victim or representative when pursuing an offence to perpetrator. This may imply that the offenders are scot-free and therefore, violence against victims never ends.

In Kazakhstan, there have been cases reports where culprits are found guilty of a family beating but the punishments they faced were trivial to that detriment. Thus, for example, in 2018, in the city of Aktau a man was put on probation for six months because he beaten his wife that year even though this violence had long-term implications and outcomes. On another occasion, in 2017 and the city of Kokshetau, a man was sentenced to two years probation for beating his wife –she had ended up in hospital with broken bones; she also suffered from concussion as well as other striking injuries.

Approximately 8.7 million women worldwide are estimated to be an intimate partner's current or former victim annually [94]. Arguably, it was only towards the recent years when domestic violence came into public consciousness as a prevalent concern for many societies today. One of the possible reasons for this is precisely the effect generated by women' movement, as during past three decades or even longer they were actively promoting an idea that society should become better capable to acknowledge and address domestic violence as one of its most serious social problems [94].

The backdrop of the COVID-19 pandemic has left a significant rise in not only cases but also sufferers from violence, to mention deaths. For instance, according to the Ministry of Internal Affairs of Kazakhstan in 2020 due to a coronavirus pandemic that figure increasing almost by fourty percent [44].

For instance, in the UK The issues of criminalization of domestic violence against women are rather weighty and demand thorough investigation on behalf of legislators and law enforcement authorities.

Among the key issues here is that evidence in cases of domestic violence when researched into on a low level. In many cases, victims lack sufficient evidence to show that they are innocent; in some instances, the victim is afraid of reporting because he or she fears repercussions from her attacker.

Furthermore, the UK law in relation to penalization for domestic violence could be regarded as average. Warranty for these crimes may also be low or not effectual enough to hinder repeat obligations of spouse cruelty. There is also the issue of rapist not being able to get punished by any police since one cannot always prosecute without permission from a victim.

Moreover, there is a disproportionately high level of violence against women with migratory status in the UK, especially those who are in the country illegally. Victims of violence who do not qualify for legal status do not receive sufficient protection from law enforcement and may be afraid to seek help.

Studies estimate that women with immigrant status in the UK experience violence in their relationships twice as often as women with British citizenship. For example, according to the National Association of Victims of Domestic Violence [95], about 45% of women with migrant status are victims of domestic violence, while among British women this figure is about 20%. In addition, according to the Institute for Life in London [96], 60% of women working in prostitution in London are immigrants or refugees. These figures highlight the seriousness of the problem of violence against women with migratory status in the UK.

Another problem is the insufficient training of law enforcement agencies and judges to work with victims of domestic violence. Often the courts do not take into account the psychological consequences of domestic violence and do not pay enough attention to the protection of the rights of victims.

To eliminate legislative gaps in the issues of qualification of criminal acts, it is necessary to accurately determine the circle of persons to whom the Law “On the Prevention of Domestic Violence” applies. It should be clarified in the definitions of “domestic violence”, and “family and domestic relations”, taking into account the definitions in the current legislation governing marriage and family relations, since in the circle of family and domestic relations it is not always possible that people live together in a house, apartment or other living quarters or may not even have common living conditions.

As well as Article 4 of Part 5 of the Law of the Republic of Kazakhstan “On the Prevention of Domestic Violence” (No. 214- IV ZRK of December 04, 2009), it is necessary to supplement the act “restriction” with a qualifying sign, which provides not only deprivation but also restriction. Thus, we propose Article 4 Part 5 of the Law as follows: Economic violence is the deliberate deprivation or restriction of a person's housing, food, clothing, property, and money, to which he has the right provided by law [80].

According to the Constitution of Kazakhstan, every person must be equal before the law, regardless of race, gender, or religion [97]. However, domestic violence is a

gendered phenomenon where women are more likely to be victims than men. In this regard, the qualifying aggravating sign "gender" should be included in the norms of the Penal Code of the Republic of Kazakhstan. At the moment, Article 54 of Part 6 of the Penal Code does not contain such a feature that may complicate justice for victims of domestic violence, especially women.

Therefore, we consider it relevant to supplement the norm of the Penal Code of the Republic of Kazakhstan with the qualifying aggravating sign “gender”. Thus, Article 54 Part 6 of the Penal Code of the Republic of Kazakhstan is proposed as follows: “The commission of a criminal offense based on national, racial or religious hatred or enmity, based on gender or out of revenge for the lawful actions of others, as well as to conceal another criminal offense or facilitating its commission [3].

The addition of the aggravating attribute "gender" to the Penal Code of the Republic of Kazakhstan to qualify domestic violence is aimed at combating this phenomenon more effectively and ensuring the protection of victims of violence. This proposal is open to discussion and scientific debate and should be based on sound research that supports the need for this aggravating feature to qualify domestic violence. Such an approach should also take into account international human rights standards, which guarantee the protection of women from violence and gender-based discrimination.

Moreover, we advise returning the article of assault (Побои) to the category criminal offences from which it was initially excluded by Law on July 3,2017 No.84-VI, and transferring it back to the category of criminal offences to the Criminal Code with the following wording:

Article 109. Battery (Побои)

1) Infliction of bodily harm or commission of other violent actions causing physical pain but not resulting in minor harm to health is punishable by ...

and also, in paragraph 2 of this norm, after the words "The same act committed:" add:

"against a family member"

is punishable by...”

The analysis of the issues on criminal liability for committing violent crimes pertaining to women in family and household sphere has identified a number key problems and challenges within fighting domestic violence as well.

First, it was established that numerous cases of domestic violence go unresolved and un-prosecuted. This is because victims of violence find themselves in dilemma such as fear, reliance on the perpetrator and social seclusion. Also, there is the challenge to make sure that people who abuse are investigated and prosecuted with what also prevents effective fight against domestic violence.

Secondly, it was discovered that the current legislations and regulations as they stand in trying to combat domestic violence are very weak and do not address all areas of concern. Thus, some forms of violence like psychological or economic are not legally determined and legislation does not mention these types.

Third, the study revealed that a significant prerequisite for successful combat of domestic violence would be cooperation between various structures and organizations – law enforcement agencies, centers helping individuals who are abused by their family

members or loved ones, public groups etc. Interaction as well coordination of activities among mentioned-above structures can facilitate even better fight against such type go abuse and support violated victims rights.

One of the potential ways to address this issue is an increase in application of international conventions and declarations, such as ‘the UN Convention on the Elimination of All Forms Discrimination against Women’; the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence’; Declaration on elimination violence against women’.

Therefore, some specific problems of criminalization gender-based violence refer to the problem with investigation and prosecution of perpetrators, inadequate punishment for those who commit crimes, numerous victims’ lack of adequate protection and justice, while offenders remain unpunished.

2. CRIMINOLOGICAL CHARACTERISTICS OF DOMESTIC VIOLENCE AGAINST WOMEN

2.1 The state, structure, and dynamics of family violent crimes against women

The study of violent offenses against women within the sphere of family and home is essential for several reasons. Firstly, it can inform on understanding of the problem such as scope and level of violence, which is conducted against women in intimate relationship, frequency, types, occurrence. Such data can then be used in the formulation of public policies, prevention plans as well as intervention programs whose main aim is to reduce and eventually stop violence against women.

Understanding the root causes of violence against women at home is essential in designing appropriate programs for prevention and intervention. Research would even help to establish some of the predisposing factors that lead to violence such as those on an individual level, family and community levels. This can be utilized in coming up with specific prevention plans.

Lastly, studying violence in women living with an intimate partner may also provide information that is needed to raise awareness and understanding on a serious public health threat. Research can minimize stigma, encourage survivor's social support and establish a culture of no violence respect equality by highlighting the extent as well effects of women abuse.

The study of crime includes statistical and criminological studies that are aimed at identifying discrepancies between the quantitative and qualitative characteristics of crime and the criminal law policy of the state. Modern criminal law policy most often reflects the position of the state and not trends in crime. Statistical indicators, which are one of the indicators of social trouble, inform society and the state about the discrepancy between the current legislation and the needs of modern society.

The analysis of data from the Committee on Legal Statistics and Special Records at the General Prosecutor's Office of the Republic of Kazakhstan regarding the number of administrative offenses under Article 73 of the Administrative Code (unlawful actions in the sphere of family and domestic relations) shows that in 2020 there were 25,884 registered offenses [30], in 2021 - 27,975 [31], and in 2022 - 25,142 [32]. Under Article 73-1 of the Administrative Code (intentional infliction of light harm to health) and Article 73-2 (battery), the registered offenses in 2020 were 15,015 [30] (4,632 in family and domestic relations) and 7,530 [30] (3,244 in family and domestic relations), respectively. In 2021, the numbers were 15,746 [31] (4,867 in family and domestic relations) and 8,643 [31] (4,220 in family and domestic relations), respectively. In 2022, the figures increased to 17,436 (6,561 in family and domestic relations) and 9,663 (4,899 in family and domestic relations), respectively [32].

According to the Committee on Legal Statistics and Special Records of the Prosecutor General's Office of the Republic of Kazakhstan, in 2022, there were 942 criminal Offences registered across the country within the family and household sphere. (In 2020 – 1072, in 2021 – 1047) [90].

As of the results for the first 6 months of 2023, there were 461 registered criminal Offences (compared to 460 in the first 6 months of 2022) committed within the family and household sphere. In 2022, across the republic, 25,173 administrative

Offences were registered (in 2020 – 25,720, in 2021 – 28,008), committed within the family and household sphere [90].

As of the results for the first 6 months of 2023, there were 18,288 registered administrative Offences (compared to 18,516 in the first 6 months of 2022) committed within the family and household sphere [90].

The number of restraining orders issued to women (against their spouses) in situations of domestic violence:

In 2022, there were 506 cases where the person committing domestic violence was prohibited from residing in an individual residential house or seeking, pursuing, against the will of the victim [90].

For the first 7 months of 2023, there were 226 cases where the person committing domestic violence was prohibited from residing in an individual residential house or seeking, pursuing, against the will of the victim [90].

In the courts of the republic, cases related to domestic violence were considered:

Civil cases:

In 2022, 790 cases were concluded, of which 435 had a decision; for the first 7 months of 2023, 417 cases were concluded, with 273 having a decision [90].

Criminal cases:

In 2022, there were 273 cases, with 257 having a verdict; for the first 7 months of 2023, there were 148 cases, with 135 having a verdict [90].

Administrative Offences cases:

In 2022, there were 24,607 cases, with 13,365 administrative penalties imposed; for the first 7 months of 2023, there were 18,122 cases, with 9,351 administrative penalties imposed [90].

Analyzing data by the Committee on Legal Statistics and Special Accounts of the General Prosecutor's Office of the Republic of Kazakhstan (Table 1), for 2022, it can be noted that the total number of recorded criminal Offences amounted to 14454 cases. 2904 men were convicted for committing Offences, among which the largest number of those convicted were for intentionally causing moderate bodily harm (100) [93].

Of the 4,430 registered Offences against women, 81 and 74 are intentional infliction of moderate bodily harm and rape.

1986 criminal cases were sent to court, among which the largest number of cases were murders (83) and intentional infliction of grievous bodily harm (83) [93].

Proceedings on 3920 Offences have been completed, among which the largest number of Offences is the intentional infliction of moderate harm to health (97) [93].

The number of Offences for which proceedings are completed is more than sent to court. However, this may be because the data includes cases that began before 2022, and it is not known, among other things, exactly how many cases were initiated against women for Offences of domestic violence.

Table 1 – Number of registered/sent to court/completed cases, including those committed concerning categories of cases of domestic violence by the Committee on Statistics of the Ministry of National Economy of the Republic of Kazakhstan [93].

Article of the Penal Code of the Republic of Kazakhstan	Total [93, R-1]	Registered Offences committed against women [93, R 3-1]	Number of criminal cases sent to court [93, R -1]	Number of Offences for which proceedings are completed [93, R -1]	Men who have committed Offences [93, R -6]	In the domestic area [93, R -1]
Total number of registered cases	**14454**	**4430**	**1986**	**3920**	**2904**	**39**
Article 99. Murder	77	1 4	16	19	22	3
Article 106. Deliberate causing of grievous bodily harm to the victim's health	170	21	83	84	82	13
Article 107. Deliberate causing of average bodily harm to the victim's health	259	81	8	97	100	17
Article 110. Torture	2	1	0	0	-	-
Article 120. Rape	82	74	15	15	15	1
Article 115. Threat	23	12	0	4		
Article 131. Insult	0	0	0	0	0	0

Note - compiled by the author based on the source [93]

Official statistics provide numerical data on mass phenomena, including violent crime, which is a prevalent negative social phenomenon in our society. However, when

examining violent crime within families, we rely on statistics from the Ministry of Internal Affairs on registered crimes, ignoring the unreported or hidden crimes. Domestic violence has a high degree of hiddenness due to victims' reluctance to report to law enforcement agencies, lack of trust in law enforcement, fear of losing financial support, and the inability of dependent family members to report (especially children and elderly family members). Domestic violence is one of the most underreported types of crime.

Understanding the dynamics of domestic violence against women globally is urgent for several reasons:

1. One of the major challenges that affect women around there world up to date is domestic violence. Based on the report by the World Health Organization, a third of women across all countries have at one time in their life faced either physical or sexual aggression committed by an intimate partner. Comprehending the mechanisms of internal violence is one of the prerequisites for preventing and approaching this phenomenon.
2. The violence against women committed within the home is a violation of their rights as human beings. Domestic violence dynamics need to be analyzed in order not only that it protects but also respects women’s human rights.
3. There are dire health outcomes surrounding abuse of a domestic nature involving women. Women who are victims of domestic violence have higher chances to develop mental health disorders such as depression and post-traumatic stress disorder (PTSD) than men; also, they often suffer from chronic physical health issues.
4. Individual costs and aggregate financial implications accompany domesticated violence upon women. Concerning the victims, they can also lose some of their income if we account debts due to missing work days or medical expenses necessary to treat injuries caused by abuse Additionally, the economic loss for productivity is high as well.
5. In order to prevent the problem of domestic violence against women, it is rather essential to understand its key dynamics. The stated the root causes that result in domestic violence, such as social and gender inequalities give interventional points for developing preventive strategies.

The persecutions of the family shape a peculiar lifestyle, where violence aggression alcoholism and drug addiction become the normative type of behavior passed from one generation to another. Domestic violence is a sad epiphany for multiple victims and literally ruins the basement of society security.

In reality, violence against women in domestic settings is a complex phenomenon that can imply different kinds of violent actions and take place during various circumstances. The configuration of domestic violence against women can be depicted as follows:

- Physical abuse: incorporates infliction of physical force or violence that leads to pain, harm, actual injury. The types of physical abuse include battering, strangulation or suffocation, rape and forced oral intake of alcohol or drugs.
- Psychological abuse: involves both verbal and non-verbal actions that inflict psychological harm on a woman. Psychological tortures may include threats, assaultive

words, continuous humiliation from surrounding people – belittling them; isolation where a woman is not allowed to go outside without an escorting order.

- Economic abuse: entails a means of controlling the woman's life, which includes using her economic dependence on the abuser. Types of economic violence are unavailable money, forced property sale or work ban.
- Rape, also called sexual assault or coerced sex in any forced connotation including but not limited to; incest (sexual intercourse between relations), blackmailed sex and forceful prostitution.
- Symbolic violence- types of cultural or religious norms that are used to validate the use of physical force against women, for instance unnecessary weddings and painful rituals that degrade a woman.

The phenomenon of violence, domestic and other forms targeted at the women's gender is very diverse and depends on many factors – cultural, social, economic; also its display may vary due to individuality features of a victim or an abuser. Domestic violence against women is organized in a structure and there are several categories of violence that can be seen based on the time they occurred. In general, domestic violence can be classified as physical abuse including psychological and sexual mistreatments economical abuses or social power display.

It is, however, of significance to note that such acts news can take a number of combinations and forms or often victims are exposed to several types at the same time. Thus, the fight against domestic violence should include consideration of all its types and manifestations together with efficient mechanisms for defending victims' rights.

Physical abuse can define as actions of injury, or obvious threat to injure such as hitting, slapping strangling another person damaging a body violent threats use if weapons. Psychological abuse may be characterized by threats, coercive tactics of isolation that make the victim dependent on the abuser; control over a person who has become captive to him or her through blackmail; persecution using humiliation, mockery and other mechanisms. Sexual abuse may involve rape, forced sex acts and behaviors, sexual violation other than raping and making one s visualization of pornographic accounts. Economic violence involves denied availability of resources, management over pocket allowance; forced tasks and destruction carried out on property. It can ape social violence by alienating from community, controlling of the associates and proscribe them education or work.

Structurally, violence against women in the domestic environment can assume various forms depending on differences such as age race, culture and religious factor other than social status between victim and the abuser. For example, violence against young women may manifest as social isolation; education prohibition and violation of bodily integrity while that of older women might consist economic abuse and property appropriation.

Stalking is a form of violence where an individual stalks and physically occupies another person's presence that instils fright, tension, and distress.

Battering as a type of physical attack consists in hitting, kicking, pushing violence by choking the victim with weapons and other such means which manifest physical aggression.

Gaslighting is a peculiar form of psychological abuse, in which one individual purposefully forces the other insane if used systematically enough-every person begins to doubt whether its' memories are incorrect, or it might not trust itself.

Abuse is an umbrella term that includes physical abuse, psychological abuse, emotional and economic abuses as well as sexual assault.

All these types of violence may happen in the family, romantic, work-related or local community relations. These issues might manifest as significant harms to victims, such as psychological trauma physical mutilation or death. It is absolutely essential to keep in mind that any kind of violence shouldn't be accepted and should cease.

In order to fight it, an understanding of the structure of domestic violence against women is important. This helps in the development of victim prevention and protection measures that will address specific needs and situations.

The victimological component of domestic violence means to determine the peculiarities of victims, which are treated violently and consequences that they face. As domestic violence entails many psychological and physical rewards, the victims can suffer from trauma, stress-related incidents such as depression or post traumatic disorder.

Victimology research of domestic violence indicates that women are the most targeted victims in this type of abuse. Depending on the social, cultural and economic factors like discrimination, inequality etc.

Moreover, the victimological component of violence at home also involves investigating factors that can raise or lower an individual's chances to become a sufferer from domestic abuse. These may include the presence and availability of social support, services for victim protection from violence, awareness level on domestic abuse among others.

Overall, the victimological dimension of family violence is crucial for comprehending how a person becomes helpless and creates certain measures to eliminate this issues as well as fight them in practice.

Furthermore, the aspects of victimology connected with domestic violence should be evaluated while considering such factors that are related to him. For instance, this may be her sex, age, position in society and so on some groups of women – namely migrant women types illustrated above more prone to violence due to their peripheral place in the social status.

Another significant victimological point that should be mentioned is related to the fact that victims of domestic violence usually experience fear and threat to their lives and provision. In some instances, the victim may fail to approach law enforcement or other societal groups for protection against such retaliation. Hence a conducive atmosphere should be developed to facilitate victims in seeking help without fear of getting killed.

One of the main reasons why many cases of domestic violence remain hidden is that victims do not seek help from law enforcement agencies or other organizations.

More than 83% of victims who were interviewed admitted that they did not report conflicts and violence in their families. Looking at the primary motives behind failing to seek help from law enforcement agencies or any other organization dealing with domestic violence issues, several factors constitute. These include (Image 2):

distrust of the possibility of assistance from the authorities -24.2%; fear on the part of the rapist or his relatives - 32.9% and 9.3%, respectively; fear for the preservation of the family - 7.3%; fear of losing housing or being left without a place of residence - 7.8%; shame and unwillingness to condemn oneself in the eyes of others - 11.3% and 6.4% respectively; the hope that the rapist will change - 10.5% or the conflict will be resolved independently - 22.4%.

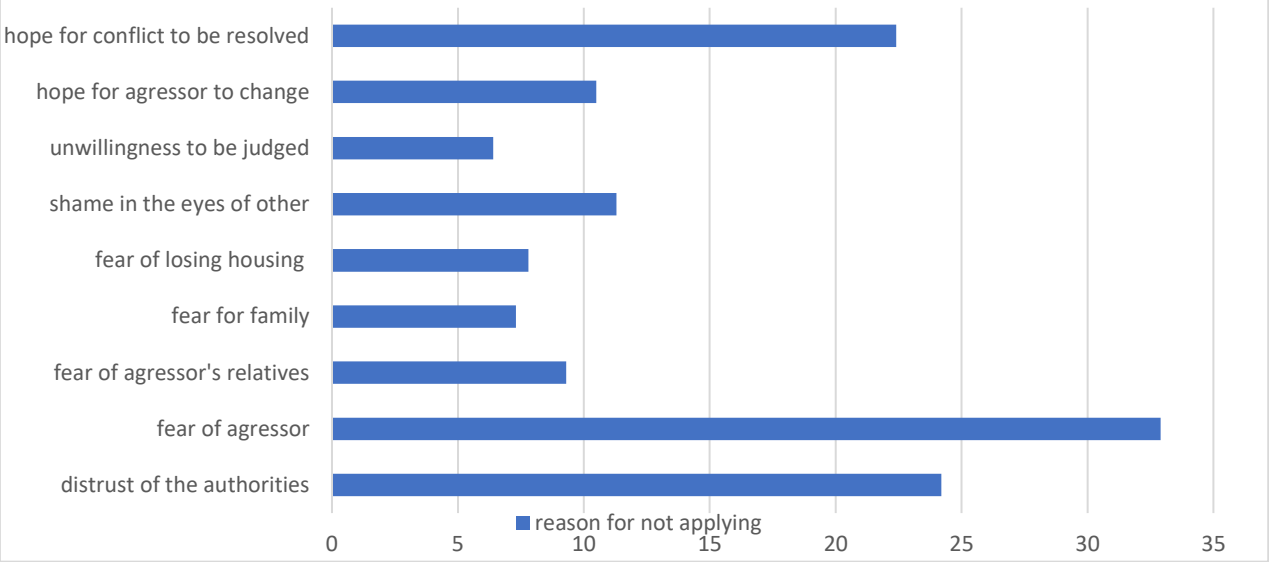


Image 2 – Prevalence of crimes against women during the time frame of 2000 to 2021. Data from The Committee on Statistics of the Ministry of National Economy of the Republic of Kazakhstan.

Note - compiled by the author based on the source [98].

Domestic violence is an overarching term to describe any act or conduct of abuse, be they physical, sexual verbal and economic carried out by a person against another who share significant relationship. Physical violence is abuse, and other forms of abuses such as emotional and sexual ones are popular in domestic violent encases too. This manifests as degradation, coercion shaming and threats that lead to coerced physical abuse among others means of subjugating women. Each form of violence is as terrible and neither can it be judged to be more severe than he other. Domestic violence is described as a repetition of substantial, vulgar, alternative or economic misuse focused at landing the persecuted get together under domination and frighten them. These are scenarios where one individual tries to direct the conduct and feelings of another. Under the general umbrella term of family violence, there are different types depending on the nature and relationship status of a victim.

Typically, domestic violence displays the following characteristics:

- Once there has been a beating, the violence continues to increase in intensity and frequency with each next time.
- Between the abusive behaviors and violence, there would be apologies from the perpetrator with promises of reform.

- There are increased dangers that will be associated with when the victim attempts to finish or terminate the relationship.

Domestic violence, in most cases appears to be a normal situation of stronger persons using force on weaker ones. This power may be structural or status and both of them occur in the case on domestic violence against adults. In most cases, individuals who are abused in a domestic setup do not have the strength required to push an antagonist away. As for the produced statistical data on domestic violence has not been represented to date. Victim statistics are inclusive of all crime types and do not specify whether the violent crimes problem in general or those committed inside families.

As for domestic violence, it can be rather difficult to get the actual numbers on this issue since victims may not report about abuse or see that what happens to them is an abuse. Those, which are trapped into a relationship of violence receive terror sometimes false accusations whenever these people develop feeling of confusion aids in instilling fear out of this the victims also feel helpless since they have no option but to accept all that come their way and finally something relating to safety imply on other words about anxiety issues as well guilt issues having composed act with accomplices most illegal acts. They may develop nightmares, a decreased level of confidence lose trust in other people and alienate themselves from society sometimes even turn to drug or alcohol abuse. Many abused victims, however, decide to stay with their abusers citing that they are socialized this way; others depend on the batterers financially some fear retaliation if he or she decides to leave him. This particularly applies to women who have been psychologically molested and conditioned from birth to be intrinsically inadequate for living their own lives. In the similar manner, women who have children may think that they are not able to escape because of their obligation regarding child care.

There are many reasons which make some women to still stay in an abusive relationship despite the anguish they undergo. For example, some individuals may think that it is better to be within an abusive relationship and receive occasional beatings rather than suffer from loneliness and instability following a divorce while others are afraid of being referred as divorced. Moreover, certain women cannot but to be economically dependent upon their partners and receive no adequate support from the state; this also promotes domestic violence towards children and female. They may also linger on in an abusive relationship due the fact that violence was a culture back at home were their fathers beat up their mothers and siblings battering one another. In addition, women victims of domestic violence become trapped and unable to defend themselves but also if police interfere with family conflicts. Fear of repercussions from their husbands also makes women afraid to seek assistance even from law enforcement agencies because they believe that the husband may turn against them, or hurt what is important for her including children and pets. They are ready to forego their own safety only with the aim of ensuring security for those whom they love and having a peaceful family life.

The dynamics of domestic violence against women is an intricate multilateral phenomenon, which depends on multiple factors – from socio-economic decline to legislative setbacks or changes in the public's way of thinking.

Many of the international researches reveal that domestic violence against women is a global phenomenon and at some nations, this abuse in still rampant despite many initiatives being introduced to regulate the vice. According to the United Nations, one out of every three women in the world undergoes domestic violence across their lives. Nevertheless, because of improved publicity about the issue and better ways to collect statistics data in some countries it is possible to note a decline n a number women exposed at domestic violence.

The dynamics of domestic violence against women across the globe vary. For instance, domestic violence against women is still relevant to some nations such as third world countries and are very often associated with social determinants like poor education levels or poverty. The presence of laws meant to prevent women from violence may also see this reducing the frequency with which domestic violence occurs in more developed nations.

In Kazakhstan, the issue of domestic violence remains pertinent despite ongoing legislative measures to address it. In 2020, the National Statistical Committee registered twelve thousand two hundred and fifty-nine cases of domestic violence as a part of all types in general. At the can same time, experts state that official statistics may also not capture a true situation given that many of violence cases go hidden or unreported to police [34].

Therefore, it can be said that the patterns of domestic violence on women are complicated and lie on several variables. While there has been positive movement in the development of legislations and an increased awareness on domestic violence against women, it is still a major challenge to many countries globally. In some situations, the absence of knowledge on violence as well as stigmatization and panic for retaliation can be counterproductive both to women who want to report cases of abuse or harassment but also police source supposed structurally investigative stopping these crimes.

Across the country, an ugly picture is emerging. It, in our opinion quite accurately schematically represents the actual situation with a state of affairs on violent crimes depending upon different regions. To this, it must be mentioned that over twenty regions have observed a growth of such crimes in the past five years. More than 25% of the women aged between years suffered physical violence at hands of their marriage partners or other men, according to studies conducted in2019 by National Statistical Committee of the Republic Kazakhstan. Furthermore, majority of domestic violence cases are unreported to the police owing to a host o factors that include lack of confidence in criminal justice agencies [98].

The study reveals that similarities between domestic violence and other forms of violent crime are counterbalanced by unique features. So these characteristics encompass the modus operandi, setting of the crimes and psychological behavioral aspects which differentiate family offenders from other types f criminals. The same applies to the differences in factors that lead to domestic violence as compared with other violent crimes.

Thus, despite the fact that domestic violence study should be considered to have not only scientific value but also practical one as it can help developing reasonable and effective recommendations on how this problem may effectively treated.

Nevertheless, the analysis of criminal rates allows affirming that a violent crime became quite frequent social phenomena.

Over the last two decades crime rates per 10,000 women have fluctuated with peaks in the years of 2004, 2005, 2016 and 2018. The highest of all rates was recorded in 2016 and was at 135,3, whith the lowest of 32,7 in 2003 (Image 3) [34].

According to the General Prosecutor's Office of the Republic of Kazakhstan in 2022 there were registered 157,473 criminal offenses and against women − 61,277 [33]. The information of the Agency for Strategic Planning and Reforms 2021 states that there were 61464 domestic violence cases, for the year 2022 statistical data is absent [34].

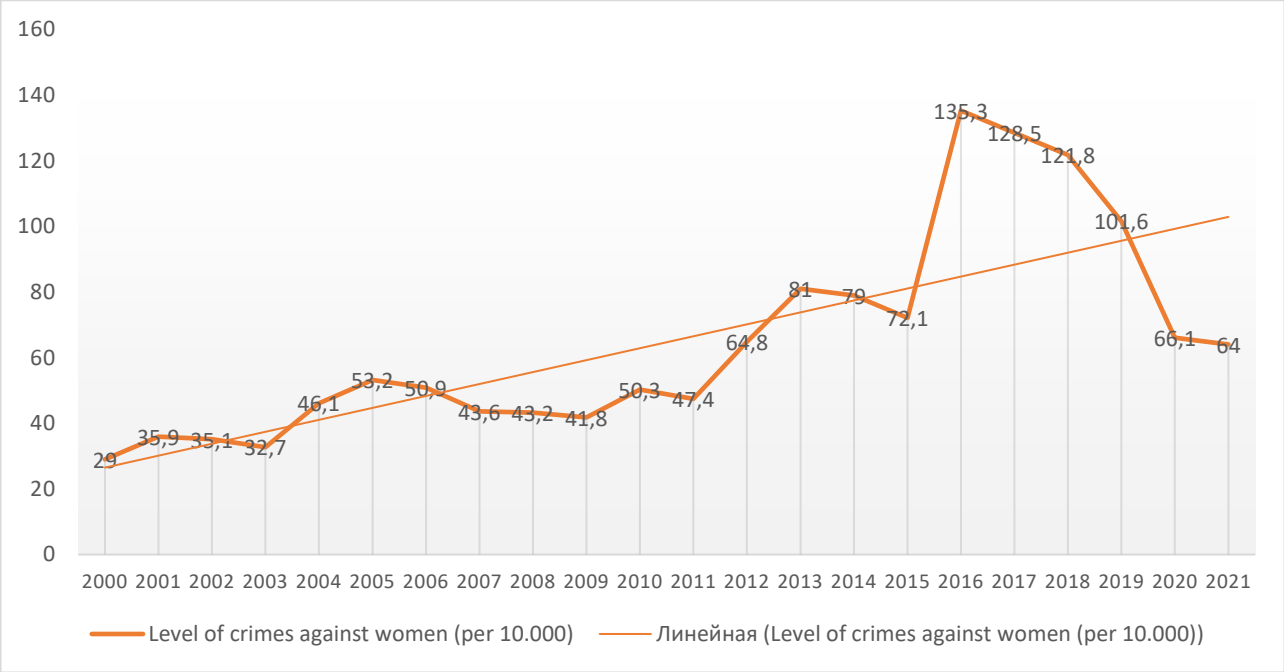


Image 3 – Crimes against Women incidents from the period 2000–2021.

Note – compiled by the author from the source [34]

This fact proves the presence of serious gaps in counteracting this type of crimes, which activate criminogenic factors and pose a potential threat for further negative development trend regarding these types offenses in the region. It is, therefore, crucial that scientifically valid and socially acceptable steps be taken to prevent criminal family violence. Considering the family as a legal societal unit, one should admit that combating home violence could be called among primary concerns of workout processes in internal affairs organizations.

Figures reflecting domestic violence against women play an instrumental role in this fight. Collection and research of information on acts of violence in relations among relatives allows defining the prevalence picture, accents its dynamics, outlines risk groups that suffer from violent action most often as well as develops efficient measures to prevent cruel actions.

Statistics can also be used to guide the design of laws and policies that will help prevent women-based violence as well those ones dealing with combating it. For instance, laws can be introduced based on the statistical evidence targeting severe penalties related to violence against women and also creation of special services as well programs directed towards supporting victims in cases of violence.

Nevertheless, one should also consider the fact that statistics of domestic violence against women has its boundaries. To begin with, there are often a lot of cases when violent acts become unreported because the victims fear becoming outcasts within the family or as the violence takes place behind closed doors and it is hard to trace this. The second why statistics do not always depict the true nature of violence is that, victims might hide or fail to provide comprehensive information on cases of violence.

Thus, even when attempting to analyze the statistics data from the Committee on Legal Statistics and Special Accounts under the General Prosecutor's Office of Republic Kazakhstan for the period reporting 2000-2021 confronted with an inability correct and cleansed analysis registered domestic crimes against women. The initial data for this calculation is the Committee's crime rate against women for the specified reporting period (2000-2021), which is derived from the formula:

$$\text{Пр}_{\text{ур}} = \frac{\text{Пр}_{\text{пр.ж}}}{N_{\text{ч}}} * 10000$$

The level of crime against women is calculated as the ratio of the number of registered crimes against women to the average annual number of women per 10,000 population, where:

$ПР_{пр.ж}$ – Number of registered crimes against women

$N_{ч}$ – Average annual number of women

$Пр_{ур}$ – Crime rate against women [74]

For example, the crime rate indicator ($\text{Пр}_{\text{ур}}$) in 2000 was 29 per 10,000 women, where the number of registered crimes $\text{ПР}_{\text{пр.ж}} = 22, 367$, then we calculated the inverse formula:

$$N_{\text{ч}} = \frac{\text{Пр}_{\text{пр.ж}} * 10000}{\text{Пр}_{\text{ур}}}$$

22 367*10 000/29=7 715 013

7 715 013 = $N_{ч}$, which, with a margin of error, coincides with the data on the number of women at the end of 2000, where, according to the report of the Ministry of National Economy of the Republic of Kazakhstan under the Committee on Statistics, the number of women was 7,724,100 [16].

It is possible to rely on the calculation of data for the period from 2000 to 2010 for the analysis of registered cases of domestic violence, but such data are not enough to show a clear trend. So, for example, it is difficult to analyze the dynamics of crimes without correct initial data in 2011, 2012, 2013, and 2014, where $ПР_{пр.ж}$ was 78,503, 108,752, 137.336 and 136,705, respectively, while $Пр_{ур}$ was 47.4, 64, 8, 81 and 79,

respectively. When checking such data, we revealed a calculation error, since the calculation using the inverse formula showed that $N_ч$ - the number of women exceeds the data of official statistics by almost two times and is approximately equal to the number of the entire population of the country for the indicated periods [34].

Further, from 2015 to 2021, we consider data analysis difficult because when researching data, we take into account the limitations of existing statistical data given the complex, multi-level extraction of publicly available data.

The above data were processed according to the algorithm of actions, which in combination with current achievements in IT will be able to meet digital requirements of modern society as well as digital potential and sustainable development of Kazakhstan and other countries towards international standards for digitization and automation followed by improvement.

Notwithstanding the foregoing, we are demonstrating the data that we were able to collect (Table 2):

Number of reported cases of domestic violence against women								
	year							
	2000	**2001**	**2002**	**2003**	**2004**	**2005**	**2006**	**2007**
Crimes against women ***ПРпр.ж***	**22,367**	**27,680**	**27,035**	**25,269**	**35,921**	**41,829**	**40,394**	**35,034**
Crime level ***Прур***	**29.0**	**35.9**	**35.1**	**32.7**	**46.1**	**53.2**	**50.9**	**43.6**
	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10 000
number of women (population) ***Nч***	**7,715,013**	**7,701,753**	**7,702,132**	**7,729,435**	**7,785,025**	**7,856,177**	**7,941,052**	**8,033,774**
Official statistics	7,705,900	7,697,600	7,706,600	7,752,200	7,817,900	7,894,500	7,987,600	8,079,900
Total number of registered crimes (official statistics)	150,790	152,168	135,151	118,485	143,550	146,347	141,271	128,064
	year			**ERROR!**				
	2008	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**	**2015**
Crimes against women ***ПРпр.ж***	**35,131**	**34,515**	**42,574**	**78,503**	**108,752**	**137,336**	**136,705**	**65,325**
crime level ***Прур***	**43.2**	**41.8**	**50.3**	**47.4**	**64.8**	**81.0**	**79.0**	**72.1**
	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
number of women (population) ***Nч***	**8,132,947**	**8,261,182**	**8,455,933**	**16,561,814**	**16,782,716**	**16,955,062**	**17,304,430**	**9,060,333**
Official statistics	8,283,500	8,395,300	8,515,500	**8,632,200**	**8,751,300**	**8,876,300**	**9,002,600**	9,128,100
Total number of registered crimes (official statistics)	127,478	121,667	131,896	206,801	287,681	359,844	341,291	386,718
	year							
	2016	**2017**	**2018**	**2019**	**2020**	**2021**		
Crimes against women ***ПРпр.ж***	**124,298**	**119608**	**115,285**	**96,750**	**63,447**	**61,464**		
crime level ***Прур***	**135.3**	**128.5**	**121.8**	**101.6**	**66.1**	**64.0**		
	10,000	10,000	10,000	10,000	10,000	10,000		
number of women (population) ***Nч***	**9,186,844**	**9,308,016**	**9,465,107**	**9,522,638**	**9,598,638**	**9,603,750**		
Official statistics	9,249,700							
Total number of registered crimes (official statistics)	361,689	316,418	292,286	243,462	163,226	157,884		

Table 2 - The number of cases of violence (reported and registered crimes) against women for the previous period according to the Agency for Strategic Planning and Reforms of the Republic of Kazakhstan Bureau of National Statistics.

Note – compiled by the author from the source [34]

Thus, to provide with credible and unbiased statistical information the state authorities (The State Body of Legal Statistics and Special Records under the Prosecutor's Office of the Republic of Kazakhstan, The Ministry of Internal Affairs) are suggested to improve existing system of crime statistics on domestic violence, work out a consolidated state database that would be straightforward, all-embracing and transparent mechanism for displaying statistical data including but not limited to. This needs to be achieved and was recommended by the Judicial Collegium for Criminal Cases of the Supreme Court of the Republic of Kazakhstan:

A. introduce among the databases a victimological characteristic of family and domestic relations between an offender and a victim;

B. determine the list of articles of the Penal Code suitable for each type of domestic violence: physical, psychological, sexual, economic;

C. develop an inclusive report as well as tracking of cases under this category [99].

Though there is no adequate statistical data on the spread of domestic violence and its various manifestations, one can utilize the above-mentioned information to pay attention to this phenomenon. Thus, the real scale of this problem cannot be easily defined because not all cases of domestic violence are reported and do not always constitute a specific type of crime. But, domestic violence has actually become a major challenge to the modern society and as well for the law enforcement agencies. It is described as an act or threat of physical violence, psychological abuse or assaultive behavior by one person against someone with whom they have had at some point a significant relationship. Sadly, the chances of violence or mistreatment occurring at home are sometimes greater than when compared to other places like being in the streets.

Regulations establish the goal of protecting human rights, including protection from violence regardless of gender. However, due to the relative physical weakness of women (compared to men), they are more likely to be victims of domestic violence. Some people view physical violence as something that is not outside the scope of "normal" family life, and if a husband does not kick his wife, then this is not violence, but simply an "internal affair" of the family. The state of violent crime within the family for a long time causes serious concern [98].

Therefore, the data on convictions for domestic violence against women is such an essential instrument in combating with this problem but its results should be treated attentively considering potential restrictions and distortions.

With the evidence indicated, violent crime in family resulting from crimes of a common nature has its peculiarities. They are primarily connected with the peculiarities of these methods, an environment in which certain crimes take place and specific psychological and other differences inherent to family rapists as a mechanism of their delinquency

concerning criminal process itself – appearing action resulting factors. So, an objective study of violent crime in the family is not only scientific and has practical significance because it allows for a more substantiated organization targeted fight against this phenomenon.

Nevertheless, the analysis of criminal statistics proves that an increase in violent crime has become quite a widespread negative social phenomenon.

Therefore, there is a need to carry on with research work and data taking in respect of domestic violence against women so that legislation relating mechanisms for protecting them from it can be improved. Support and helpful services should be also provided to women who are victims of domestic violence, while the educational programs targeted on changing public opinion concerning this issue can assist in reducing its prevalence.

The development the statistics concerning to violence against women, their conduction and analysis should be improved for clearer perception of the problem scale as well it will help out with better strategies can formulate on preventing-violence.

Therefore, because of these factors a comprehensive profile that would accurately represent the actual condition concerning violent crime within family seems currently unfeasible. In this connection, when studying the given crime, it is necessary to focus not only on quantitative but also qualitative features and materials of current investigations.

The analysis of the state, structure and dynamics of violent crimes against women in the private sphere are a significant output which is relevant nowadays. The figures gathered throughout the research demonstrated that family place of criminal activities associated with violence continues to be a significant issue requiring active attention and solutions.

The research focus has provided a critical finding that violence against women manifested in forms such as physical and psychological abuse. Moreover, it should not be forgotten that the type of violence is characteristic for women only and can also occur among children or elderly people.

The figures also affirm that a majority of the crimes committed inside family units are subterranean and simply do not get reported to law officials. This is caused by a series of causes from fear, shame to an unwillingness to destroy family relations and so on which requires additional efforts as well as resources in bringing the victims of violence into law enforcement agencies for proper assistance.

In light of these findings, there is a need to enhance the systems for data collection and analysis on domestic violence against women. Access to reliable and accurate statistics aids in understanding the scope of this problem better as well as create effective initiatives geared at preventing or addressing domestic violence.

Furthermore, enhanced tools for data collection and analysis can be used to report on the trends in domestic violence such as risk groups or leading categories of women whose needs have not been properly accounted.

Therewith, it seems advisable that state and non-governmental organizations striving to fight with this issue pay more attention at improving mechanisms of gathering the information about domestic violence against women or its further analysis.

If the rate to domestic violence is high shows that there are significant weaknesses on ways and means of addressing this form of criminal activities alongside encouragement on criminogenic factors plus a potential risk for persistence or deteriorate status quo in such region. Therefore, one should introduce evidence-based interventions coupled by the social context so as to avert violent criminal measures within family ties. Due to the fact that family is a primary structure in society, prevention of domestic violence should be prioritized by law enforcement agencies as it refers to preventive measures.

The collection and analysis of statistics on violent crimes against women in the family and household sphere are of great scientific importance and urgency for several reasons:

- Such figures give a good overview of the problem on its scope and conditions. This is essential data that policymakers, police and other relevant parties need to have for them to understand the dimensions as well as parameters of these problems so they can generate efficient interventions grounded on evidence.
- Accurate statistical figures regarding cases of violent crime in the family and household domain must be known for policy formulation and intervention to take place effectively. These include types of measures like legal reforms, professional training to enforce law and roars the public education programs as well support services for these victims.
- statistics can help to perceive potentially vulnerable groups that may be more affected by the violence implemented in family and household sphere like disabled women; migrating females or their poor fellow citizens. Knowledge is needed for creating select interventions that target the needs and also tome of these groups.
- Data on family and household-based violence against women are vital to be used as indicators for tracking the change achieved, monitoring outcomes accessed by policies formulated and interventions made. This involves monitoring the change of prevalence rates, locating improvement and non-improvement areas due to intervention on top, as well as making straightforward decisions regarding budget appropriation.

The importance and urgency for gathering statistics on women who suffer violent crimes in domestic environments stem from the fact that they help to shape evidence-based policies, actions plan towards tracking the reduction of violence against women as well vulnerable groups.

Additionally, these types of data can serve as a basis for implementing legislation and policies aiming to stop the spread of violence against women. For example, grounded on statistical information one can introduce more severe laws against violence concerned mainly with women; establishments of special services and programs to help victims of such violence could be created.

Certainly, statistics on domestic violence against women represent an invaluable a tool in combating this phenomenon; however the outcomes of such work should underlie careful analysis revealing possible limitations and deficiencies.

Therefore, further researches and data collections on domestic violence against women are not only necessary but will also be employed to improve the legislation framework and mechanisms meant for protecting woman from violent acts. It is also

crucial to have help and assistance for women victims of domestic violence together with awareness campaigns in the community part that would initiate notions towards acts defining this crime.

Enhance the collection and analysis of gender-disaggregated data on violence against women analyze its trends more effectively for a better understanding of the scale, as well as formulate realistic strategies to prevent and counteract it.

Therefore, based on the above reasons, at present we are unable to give a quantitative account of how violent crimes occur in family setting. In this case, studying the given crime it is necessary to focus not only on quantitative but qualitative characteristics as well and materials of current research.
The issue on the study of state, structure and dynamics of women domestic violent crime is current when solving this problem in OVIR. Thus, the statistics that were collected throughout the study proved to emphasize how cases of violent crime in a home setting are something that should continue being treated as severe situations to be handled.

One of the key discoveries in this research is that violence against women appears to present itself differently within a family unit, and it can manifest in physical or psychological variations. Moreover, it should be taken into account that violence may not only target women but also children and elderly people.

The statistics also proves that most criminal acts causing violence within the premises of a family home are veiled, they go unreported to any legally constituted authority. This is connected with a wide range of factors, namely fear anxiety, the hostility towards open destruction between blood relations and others allowances etc., which additionally requires efforts and means to deliver victims outrage in police authorities organs and give them professional aid.

The reasons for providing a global review of the dynamics underpinning domestic violence against women are brought by prevalence, concerns with respect to human rights and health implications, economic burden on countries as well preventive strategies that need understanding. It is rather critical that a comprehensive approach be adapted in treatment of this issue i.e. securing prevention intervention and the support to victims.

The results of the study demonstrate that it is necessary to enhance systems, which allow for gathering and interpreting information about violence within a home towards women. The provision of correct and valid figures on the above matter is vital because from this, one can be able to know how big or small a problem is enabling them come up with strategies that would prevent it supplementing others for solving cases related.

Furthermore, better data collection and analysis tools can allow for the recognition of trends in domestic violence, more quickly identify risk groups along with most vulnerable categories among women who need protection.

Thus, the state and non-governmental organizations that help to combat this problem should focus on improving tools for collecting the necessary data along with its analysis.

2.2 Causes and conditions that produce domestic violence against women

One of the most important issues for our society is to study causes and preconditions that induce instances of domestic violence against women. In the following part of this section, we will attempt to detect major forces that drive specific phenomena or processes. We will discuss different perspectives of the problem and evaluate social, economic, psychological and cultural background in which this phenomenon may appear or escalate. Throughout the study, we will make an attempt to assess contemporary data and scientific research alongside with practical recommendations and measures contributing towards at least a partial solution of this issue.

On the whole, an investigation into reasons leading to domestic violence triggering and amplification is crucial for adults concerning development of holistic strategies and measures common in prevention as well typos management of this trend. Moreover, it is very important in creating positive and healthy relationships among families as well communities.

The causes of female domestic violence are formed by multi-factorial determination and none of them can be assigned their share in this phenomenon, which is why it has become traditional to consider the reasons and factors for violent phenomena as a whole.

To begin with, violent can be sociocultural and embedded in stereotypical views on the nature of family relations understood as upbringing-induced external impressions that have become their unique model or ideal. This can be justified by the consideration that this person may have a criminal background, or he-she could belong to low social standings and suffer from alcoholism and drug addiction. People describe domestic violence from the cultural point of view paying special attention to culture based on patriarchal structure and one its result-being fairly treating flogging.

Also, sometimes ill-treatment may be the effect of personal life experience from one particular individual or individuals and so for them also have a moral and psychological reason to think about this sort of relationship as common.

Third, the following cluster of causes are related to ‘the trauma years childhood’; that is already a harmful event practiced at an early stage and increasing it’s required concerning him childlike complexes on family members instead [100].

Fourth, the social and psychological decompensation due to external forces that are in excess of individuals personal stability levels prompts some for substitutionary compensation elsewhere with their frustration at home by asserting themselves upon weaker ones unable to fight back as well as defend.

The fifth bundle of reasons is connected to the personal traits of a person – with his basically overgrown specific both dominant types and qualities that were not offset appropriately by reasonably satisfactory training at first.

Mired in these positions, the issue of domestic violence constitutes not only a problem inherent to culture; it is an integral part of the query about gender equality as well as socio-economic and legal protection of an individual within modern society.

Violence against women is a very complex social issue rooted in specific sociocultural, economic and psychological factors.

Gender inequality is one of the key explanations for violence committed against women within their domestic households and can be viewed through different lenses such as economic disparities, lack of political involvement by women or even socioeconomic difference in terms access to education and medical health-care systems. In such circumstances, women may become more prone and susceptible to violence.

Furthermore, the case for violence against women may take place because of social and cultural standards that tolerate a woman's abuse. For instance, in some cultures that men may feel it is their right to dominate over women and use violence as a tool for sustaining the sense of power they hold.

Domestic violence against women can also be caused by psychological variables. Certain studies indicate that some of the mental health issues such as depression, anxiety interpersonal problems and individuals with low self-esteem may be associated with violence.

It is also proved by studies that intimate partner violence may be caused by women's economic reliance on the partners. Economic deprivation can also make women unable to divorce their spouses and stay in violent relationships [101].

Cultural and social factors. Cultural and social factors, including violence in the family for many generations back are responsible of development of domestic violence, masculine pattern norms which envelop expectations about roles that both men can women play in society as well s socio-economic discrimination against thee females [102].

Psychological factors. The etiology of domestic violence is in some cases associated with psychological factors that are low self-esteem, apprehension and anxiousness thus wanting to dominate a partner as well the necessary mental impairments [102].

Economic factors. Domestic violence also depends on the economic aspects of people. For instance, one partner may not be able to take care of a family owing to economic challenges; this can result in conflict as well violence.

Social isolation. Domestic violence victims often become isolated from the outside world, and this places them at a greater risk of suffering violent attacks. There are so many reasons behind this, and some of these factors include cultural issues, religious matters as well as family relationships.

Increased stress. Increased workload, loss of job and financial crisis in the life of a partner can cause domestic violence for that matter [102].

Often the term "violence" refers to the extreme manifestation of this phenomenon: physical violence, beating, rape and murder. However, it is vital to know that domestic violence does not appear in such extremes. Much more often this occurs in the form of "light" physical violence such as slaps, kicks, pinches, and so-called abuse: violating (not only of sexual nature), humiliation, swearing, absenteeism and deprecations [103].

The term abuse, literally meaning to 'abuse', lets you more precisely emphasize the nature of domestic violence. Further abusing underlies the names because it is power that comes from violence to be imposed on a partner. The English domestic violence resources use the word 'domestic' to denote domestic violence. violence &

abuse". Such a division enables us to separate abuse and violence per se, as well as evaluate the severity of consequences in case various types of violence [102].

The theme of domestic violence arises in the families where one person attempts to create an environment overly protective from another, pretending that it is care about him or her [103]. Such manifestations of overprotection as increased attention, control, and protection from imaginary dangers, distrust, harsh criticism, underestimation of abilities, orders, ignoring, and emotional manipulation (insults and blackmail) are emotional abuse. It is important that this can occur both between adult family members and in families with children. Parental overprotection is much better described than partner overprotection [104]. Overprotection is now called taking care of a partner or a child, although this is not at all the same thing. Overprotection is a form of abuse [105].

Signs of domestic violence.

Domestic violence is characterized by the following features:

1) Intention or awareness of the abuser's actions. This means that the perpetrator in any case understands that he is committing violence. Extremely rare cases are when the rapist has a psychiatric illness, but they will not be considered in this material.

2) The root of such violence is the desire for control. And here there can be variations: The rapist wants to dominate, set rules, manage all aspects of domestic life, unlimitedly influence, punish, and control thoughts, actions, and feelings.

The rapist gets into situations when he feels helpless and powerless, which produces anger and aggression in him, and, not having the skills to deal with feelings otherwise, commits violence, forcing the victim to do what the rapist wants.

3) Defenselessness or dependence (emotional, economic, territorial, legal, etc.) of the victim on the rapist.

4) Alcoholism or dependence on psychoactive substances of a family member significantly increases the risk of violence.

5) Increasing strength over time, the emergence of new ways, and the inclusion of new types of violence. That is, sexual coercion can be added to physical violence or physical coercion to emotional violence.

6) The cycle of violence.

7) Severe physical and emotional consequences for the victim.

8) Domestic violence occurs in all cultures, countries of the world, and family composition. [102, 105]

The family quarrels and feuds should be differentiated from violence. In the conflict situation, opponents are more or less equal with each other although can back up an argument by violent emotions gestures shouts etc. A difference between violence psychology from a simple conflicting one is that there is no equality in it – the rapist seeks to suppress his victim all right and at full length. The second key variance is family abuse. always systemic and always cyclical.

In discussing violent crimes perpetrated in the family setting, it is crucial to note that actors of domestic violence create a chronic negative pattern of anti-social convictions guided by both objective and subjective factors. By objective conditions we mean a wide array of social problems – social conflicts, deformations and contradictions. These, along with economic conflicts in short-term relationships, lend

themselves to an adversarial illegitimate motivation of one man's action toward another.

The family and household surroundings seem to be implicated in the establishing of all kinds, especially personal crimes based on economic as well as social confrontations. Therefore, although the individual personality is playing a major role in such crimes committed by terrorists, social surroundings remain to have much influence.

The social environment gives rise to a phenomenon of creating 'social diseases' or forming signs of the 'Social pathology,' which contribute to emerging negative and intricate processes that characterize human behavior. These actions can, in their turn contribute to the commission of criminal acts. Subjective factors of such behavior are in a number of human needs, interests, goals, moral values and legal consciousness's the domestic violence practice perpetrators which often bias objective social conditions. Therefore, a criminal in the realm of home is considered to be a manifestation of negative social deviation.

Thus, subjective living conditions associated with the relations between people usually act as an essential factor of causality in domestic violence since a criminal behavior violent offender is connected to his or her residential environment. In the case of domestic sphere, few violent crimes arise out as a result unhealthy interpersonal relationships. The statistical observations confirm this concept, as there is a correlation between the violent crimes in domestic environment and some factors found by them such are population's sex and age composition; state of these grounds at commissioning times etc.

Regarding mediations, while analyzing the causes of violent crimes based on theoretical frameworks objective factors arise from contradictions social and economic in their nature, characterized by socio-political relations. In the case of domestic violence, it becomes necessary to consider factors that more or less specifically affect family member relationships. These factors at the micro level have direct impact on family and households, which are usual places of most violent crimes.

All acts of domestic violence are based on conflicts, some of which may differ in their form and nature but give rise to abusive behavior within the family unit. These conflicts are mostly provoked by sociostructurally determinants at the macro level that accelerate family-related criminal violence.

A study made from 1500 cases of criminal offense reveals that violent crime in the home sphere is primarily a result of personal conflicts. Some of the common patterns of behavior that were the causes and conditions that gave rise to violence against women in the family:

19% Patriarchy and inequality of genders. An element that greatly contributes to domestic violence is traditional patriarchal beliefs and gender inequality. Men are given the message that they have the right to dominate women and violence is a legitimate route to dominance.

18% Cultural norms and values. Cases of domestic violence can be contributed to by the cultural beliefs as well as norms that consider men superior over women. This is because these cultural norms may touch on masculinity, femininity and even family roles.

16% Economic factors. Other factors that may lead to domestic violence include financial constraints, poverty and unemployment. Economic problems can make men feel powerless or insecure and in order to regain the feeling of control, they use violence against partners.

14% Substance abuse. One of the leading causes of domestic violence is substance abuse which ranges from alcohol to drugs. Drug use may also reduce restraints, affect reasoning capacity and make an individual more prone to acting violently.

8% Mental Health Issues. Depression, anxiety and personality disorders are other forms of mental health issues that play a role in domestic violence. In men, these types of issues can lead to a violent behavior as they may become their defense mechanisms in stressful and negative situations.

7% Childhood Memories. Men, who were either witnesses or subjected to violence while growing up as children, are more likely to perpetrate domestic violence in their adulthood. Childhood abuse presentation can also contribute to a skewed perception of what constitute an acceptable conduct in a relationship.

18% Lack of social support. Women who had no support network and no resources, such as shelter or a job offer, could not leave tyrannical husbands. This made them also victims to the continued violence.

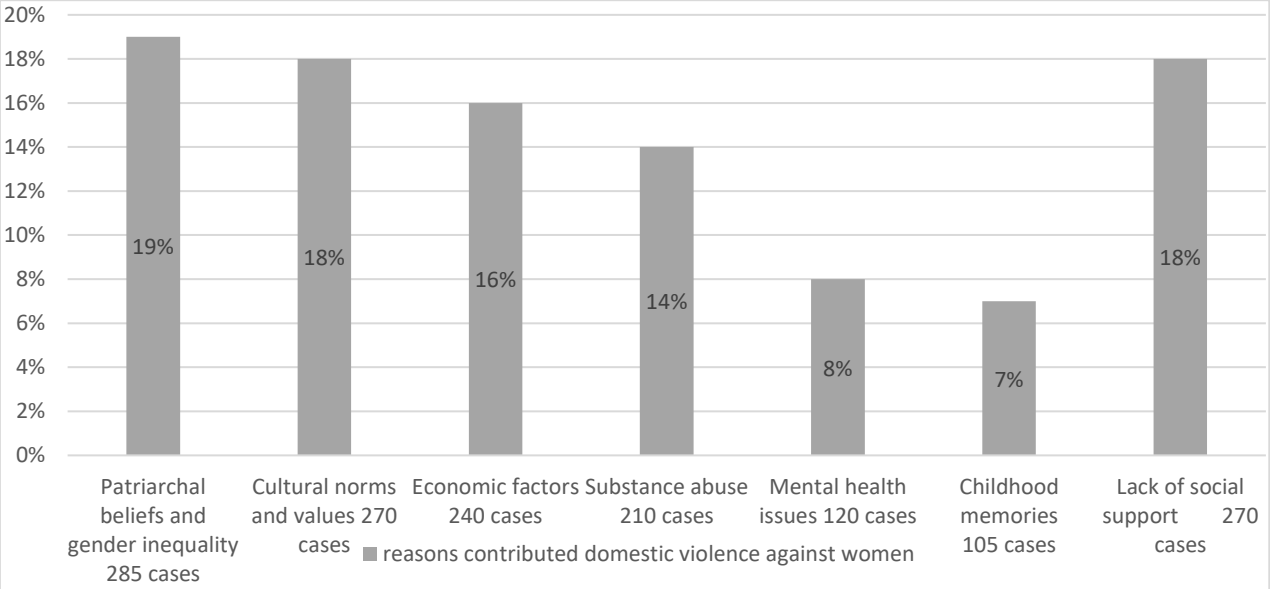


Image 4 – Reasons that contributed to domestic violence against women.

Thus, for instance, a 16-year marriage, during which there was a permanent physical abuse, verbal and humiliation, the first-born son of the citizen I. became a victim of her husband. In the winter of 2020, the 16-year-old boy was admitted to the hospital with a broken clavicle that was due to the physical assault. The doctors duly documented the incident, as required by law, and a criminal case was registered in the URPR (Unified Register of pre-trial investigations) record. Nevertheless, citizen N. managed to persuade Citizen I. to preserve their marriage due to their children and their future.

Citizen I. applied for divorce after suffering years of beatings, teases, and insults from her husband. She was forced to seek a hiding place from her husband's persecution with her children and the court was not able to reunify the couple. Their marriage was annulled five months after the divorce application filing, although citizen N. did not lose his parental rights. One month later, he went for a walk with all three children, including the youngest who was still being breastfed and did not bring the youngest child back. Citizen I. was left in despair and had no clue as to the whereabouts of her child. The law enforcement agencies stated that no law was broken because the father had the right to talk and spend time with his children. The case was not followed, and after five days, the child was returned to the mother.

Currently, citizen I. is striving to obtain full custody of her children and to limit communication between her ex-husband and the children under the law.

Another story of I.K. is currently residing in a crisis center after a traumatic experience with her husband. At 25 years old, she met a man online who was in prison, but they continued to communicate and eventually got married while he was still incarcerated. After three years of waiting, they finally met in person, but her husband was involved in illegal activities and was eventually detained. He returned home but began drinking heavily and became physically abusive towards I. One night, he attacked her with an axe and threw their daughter on the bed. I. managed to escape and hide but returned home the next day. Her husband apologized and promised not to repeat his behavior but continued to physically abuse her and isolate her from others. He even poured hot oil on her legs and conducted an electric current along their fence to prevent her from escaping. He also attempted to kill another woman but was only sentenced to 2.5 years in prison. Today, I. is 31 years old and is still recovering from her traumatic experience.

A woman, currently residing in a crisis center, is in a similar situation as I.K. She met her husband in 2012 and they have been living together since then. They got married in 2016 and have three children together, with the youngest one having cerebral palsy due to the husband's physical abuse of the woman during her pregnancy. Despite seeking help from various centers in her hometown, and even living in one several times, she found herself in the Almaty center after being referred by inspectors. Her husband's violent behavior continued, with the woman being beaten for reasons such as leaving the front door open or talking on the phone. The woman forgave her husband for the sake of her children, including her daughter with a diagnosis, and because she didn't know where else to go. Although she left him a few times to stay with her parents, they advised her not to return as they believed he wouldn't change. The woman was too scared to report the first instance of abuse to the police but eventually did so after several more incidents. She is currently seeking refuge in the crisis center.

The narrative of the fourth female client at the crisis center began with her wedding. Initially, things were going well, but eventually, her spouse started drinking and physically assaulting her. Despite the abuse, the woman kept forgiving him. After a decade of being married, she made up her mind to leave him, but due to a lack of a place to go, she turned to a crisis center in Almaty for help. Although it was challenging, the center aided her. However, the woman eventually decided to return to her husband and give him another chance, as she wanted to maintain the family for the

sake of their children. Unfortunately, nothing changed, and she returned to the center once again. Now, she wants to leave everything behind and start a new life for the sake of her children's future [106].

An analysis of the studied criminal cases shows that violent crime in the domestic sphere is largely a consequence of interpersonal clashes. Domestic violence crimes, both in terms of genesis and content, are always conflicts, and these conflicts are quite acute and have various diverse forms of manifestation, which ultimately lead to criminal violence in the family. In this regard, the macro-conditions of the current state of society favor criminal violence in the sphere of family and domestic relations.

Crime, including violent crime, being a negative social phenomenon, destroys the established social order, generates a deformation of the relationship between society and the individual, reflected in the deviant behavior of people, leads to a violation of criminal law, and, consequently, to a repressive reaction of the state. In domestic family criminology, at the level of the microenvironment, the causes of criminogenic desocialization and criminogenic conflict are identified.

Family desocialization is associated with the absence of a family or a violation of its structure; violation in the family of balance between the spiritual and material principles; reduced cultural and educational level; drunkenness, alcoholism, drug addiction; behavioral stereotypes of rudeness and cruelty, transmitted from generation to generation; the presence of offenders in the family; training in criminal behavior.

Family conflict as a criminogenic factor is displayed both in family conflicts with its surrounding, and mostly in internal conflicts that are caused by adultery, the fight for power, the division of finances and duties between family members, as well as in connection with the child-rearing. and negative relationships with the spouse’s family members [100, p.267].

Positively correlated with higher education is not the attitude to violence, including violence against family members or close relatives. Nevertheless, the evidence we have gathered shows that a large number of violent crimes within families are perpetrated by people who have a secondary specialized education. This implies that education and level of development can be linked to the level of violence that occurs within families.

Such a social factor as the individual qualities of victims of violent crimes in the family is crucial for the analysis of criminological qualitative indicators.

Given the fact that at the moment there is a mass degradation of the population on the basis of alcohol and drug addiction, so it is logical to assume that this will be followed by an even greater increase in violent crimes, primarily in the family and everyday sphere. Violence against women is linked with various asocial factors such as alcoholism or drug addiction. 57,3 percent of all the materials we analyzed had details that the conflict that led to violence stemmed from alcohol or drug abuse [102].

What is especially important is the outcomes connected with the physical health of the family that is violated. The general indicators of physical health disorders are the increased rates of mortality caused by murder or serious bodily harm from relatives and (or) close relatives; various injuries following physical or sexual violence; cardiovascular diseases, the cause of which is the regularity of stressful situations in the family; for the same reason, diseases of the digestive organs and the abdominal

cavity, and several other equally serious diseases develop. Such illnesses need treatment and hence, other costs, such as disability. The third type of cost concerns psychological health. Psychologists refer to general indicators: as shock, disorganization of activity, severe fear, horror, suicidal behavior, etc.

The consequences of violent crimes in the family can manifest themselves in various spheres of society, while all of them cause enormous damage to and adversely affect public relations in general.

An important role in the quantitative and qualitative indicators of violent crime in the family is played by its high degree of latency.

A survey of 250 female victims of domestic violence, of which 150 were in crisis centers in Almaty, between 2020 and 2022 showed that one of the main reasons why many cases of domestic violence remain hidden is that victims do not seek assistance from law enforcement or other organizations. More than 83% of victims interviewed confirmed that they did not report conflicts and violence in their families. Among the main reasons why victims of domestic violence do not seek help from law enforcement agencies or other specialized organizations, there are several factors (Image 5). Where: 18.27% of women explained that they did not trust the possibility of assistance from the authorities, 24.52% and 6.25% of women explained that they feared the rapist or his relatives, respectively; 5.29% of women - the desire to save the family; 5.77% of women explained the fear of losing their homes or being left without a place to live; 8.65% and 5.77% of women explained non-conversion with shame and unwillingness to be judged in the eyes of others, respectively; 6.73% of women explained that they hoped that the rapist would change and 18.75% of women hoped that the conflict would be resolved on their own.

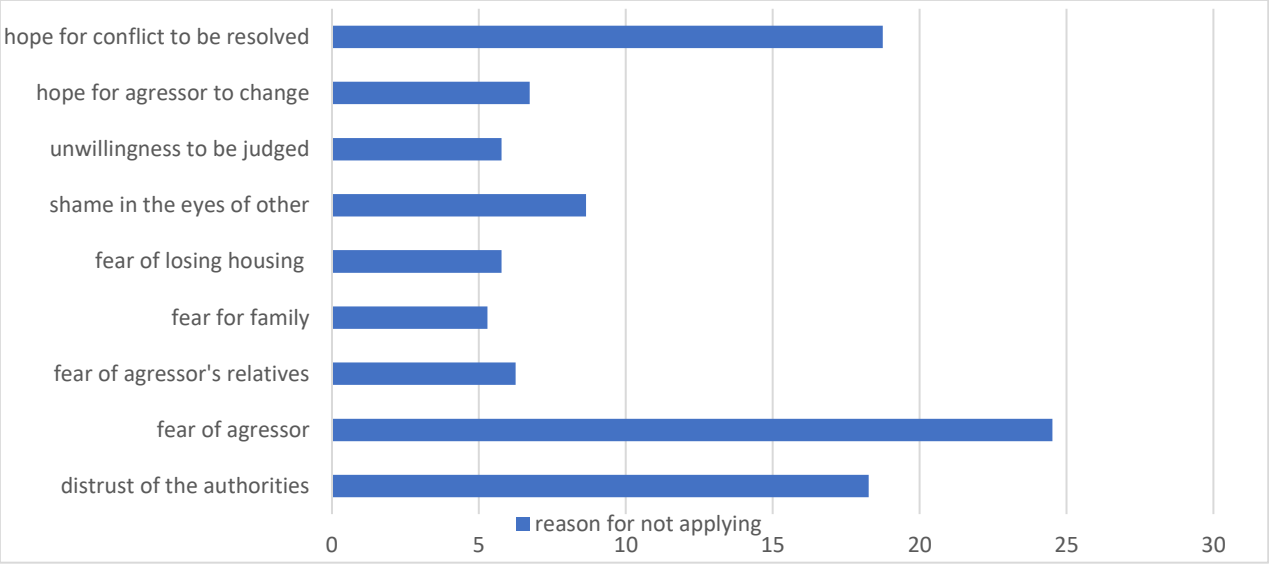


Image 5 – Results of the questioning of 208 women victims of domestic violence.

To change the current situation in the country concerning domestic violence, it will be possible to conduct a deeper and more detailed study of it, organized within the framework of the state strategy to combat this crime.

Depending on the form of violence, in official materials, the physical form prevails, however, among the answers of the respondents, the mental form of violence is in the first place.

The discrepancy between the official and actual figures is justified by the fact that the victim, feeling a mental type of pressure, is more willing to endure it than a physical one. In the course of these crimes, 74.3% of all empirical material, the helplessness and defenselessness of the victim cause the repetition of such acts.

The answers of the interviewed respondents revealed the following reasons for the latency of family violence: the sense of fear and disgrace before friends and acquaintances, as the interviewed respondents explain (58.5%), is the primary factor that causes family members or close relatives to refrain from writing applications in defense of their interests to the relevant bodies and organizations [107]. Moreover, the financial dependence of the victim (14.3%) is also mentioned as one of the factors influencing the delay in such crimes. The confidence of the perpetrators of violent family crimes in their impunity and the inaction of law enforcement agencies (9.7%) also contribute to the fact that these crimes are hidden.9. 2% of the participants mentioned the fear of the rapist's violence in case his actions were made public. It results in the latency of domestic violence and their victim behavior – 8.3% of respondents noted this very cause [107].

Analyzing the criminological features among people with whom they commit violence in their homes provides room to detect typical traits of a family violent offender. Such an offender usually is a middle-aged man who has secondary professional education, does not have work and suffers from alcoholism or drug addiction. Most of the times, they engage in violent crime that is either related to bodily harm or acts against sexual freedom violability.

The study of the causes and conditions that produce domestic violence against women is scientifically important and urgent for several reasons:

First, proper knowledge of the original causes for domestic violence assist in addressing effective measures to curb such crimes. If we understand what are the underlying factors that cause domestic violence, we can fight with them and make it disappear from families for better.

Second, the analysis of provoking factors and particularities of domestic abuse will enable us to realize what individual mental or social aspects encourage this phenomenon. For instance, studies have cited that such things as an exposure to violence in the environment as a child even childhood trauma or those who had substance abuses issues and mental illness are more likely to be found perpetrating domestic mayhem. Knowing these aspects, we can apply interventions more constructively for individuals under the threat of becoming abusers in their families.

Third, by researching into the causes of domestic violence along with its prerequisites it can help us identify risk issues among victims of DV. For instance, studies reveal that women with low educational backgrounds or economic empowerment and those who live in isolation without the support of social relationships are likely to suffer violence at home. These risk factors if identified can help in the identification of more focused prevention efforts as well assisting people on a targeted manner.

In general, the investigation of causes and circumstances behind women's domestic violence is important to make comprehensive strategies on its prevention and intervention as well learn more about psychological-and social-base aspects that cause such phenomenon in order be able of conducting activity aimed at target-persons with all risk factors. We will be able to reduce the rates of domestic violence and ensure women safety in families and households, by focusing on these areas.

Thus, all this constitutes a causal structure of factors that generate domestic violence with those negative contradictions as causes and certain violent acts being their effects. Since the majority of studies conducted in this field point out that domestic violence is caused due to multidimensional relationships among personal, family, social and economic variables. Family dysfunction, alcohol addiction and economic strains along with cultural traditional norms, societal attitudes toward women can be attributed as some of the most critical factors behind violence.

Therefore, in the fight against domestic violence on women more effective it is necessary to consider many factors influencing its occurrence and developing comprehensive measures for prevention of this type of crime and struggle with him taking into account social, psychological; economic-cultural features each separate case.

2.3 The personality traits of perpetrators of domestic violence against women

The problem of domestic violence committed by a male person towards women is the object that needs an interdisciplinary approach to its study. Numerous factors, ranging from psychological, social to economic and cultural aspects can affect this action.

Contemporary research in the field of psychology and criminology states that violent actions towards women might be connected with a number of traits observed by such person as low self-esteem, enhanced aggressiveness tendency to abuse alcohol or drugs insecurity need for control feature some mental disorder being present (which includes personality disorders and psychopathy).

Some of the researchers also believe that cultural and social setting may greatly contribute in building up violence. For instance, studies concerning countries whereby male superiority reigns whereby women are easily classified as being less worthy and their legitimacy is highly lenient often portrays feministic harm to be the norm.

Science treats men who commit violence against women as a heterogeneous collective, assuming the need to study scandal with every specific example. Many considerations must be made when coming up with a response to violence against women include characteristic of the perpetrator, social and cultural environment as well as legal factors dispositions.

Prevention of separate actions as forms of violence can only be obtained focusing on persons liable to commit them since the latter bear causes and facies for these acts inclined thus each are dominant not in unified mechanism by general criminal structure.

The analysis of the person who commits domestic violence against women involves a deep consideration of many factors. Some of them include:

- Psychological factors. This might be due to the comorbidity with emotional and psychiatric disorders such as depression, anxiety, aggression, alcohol or other substance use disorder, and comorbidity with personality disorders.
- Social factors. This may be such factors as low social position, lack of support from family, friends, or society, low level of education, and unemployment.
- Economic factors. This may involve financial difficulties, poverty, unstable employment or working conditions, or living conditions.
- Cultural factors. These factors may encompass the impact of cultural beliefs and values that promote a culture of abuse in relationships and or normalize male dominance in society.

In order to formulate a comprehensive approach that will help prevent violence in relationships, it is important to take into consideration different factors that can affect the individual who perpetrate domestic violence on women. Men and women could also benefit from education programs to make them aware of their behavior patterns which they can change. In addition, social and economic assistance should be given to people who go through hard times in life.

Another study found that there is a strong correlation between gang criminality and domestic violence especially concerning the attributes of the offender's history. Members of the gangs and persons who commit domestic violence have higher chances to be brought up in conditions unfavorable for development or even being victims of aggression.

Research has shown that, for any individual who lies within a gang group is at an increased risk of being victimized such domestic violence. In particular, gang membership is linked to victimization in the base model (Model 3) and full model (Model 4), as is the low self-control scale, having a criminal father and growing up in a neighborhood with above-average levels of disadvantage [105].

In line with this, it has been found that people perpetrating domestic violence are more likely to be from economically deprived environments where they have faced violence and victimization in their lives. Risk factors that have been identified to trigger domestic violence include poverty, unemployment and having a violent childhood.

In general, the link between gang criminality and family violence in terms of profiles of criminal background is based on a common source of disadvantage and victimization. At that point, the issues that lead to gang activities and domestic violence are very much related to each other and indicate a number of social and economic problems.

In particular, the analysis of criminological characteristics of a domestic violent offender should start with studying his or her socio-demographic characteristics that may indicate certain correlations and dependencies between personal and situational factors. With this information, it is possible to come up with interventions aimed at preventing violent crimes in the family and identify social groups and populations that are more susceptible to domestic violence.

Some studies that have addressed the personality of domestic abusers include:

- "Characteristics of men charged with domestic violence" [108]. In this study, the authors applied a structured questionnaire for identifying characteristics of men charged with domestic violence. The findings revealed that majority of the defendants

were young, single, with low levels of education and income and had substance abuse problems.

- “Profile of male partner abusing women” [109]. In this research, the authors distinguished two categories of abusers control-oriented abusers and situational oriented abusers. Control-oriented abusers usually have negative reference points on the roles of male and female in a relationship and try to dominate their partner. There are situation-oriented abusers who commit violence because a certain situation provokes negative emotions in them.
- "Men who batter pregnant women" [110]. In this research, it has been established that male abusers of pregnant women frequently experience difficulties in emotion regulation, have mental health issues and are alcohol consumers.

A significant point in the development of family violence criminal is a multifaceted phenomenon which involves individual and social factors.
With respect to individual factors, one can speak of the availability of mental disorders, low self-esteem relationships with parents in childhood as well as some personality traits including egocentrism, aggressiveness, intolerance for failures etc.

The social aspect will consider cultural and religious practices, norms, and values that can strengthen or weaken the urge to deliver violence. For instance, in certain cultures, the display of masculine power and dominance is greatly encouraged and this can manifest into violent acts against one’s family. This phenomenon can also be found in other cultures and civilizations. For instance, in some Latin American and Asian countries, the manifestation of male domination and superiority in the family is highly recommended. Moreover, this is the case in specific religious and ethnic groups across the world. Nevertheless, it should be mentioned that one cannot claim so broadly and say that domestic violence is positive in all cultures or societies. No society tolerates domestic violence, it is against universal human rights. It also covers the social environment that has witnessed his childhood like poverty, unemployment, alcoholism, legal problems etc.

The microenvironment or immediate surroundings – comprising family members, neighbors and friends among others – may also have negative effects on an individual’s character formation. This situation can turn out to be criminogenic depending on the dominant attitudes, values and perceptions of the law. The development of corresponding perspectives and attitudes that even include antisocial dispositions is a result of an individual’s engagement with his or her environment. The above views are passed through communication on a daily basis and the implementation of different roles in family and domestic relationships.

When considering domestic violence, patriarchal stigma is one of the phenomena that can be held responsible for the violent behavior of men towards women.

Patriarchal stigma is a system of ideas that state the priority and supremacy of men in family, society, and other spheres of life over women who must fulfill their orders. Such a view of roles of men and women in society can significantly distort the perception and be one more reason behind violence against women.

The patriarchal stigma could be particularly harmful if it is combined with other factors, such as social inequality, poverty, low level of education and lack of

opportunities for women. These elements lead to a scenario where women are subjected to domestic violence.

Elimination of the patriarchal stigma can contribute to the establishment of more equitable and healthy relations between males and females. This can occur though enlighten and education that gender equality is a fundamental right and an essential factor for any society to move forward. In addition, attention should be given to the propagating of domestic violence and its effects on people as well as promoting positive examples of wholesome relations between men and women.

Thus, our scientific research allows us to determine that in the household environment a particular type of socio-psychological person who can commit crimes is formed. This type of person is distinguished by their heightened conflict in interpersonal communication and combines violence and cruelty in their actions.

Most cases of femicide are associated with edged weapons (firearms predominate in the United States). Almost all offenders have a history of violence - either domestic violence or previous convictions for causing grievous harm, rape, or murder. The percentage of recidivism among killers is high, this is due to many social factors. Poverty, a low level of education, and mental disorders associated with the use of chemicals - alcoholism and drug addiction - come out among satellites of femicide in the first place.

In modern conditions, crime is determined by various criminogenic factors that have their social nature and manifest themselves in the form of separate contradictions of different aspects of social life, they have an active influence on the formation of the criminal's personality.

The roots of violence can be traced back to the upbringing of an individual, which provides a solid basis for studying the nature of violence and the reasons and circumstances of criminal behavior in general. The process of resocialization, especially for women and minors, plays a significant role in shaping destructive human behavior.

Here in the first place is the family, in which the socialization of a person begins. Most violent offenders grew up in "dysfunctional" or "immoral" families.

Many domestic and foreign scientists have pointed and point to the extremely negative role of such parental families in shaping the personality of children who grew up and were brought up in them [111]. So, Yu.M. Antonyan notes that the leading role in determining criminal violent motivation belongs mainly to the attitude of parents toward the child, his acceptance or rejection. Rejection can be expressed in the form of indifference, insufficient attention, or emotional coldness, which causes the child to feel insecure, anxious, and insecure. Such children are looking for a collective father in informal or criminal groups; they are characterized by impulsiveness, rigidity, irritability, and rancor [111].

An analysis of the studied criminal cases shows that 75.4% of those who committed violent crimes in the family experienced various kinds of domestic inconvenience and disorder. Some of them, to correct the current negative situation in everyday life, involved their underage children in antisocial acts (begging, vagrancy, etc.), as well as in the commission of crimes (theft, robbery, etc.).

The social status and occupation of a family violent offender are also significant in their characterization. Through analyzing the data collected from criminal cases, we have compiled a table that presents the distribution of domestic violent criminals based on their employment status in the field of social production or lack thereof.

This information shows that the main place among all family violent criminals is occupied by such a social group as the unemployed. They account for 35% of all violent attacks in the family. The other large group of criminals are workers. They account for 30% of violent acts in the family and household sphere. After evaluating statistical data on the involvement of certain social groups in everyday criminal activity, it has been found that only individuals engaged in heavy, unskilled, and monotonous work display an increased tendency towards criminal behavior. Furthermore, this social group is typically characterized by a low level of education and work in small businesses or sporadic jobs.

Of particular importance among social determinants are such asocial phenomena as alcoholism and drug addiction. Unfortunately, the availability of alcohol (for all age groups) contributes to the widespread use of alcoholism. The negative consequences of alcoholism are manifested in a decrease in the general level of culture of society and individual citizens, their social and psychological degradation, and a negative impact on the moral atmosphere, health, and social relations. Narcotism as an asocial phenomenon is closely related to crime. In a state of drug intoxication or abstinence (narcotic hunger), drug addicts are capable of aggressive actions, they reveal base qualities and personality traits hidden in a normal state.

The next type of criminogenic factors that cause domestic violence is the spiritual and moral component. Describing the spiritual development of the personality, Yu.M. Antonyan believes that it is influenced by material factors (social being, being a class, another social stratum or community, individual being) and spiritual factors (social consciousness, consciousness of classes, groups, other people). However, these factors affect a person not to the same extent. Crucial importance belongs to social beings - the real material process of life and the activity of society [112].

Moreover, the absence of significant positive ideals and values is filled with dubious surrogates, as well as frankly immoral values. The deformation of the value orientation leads to the dominance of material values over spiritual ones. Such circumstances contribute to the change and degradation of such values and attitudes as kindness, mercy, decency, forgiveness, understanding, pity, etc., replacing them with anger, cruelty, unscrupulousness, revenge, hostility, etc. All this undoubtedly affects family relations, where first of all, there is a reorientation and testing of positive values for negative ones.

Exploring the spiritual and moral determinants of domestic violence, we note the victimological factors. Victimization of a personality means an increased ability of a person, due to certain qualities, to become, under certain circumstances, an object of criminal encroachment [113], that is, a person’s behavior by its nature can be not only criminal, but also guilty, i.e. dangerous for oneself, imprudent, risky, and, therefore, capable, in a certain situation, of becoming a pretext for committing a violent attack [114]. Studies conducted in various regions of the country, as well as abroad, show that the position of a possible victim, her lifestyle, and behavioral patterns, in conjunction

with the forms and degree of relationships with a potential offender, can contribute to the emergence of the last criminal intent in the mind, stimulate its antisocial attitude, determine the method and means of committing a crime [115].

The victimization of a woman's personality in the context of domestic violence is a complex conceptual apparatus used to establish the nature and extent of harm caused by a man who has subjected his partner to violence. This concept unifies all those damages, which fall out a victim of violence in reality, namely physical, emotional and mental harm as well as economic and social injuries happened to the life of an individual.

The experience of a violence victim is case dependent and may not be the same, it can also be unique in every occurrence. In some cases, women may develop a sense of fear, helplessness and lack of self-esteem while others are subjected to perpetual pressure, threats and physical harm. Besides, people who suffer from violence face such mental health disorders as depression, anxiety, post-traumatic stress disorder, etc.

Moreover, women witnessing domestic violence may feel a deep sense of shame, guilt and helplessness which could be barriers to the support. Additionally, financial and economic dependence on the rapist, or presence of common children can create a lot of confusion in this situation making female victimization rather severe. Nevertheless, awareness of the issue and looking for assistance and support may assist women in escaping this situation and beginning a new life free from violence.

In the majority of cases, family rapists are lead by affective motives [94], which can be manifested while feeling such emotions and feelings as jealousy, anger or even hate. We can see that the results of our scientific research about the personality of domestic violent offender, which we achieved based on different sources of empirical data, are in accordance with the investigations conducted by other scientists. The common factors that have emerged include the following characteristics of the violent offender's personality: Gender-wise, most of the offenders are male. This can be argued regarding their stereotypes allocated with both dominant and aggressive roles in the most family relationships.

In order to generalize the general criminological portrait of domestic violence offenders, we propose dividing them into groups according to the regularity or intensity of violent behavior in respect of their family members. Family recidivists – people who are prone to violence again and again, in addition to the above characteristics, have special cruelty; they suffer psychologically if not able to witness the suffering of their victim or satisfy their sexual desires only through violence. Such persons have an exaggerated sense of self-affirmation due to the humiliation of the people around them. Defenselessness, fear, and shame of the victim give rise to impunity, and a sense of permissiveness, which in turn contributes to the increase in the commission of acts of violence by such persons. The recurrence of such acts also provokes the inaction of law enforcement agencies, which are obliged to work to identify cases of domestic violence and apply appropriate measures.

Age indicators have determined that most violent crimes are committed by middle-aged people, this is due to their physical condition. A significant proportion of perpetrators of violent crimes in the family abuse alcohol, as a rule, such persons either do not work or do not have a permanent place of work.

Most perpetrators of domestic violence have secondary specialized education. Studies regarding the level of education revealed the following patterns: the higher the level of education of the person who committed criminal violence in the family, the lower the level of education of the person who suffered from it, and vice versa [34].

Analyzing the official statistics of registered Offences for 2022 (Table 3, page 82), age indicators determined that most violent crimes are committed by middle-aged people (from 21 to 49), this is due to their physical condition. A significant part of persons who have committed violent crimes in the family abuse alcohol (18.8%), as a rule, such persons either do not work or do not have a permanent place of work [93].

	Total male offenders [93, R 6]	workers [93, R- 7]	unemployed [93, R -7]	Higher education [93, R -7]	Secondary and vocational education [93, R -7]	Others [93, R -7]	While intoxicated [93, R -9]
Article 106. Intentional infliction of serious bodily harm	82	7	74	4	72	6	54
Article 107. Intentional infliction medium medium-severity harm to health	100	12	78	10	89	11	27

Table 3 - Data on persons guilty of committing Offences against women in the field of family and domestic relations in 2022 [93].

Note - compiled by the author based on the source [93]

After examining the criminological traits of individuals who commit domestic violence, we have concluded that the characteristics of family violent offenders are a combination of general criminal characteristics and unique differences that contribute to the perpetuation of specific types of family violence. The following traits can be observed in family violent offenders:

– a lack of consideration for the interests of society and others;

– high levels of selfishness and prioritization of their interests and desires, as well as displaying audacity and cruelty towards victims;

– internal preparedness for committing illegal acts;

– a tendency towards conflict;

– a high percentage of adult offenders in cases of domestic violence;
– generally an average level of education among this group of individuals.

Having studied the personality traits of a family violent criminal, it seems to us that the following typological groups of violent criminals who commit crimes in the family can be distinguished according to the degree and nature of public danger:

– persons who have committed violent crimes of small or medium gravity in the family (beatings, torture, threats of murder, or infliction of grievous bodily harm);
– serious violent crimes (deliberate infliction of grievous bodily harm, robbery);
– especially serious violent crimes (murder).

By analyzing the motivation behind committing violent crimes in families, several typological groups of offenders can be identified, including those who do it for monetary gain, for hooliganism, or without any clear motivation. Additionally, based on the duration and frequency of their criminal behavior, there are six types of domestic violent offenders:

– particularly vicious ones,
– those who commit such crimes to satisfy their basic needs,
– hard-core offenders,
– repeat offenders,
– common offenders who commit such crimes in typical situations or familiar environments,
– first-time offenders who may do so in prepared criminogenic environments.

Forensic and psychological studies have identified various types of male family violent offenders. Consider some of them:

- Type of "situational" rapist. This category of an abuser is predominately seen when a victim experiences the situation for the first time. He is mostly not a danger to others and has no record of violence against other people. Nevertheless, in certain circumstances like during alcohol intoxication or a disagreement occurring within the context of a relationship with someone it can manifest violent tendencies.
- Non-specific rapist type. This abuser type often manifests violence in different situations such as family quarrels, work-related issues and outside aggression etc. He is inclined to use power of strength and activeness in achieving his goals. In many cases, these offenders do not have good communication skills with people and lack self-confidence.
- Type of "controlling" rapist. This kind of abuser is known to have the need to control his(her) partner and uses threats and physical abuse. He can control her finances, social life; he knows where he is at all times, etc. At the same time such an abuser often cannot deal with his emotions and becomes violent when something makes them feel stressful.
- Type of "sadistic" rapist. This abuser takes pleasure in causing physical hurt and emotional pain to his partner. He can apply different forms of violence such as bullying, threats and psychological coercion. These offenders are often mentally deranged and require medical care.

Our empirical studies have showed that in the family environment there may develop a social-psychological type of criminal personality characterized by a tendency to conflict with other people during communication and manifesting itself through

brutal behavior. One of the peculiarities of individuals who commit domestic violence is that their criminal activity is influenced by social relations and personal connections in the family setting. Thus, it can be said that the criminal personality of a domestic violent offender is socially conditioned and formed under criminogenic influences affecting the formation of specific criminal behavior in the field of family and domestic relations.

Research on the personality traits of a man who has perpetrated domestic violence against a woman reveals that various factors cause this behavior, which are psychological, social, economic and cultural.

The main conclusion that can be drawn from the study is that a person who perpetrates violence against women might suffer from emotional and mental disorders, poor economic position, as well as low social status. Moreover, cultural practices and traditions may be an essential factor in the abuser's behavior. Nevertheless, regardless of these aspects in every case a person still has their freedom to choose and it means that they can select not to be violent toward the partner.

These results indicate the necessity of a broad-based strategy for preventing violence in relationships, which could be implemented through educating men and women with programs aimed at further understanding and altering their patterns of behavior. Moreover, social and economic assistance should be rendered to people who suffer from life challenges.

Furthermore, studies have revealed that in most cases, persons with a history of domestic violence may as well be linked to previous or current violent behavior in the family or intimate relationships thereby indicating that such traits can also be transferred from one generation to another.

From this, it shows how early intervention and prevention of domestic violence is very important in addition to helping victims and offenders. Special attention should be paid to working with young people and families to assist in developing healthy and respectful relationships, as well as make sure that they receive resources and services necessary for coping with stress and difficulties.

Nevertheless, among numerous reasons that may affect the abusive behavior, violence cannot be considered as an unconscious act done to a woman.

The understanding of victimization of a female individual regarding domestic violence can assist professionals in creating suitable intervention methods to aid victims and prevent the repetition of such circumstances.

Thus, apart from the necessity to comprehend the origins of violence within a relationship, it is crucial to nurture respect for one's partner as well as responsibility for one's actions and ensure protection against any type of violence towards family members.

Therefore, research into personality characteristics of the woman abuser is an important approach to addressing the problem of domestic violence. It emphasizes the necessity of an integrated approach to violence prevention, which involves psychological help, educational programs and social- economic support for victims and abusers.

3. MEASURES FOR ADDRESSING DOMESTIC VIOLENCE AGAINST WOMEN IN FOREIGN COUNTRIES

3.1 Socio-legal foundations for countering domestic violence against women in foreign countries

There is an opinion, that society should be free of violence ideally, but domestic violence still persists as a great problem in many parts of the world. Nevertheless, in the past few years governments of most countries became more concern about this issue and many of them already have amended law to prosecute rapist severely. Other countries have already proven that fighting against domestic violence involves more than criminal law tools and requires a holistic prevention strategy, implying the concerted efforts of a range of preventive actors, including health and social services, police, and non-governmental organizations. Against this background, it becomes relevant to take into account the social and legal groundwork for fighting violence against women in domestic life and to assess how effective the measures undertaken are.

In relation to the American struggle against domestic violence practice, where research is now conducted on a systematic basis by various public and state organizations in the sphere of domestic violence. Another feature of the United States is associated with a combination of active society and willingness by the state to fight against various types of domestic violence.

The work, which lasted for more than half a century in solving the set task of reducing the number of crimes related to domestic violence has yielded results. Statistics published by the US Department of Justice Bureau of Statistics show that in 1976, there were 1600 women and 1375 men who perished from their sex mates while in 1999, there were already 1218 women and 424 men for such victims; after ten years it had reduced even further to 976 and 130 respectively [116].

What caused the decrease in family violence overall and specifically one of its most extreme forms – homicide? This was achieved through the works that were done in different fronts. For a start, a number of sociological research works were conducted to determine the scope of the problem and main approaches to violence as forms and types. The obtained results are found in many scientific or applied publications. Thus, the results that were obtained became available to everyone and began to be distributed through specially created newspapers and magazines for free access, which made it possible for American society to reconsider its attitude towards domestic violence and contributed to the growth of a social movement [116].

As a result, the state is actively participating in the fight against family violent crime. About ten US ministries (health, justice, education among others) carry out certain programs in this field for which the government every year allocates a special item of expenditure.

Specific legislation has been established in order to shield different groups of individuals from domestic violence. These laws also control the duties of persons who have learned about domestic violence, for example, individuals should live or stay in certain states and report cases of domestic violence to special services. In their service rules, health workers and staff of educational institutions are also required to identify

victims of violence and report the matter to the relevant authorities [116]. Such legislative changes indicate the desire to eliminate domestic violence and provide protection to helpless citizens.

National and governmental responses built a number of hotlines, crisis centers, and shelters for maltreatment victims – such as the National Centre for Child Abuse and Child Neglect [116]. Special agencies have been established to recognize cases of the domestic violence, conduct investigations and make relevant decisions regarding the identified facts. These specialists provide their services around the clock. Services of this kind are deployed with the purpose of rendering timely help and support to victims of domestic violence.

The role of law enforcement agencies in the prevention of domestic violence is very important since the functions of these organizations involve not only identification but also actions based on information received from the warning system. The competency of law enforcement agencies also involves the authority of a court during a preliminary hearing to order an individual accused of committing a violent crime against a family member for counseling in a special program. This decision is based on a contractual provision that the accused signed.

The program is a psychological method of training, conducted in groups 15-18 people for about 4 to12 months under the guidance of an instructor. The program is managed by a probation officer. The program is implemented at the cost of the offender using a sliding fee scale, which depends on their income. The successful completion of the program also constitutes sufficient grounds for dismissal or mitigation of the charge. In the event of fleeing from passing the program, a criminal prosecution process is restored. The most of current judgments in the United States on an offender for domestic violence, managing him to undertake preventative program as opposed to prison sentence are issued simultaneously with a plea of guilty [116].

These services help in identifying forms of violence such as physical, psychological and sexual violence and preventing further spread among people. After receiving the report, social workers collaborate with other law enforcement and medical personnel to look into the case within a maximum of 48 hours. A compulsory point is a visit to the family, where not only the living conditions but also adult behavior are assessed, and an interview of persons (relatives, neighbors, friends) who have relation to this family takes place. The victim and his family members are provided with medical and psychological treatment that helps to conduct a more detailed study of the fact of domestic violence. In case the victim is a child, he will be taken away from his family for some time to recover psychologically.

Based on the results of the investigation, intervention is carried out in the form of:

1) a specific service;
2) support;
3) therapy.

This service offers practical aid such as providing material resources like clothing, food, housing, and transportation. It aims to improve the overall quality of life for individuals and families by providing home management, medical assistance, and specialized courses. The therapy provided by the service is conducted through

traditional methods such as individual or couples therapy and group therapy, as well as non-traditional methods such as support groups for parents through organizations like "Alcoholics Anonymous" or "Anonymous Parents".

The Eleventh Judicial Circuit of the state of Florida has established a specialized division for domestic violence cases, comprising seven judges and support staff, exclusively dealing with matters of domestic violence and efficiently addressing such crimes through the judicial system.

The judges of the division and its personnel serve at the Lawson E. Thomas Courthouse Centre, although some restraining order cases are heard in three branch court locations. Seven judges in branch courts handle these cases in addition to their duties in other divisions.

Divisions include:

Domestic Violence Civil Court: Reviews five types of protection order petitions - domestic violence, repeat violence, dating violence, sexual violence, and stalking. It may include additional directives such as granting exclusive use of residence, temporary child visitation, financial support, surrendering weapons, and treatment recommendations.

Domestic Violence Criminal Court: Encompasses arrest stages, bail hearings, pretrial hearings, court proceedings, and probationary supervision. It may suggest programs for offenders, substance abuse treatment, and other measures. The accused may post bail, be released under pretrial supervision, or enter a GPS monitoring program. The court imposes a no-contact order with the victim.

Domestic Violence Drug Court: Focused on monitoring offenders with substance abuse issues. The court oversees compliance with treatment conditions and prescribed programs.

Domestic Violence Mental Health Court: Works with defendants facing mental health challenges, emphasizing stabilization and reintegration into society. It includes treatment and focuses on stabilizing mental health conditions.

In the United States, there is a special focus on combating domestic violence, as evidenced by the existence of legislation that regulates the issue and regular studies that provide data on the extent and nature of this type of crime. This allows for the development and implementation of effective preventive measures at both national and individual levels, resulting in a decrease in domestic violence rates on an annual basis.

Although the criminal law and criminological policy of the United States takes a multifaceted approach to combat domestic violence, there are still problems that have been identified by experts. These include insufficient funding for projects, a lack of research into already implemented programs [117], a formal approach to the problem by medical personnel and insufficient education [118], the presence of a "relational distance" syndrome among police officers [119], and a lack of crisis centers in small towns, among other reasons.

Canada's approach to combating domestic violence is regarded as highly effective and comparable to that of the United States. The Canadian government has focused on reforming current legislation rather than creating a new federal law to address domestic violence. The Canadian Penal Code has been amended to establish a framework of measures to safeguard women and children from violence and abuse.

Canada's efforts to combat domestic violence are integrated across all aspects of human life.

In 1983, the Rape Law was reformed to reflect a new interpretation of rape as a criminal offense. The reform was done through the enactment of Bill C-127 as part of the Criminal Code. The purpose of the reform was to remove rape from the category of "Sexual Offences, violations of public morals and public order" and reclassify it as "Offences against person and reputation". As a result of the reform, three new categories of Offences were introduced, namely simple sexual assault, sexual assault resulting in bodily harm using a weapon or other means, and aggravated sexual assault.

Enforcement of the bill did away with some archaic and sexist theoretical positions that accompanied Canadian criminal law indicating sexual assault as unpardonable in married life. Consequently, the issue of marital rape has gained official recognition. Earlier, this act was qualified in the state of bodily injury.

In Canada, there is no specific federal law applicable in all provinces dealing with domestic violence. Instead, separate states enact their statutes to govern this unfair act of treating people in a wrongful way. For example, in Saskatchewan is the Domestic Violence Victims Act while Alberta has enacted to following statutes These acts define activities for prevention organizations, adopt measures of support to the victims and punishment for domestic abusers.

Addressing interpersonal violence is coordinated by more than ten government ministries which include Ministries of Health, Real Estate, and Construction, Justice, Heritage, and Women's Affairs, as well as departments like the National Defense, National Indian and Northern Affairs, Citizenship and Immigration, and Foreign Affairs and Foreign Trade. Moreover, a National Centre for Domestic Violence has been established. Research on domestic violence against women is being followed up upon, as five research centers in Vancouver London Winnipeg Montreal and Fredericton receive grants from the Social Sciences Research Council of Canada, donations by citizens to conduct various studies with regards to this issue. The foundation of the National Centre and its consideration by government departments and ministries emphasize the significance of domestic violence making it one of priorities in Canada.

England does not have a comprehensive criminal code and therefore separate laws and judicial precedents apply to various issues, which include domestic violence. It was reported by the Foundation for the Prevention of Domestic Violence that in England every minute, police receive a call related to domestic violence. This is approximately 1300 calls in a day or over 570000 per year [120]. In England, just as in France, the British police are actively involved in working with dysfunctional families, for which an independent department is engaged in the fight against domestic violence.

First and foremost, help is given to children who have suffered from family violence. Significant work is done by the Federation of Women’s Shelters on correction and rehabilitation, which unites Family Rescue Houses. Here is where women and children abuse in the family home seek refuge. The specificity of such houses lies not only in the fact that food, shelter and psychological help are provided there but also

skills for living without any assistance and getting a new profession implemented further.

Temporary isolation of children in special centers is applied in cases with 'particularly difficult families'. One such clinic was arranged by psychiatrist M. Rutter. In this, work is carried out in parallel with a child who is under treatment of a psychotherapist and parents together with whom the special consultant or social worker works [121].

When the information from any source may be a child himself, neighbors, teachers, medical staff and when confirming facts of pressure on him physical or other violence – special commission is created with participation of social worker, policeman, doctor schoolteacher, together with the shelters, the social service (Social services). During the commission's meeting, there is also the child and his parents who get specific recommendations. During the proceedings, a decision may be taken to place data on the child in a special register Child Protection Register, which accumulates information about children who live in a certain area and may suffer or have already suffered from violence that occurs including within family relations.

The policy in England about domestic violence is the same as of other countries. It has a legislative base, which guides the problems of domestic violence and even responsibility for various bodies of prevention. The indisputable advantage of the English system is that, cases of violence are recorded for a long time and monitoring such families is done.

The number of reported crimes especially involving sexual crimes and domestic violence has significantly increased over the years in United Kingdom. This has been brought about by the development of a police recording system and more confidence by victims and survivors to report such incidences.

For instance, the number of all recorded police sexual crimes considerably grew from 2011/12 to 2018/19 and slightly decreased in recent years. Moreover, the Crime Survey for England and Wales (CSEW) reveals that the share of women who feel quite or very safe when walking back home after dark has increased significantly in recent years and stood at 69% in 2019-2020 compared to 57% in 2012-2013 [122]. It is also observed that the rates of many types of crimes against women and girls, such as domestic violence, stalking, rape, indecent exposure, and unwanted touching have stayed about the same since 2008/09. Nevertheless, even though there are some changes made for the better, it is hard to deny that the problem is still very topical as far as women and girls' violent crime rate is completely unacceptable.

In response to this, the authority in United Kingdom came up with a strategy named 'Tackling Violence Against Women and Girls Strategy' which was done in 2021 [123]. In March 2020, Domestic Abuse Bill was published by the UK government to be tabled before House of Commons. This law aimed at consolidating the prevention and fight against domestic violence measures, as well considering a proper protection of victims' rights and interests. Therefore, on April 29th, 2021 and after the proper stages of deliberations and approval it was granted royal assent to become a Domestic Abuse Act which is serving as an underpinning resource in combating this issue [124].

This led to new powers for the police and better measures to protect and support victims. In addition, there was increased awareness and definition of offences

associated with domestic violence. The measures outlined in the Domestic Abuse Act include:

– Legislative Definition of Domestic Violence: Covering different types of violence such as emotional, coercive or controlling behavior and economic abuse.

– New Police Powers: DAPNs and DAPOs which are current new protective orders.

– Legislative Powers for the Domestic Abuse Commissioner's Office (DAC): Established by law.

– Expansion of Controlling or Coercive Behavior Offense: Including violence after relationships end and broadening the criminal offence of sharing private sexual photographs and videos with the aim to distress.

– New Offense - Strangulation or Suffocation: Voluntarily inducing asphyxiation upon another with no intention of homicide.

– New Protection and Support Measures for Victims: Preventing the perpetrators from having direct contact with their victims cross-examine in family and civil courts. Better accessibility to measures that are specific to the courtroom, e. g protective screens and video evidence.

Official Guidance on the Domestic Violence Disclosure Scheme (DVDS): The two documents include the guidelines published in April 2023vis-a-vis section 4.1 of this briefing and a statutory code of practice on how to handle domestic violence data for immigration purposes [125].

The Domestic Violence Disclosure Scheme, known commonly as Claire's Law in memory of Claire Wood who was killed by her ex-partner in Greater Manchester in 2009, was rolled out to all 43 police forces in England and Wales from March 2014. The DVDS was developed to create guidelines that law enforcement agencies can follow in order to reveal previous cases of violence or abuse, including psychological violence, oppressive or coercive conduct, or financial violence committed by a specific person. This information sharing is intended for purposes of protecting partners, former partners and children from violence or harassment. In 2015, a DVDS program review was undertaken. DVDS recognizes two information disclosure procedures:

"Right to Ask": Due to the request from a public member that requires disclosure of information by the police [125].

"Right to Know": Started by the police of taking an active step of making a revelation to protect a potential victim (or victims) [125].

Roles and interactions of individuals in the context of information requests:

Individual A: The individual who may be a potential victim, such as partners and former partners. The applicant can also be the individual who is to be put at risk.

Person B: The person the request is applied to.

Third-Party C: An individual who may seek information on B for or in the rights of A, e.g., a friend, relative, or a professional like an Independent Domestic Violence Advisor. Disclosure from C must therefore be directed to the individual in a position to best protect A rather than necessarily being made by anyone other than C.

Third Party: The recipient of information according to safety planning considerations perceived as the most appropriate for protecting A (e.g., a parent, third-sector employee, doctor), and sometimes C may be that person [125].

In general, the law of 2021 can be considered a real breakthrough in addressing domestic violence as it prevents victims from having to struggle on their own and ensures viable opportunities for countering violence effectively by punishing perpetrators. In this regard, the experience of the UK can be a crucial example for other states to help them create and enhance relevant legislation and actions aimed at preventing domestic violence offenses as well as protecting people's rights.

The Penal Code of Turkey broadly defines various kinds of offences outlining the issues relating to child sexual abuse. These acts include sexual activity with a child below the age that is legal for such activities, involving others in having sex with children even through coercion or threats and taking advantage of vulnerable positions within families. The law also takes into account cases where the onslaught was committed using especially vulnerable positions of a child, as such due to physical or mental disability or through conditionality or other mental and physical deficit of situational relationship.

Germany finds the same elements in criminal law as well as criminological policy. The Penal Code of the Federal Republic of Germany, paragraph 225 "Ill-treatment of wards", provides for the following offense: torture, or torture, or infliction of harm to health through malicious neglect of the obligation to care for a person under the age of eighteen, or defenseless due to helplessness or illness, who:

1) is subject to guardianship or supervision by the perpetrator;

2) refers to his home circle;

3) concerning whom he has been entrusted with the obligation to take care of;

4) who is subordinate to him within the framework of service or industrial relations - shall be punished by imprisonment for a term of six months to ten years [126].

S.N. draws attention to the imperfection of this norm in the circle of victims. Sitnikov: "According to the Penal Code of the Federal Republic of Germany, it is much narrower, only wards are included in it, as well as those related to the hearth (cohabiting) persons who are under the age of eighteen or who are defenseless due to physical disabilities or illness. For example, a very common type of violence, namely violence against a spouse who is not under guardianship and who, due to the circumstances indicated in the article, is not defenseless, this offense does not cover" [126]. Thus, the interests of all family members are not protected.

Germany's criminological policy on domestic violence is more varied.

Firstly, there is a network of Frauenhaeuser women's shelters located in many localities. The phone numbers of shelters can be obtained from the police or the help desk. Addresses of women's shelters are not widely publicized so husbands (men) cannot find women seeking protection there. Living in women's homes is accompanied by training on the principle that French social services use - "help to self-help". After six months of living in such houses, women, adapting to new conditions, acquire the experience of independence and new skills in work and communication.

Secondly, free 24-hour telephone consultations are widespread, which are conducted anonymously, and the information obtained as a result of the conversation is a professional secret.

Thirdly, in all German cities, there are child support services that work with "socially weak families" and families where facts of violence have been recorded. Children can apply to these services on their own, as well as through the police, teachers, and doctors. Most often, children turn to social service for the following circumstances that arise in the family: beating; neglect when a child is locked in a crib, children's room and left, leaving him alone; sexual coercion using the child's trust and vulnerability to satisfy their exercise of power; coercion by an adult of a girl or boy to commit acts of a sexual nature; an adult's request to a girl or boy to appear naked to him; showing an adult child pornographic images or videos and offering to take part in such activities; touching an adult sexual organ to the body of a child; coercion by an adult of a child to have sexual intercourse [126].

It should be noted that in Germany, the Penal Code of the Federal Republic of Germany provides for special subjects of crimes related to domestic violence and, although these norms are not always perfect, they single out such crimes in a special category. By analogy with other countries, Germany has a wide network of social centers designed to provide not only prompt assistance to victims of violence but also teach them to live by different rules [126].

Continuing the comparative analysis of the criminal law and criminological policy of the state in the field of combating domestic violence, we note the experience of Spain.

In Spain, along with the Criminal Code, in which several norms relate to domestic violence since 2004 a law on domestic violence has been in force, which indicates that this problem has been put forward as a priority for the state. Art. 24 of the Spanish Penal Code has a qualified composition if the victims are spouses or persons who are in close relationship with the perpetrator, as well as in a state of kinship in an ascending or descending line by origin, adoption, or property [127].

Art. 153 of the Spanish Criminal Code, qualifying physical and mental violence, identifies special subjects: "Who habitually uses physical or mental violence against someone who is or was his spouse, or against a person who has been or has been emotionally connected with him for a long time, or against his children or the children of a spouse or the children of a cohabitant, or against wards, descendants or incapacitated who live with him or are subject to his authority, guardianship, guardianship or actual care or are taken into his house, shall be punished by six months to three years imprisonment [128].

Habitual use is understood as a certain number of violent acts committed, taken into account only in temporal proximity, regardless of whether these acts were already the subject of a sentence within the framework of one trial" [127].

The criminal legislation of this country also provides for responsibility for such a form of violence as sexual aggression. As its qualifying type, an infringement committed with the use of kinship ties against adopted or related properties is singled out.

In our opinion, there are several shortcomings in the criminal legislation of Spain. Thus, establishing the punishability of mental family violence, its definition is not given. In this regard, the decision on the issue of criminal liability is left to the discretion of the court.

Law enforcement agencies, local authorities, and public organizations are involved in the prevention of domestic violence in Spain. The police have a toll-free hotline that operates 24 hours a day. By calling, you can not only ask for immediate help but also get useful information about the nearest crisis or rehabilitation center that exists in most provinces. Article 192 of the Spanish Penal Code states that a judge or court may impose additional punishment in the form of deprivation of parental rights, guardianship, guardianship, protection, removal from office, or deprivation of the right to engage in certain activities for a period of six months to six years, or permanent deprivation of parental rights. The Civil Code also safeguards bodily and mental integrity of children in family relations since parental rights are always implemented to the benefit of children, according to their individual qualities and being respectful for their bodily and mental integrity.

Furthermore, it confers upon a judge the authority to rescue a minor from danger or obviate any harm to him, among other things by imposing temporary restriction of parental rights or deprivation of access. Additionally, if a judge knows about a grave crime against the child, he may apply protective measures specified by criminal procedure legislation such as isolation of the offender, prohibition to contact with the child and detention whenever there is significant reason to believe that the abuser might assault or harm physical inviolability of the child.

Thus, the practice of Spain's struggle with domestic violence encourages incremental understanding that both state structures and society have a special attitude to this asocial phenomenon. The resolution of the issue of protection from domestic violence by both some special regulatory act and by criminal law allows resolving most problems associated with the abuse of one family member against other members. The availability of a broad network of preventive subjects, particularly in the provinces, allows for enhancing accessibility to victim's assistance.

In Japan, there are various legislations and regulations which seeks to address the issue of domestic violence; one such legislation was enacted in 2001 referred as Spousal Violence Prevention and Victim Protection Law. Its objective is to provide defense for victims of domestic violence. This law provides for all forms of violence: bodily, psychological, sexual, and the especial guarantees equality of spouses in protection without emphasizing the gender principle. The Japanese legal system also contains several protection laws, including:

Victim Prohibition Law. This law makes it illegal for the abuser to come close to the victim or remain in proximity of where she resides (unless such home is also his, her residence), workplace and other like places within 6 months from that date [105];

Act on Telephone Communications and Other Actions. This law places several restrictions on the abuser's actions, also for 6 months; Law prohibiting approaching the child or relatives of the victim: the law, which is used if necessary to protect the victim from the presence of an abuser in relation to a child or relatives of a victim, prohibits the abuser from approaching him her; it also forbids being near his/her place of residence – work and others within six months.

Residence Exemption Act. In accordance with this law, the abuser will need to vacate the residence in which he and the victim cohabit as a main living quarters and not be within reach of any location from where they could gain access to their home

for 2 months. In case of some violations, committed by the offender, as stated in the Protection Laws, with which employees must comply under penalty of imprisonment for not less than one year with forced labor or a fine of up to 1 million yen [129].

The support network that is included in Japanese system for dealing with domestic violence includes the private shelters where one can get temporal protection. In addition to individual shelters and state centers for counseling and support of victims of domestic violence, there are such units as departments for women's consultations. Here you can find information and additional details about the system to protect from violence in a family setting.

Prevention of domestic violence against women is an important task given the essential part law enforcement agencies have to play through ensuring laws are adhered to and victims are safe and secure. Violence against women perpetrated by intimate partners in a serious problem that is extensive and can cause grave physical, mental and emotional harm to the victims, their families as well as communities.

The importance of law enforcement agencies in preventing domestic violence against women is expressed in:

Deterrence. Law enforcement agencies can help to prevent incidents of domestic violence by acting on the legislation and penalize those found engaging in such behavior. Research has indicated that the fear of being charged in a court of law is an effective deterrent to any form of violence.

Protection. Law enforcement agencies are capable of protecting the victims of domestic violence by offering emergency aid, isolating the disputing parties and ensuring that the victim is safe from further injury. This may involve giving of restraining orders, disarming the home and offering emergency housing.

Accountability. Law enforcement agencies can also be able to bring those responsible for domestic violence and make them accountable through conducting investigations, gathering evidence and prosecuting the perpetrators. This can help ensure that the individuals who commit crimes are held accountable and victims receive justice.

Prevention. Law enforcement agencies also have a share in combating domestic violence through public education and sensitization, awareness on the signs of abuse and give victims and their families available resources. Law enforcement agencies can only help in building a culture of non-violence and respect for women if they work together with community organizations and other stakeholders.

Data Collection. Law enforcement agencies also compile data on cases of domestic violence and this can be applied in the design of policies and programs aimed at reducing incidences of domestic violence. Such information can be useful in revealing trends and patterns linked to domestic violence, risk factors involved as well as warning signs incorporated into programs that prevent the vice.

Collaboration. There can be collaborations between law enforcement agencies and other organizations and agencies that have a role in preventing domestic violence, such as victim service providers, health care providers, or social service agencies. This partnership can ensure that there is a harmonized way of addressing cases of domestic violence and provision of varied services to victims.

Training. Law enforcement agencies may offer them courses on the best ways to handle domestic violence cases in a compassionate and effective manner. Such training may incorporate specific methods of defusing violent situations, understanding and addressing the concerns of victims, as well as offering culturally appropriate services to various communities.

Research. Other ways in which law enforcement agencies can help are through funding research on domestic violence, such as the effectiveness of different prevention and intervention approaches. This study should guide policies and programs that seek to preempt the occurrence of domestic violence as well as better outcomes for victims.

In general, it is hard to overestimate the significance of law enforcement agencies in combating domestic violence against women. In establishing laws, helping the victims, punishing those involve, and learning to prevent it through education awareness and cooperation can law enforcement agencies make life better for women and their families.

The socio-legal basis for combating domestic violence against women provides legal and social tools which are aimed at ensuring gender equality, preventing acts of violence, and protecting the rights of victims. The best policies and laws are necessary that can help in ensuring the safety of all women such as domestic violence. These policies as well as laws need to be enforced through the agencies of law enforcement and judicial systems. In addition to legal remedies, social programs and initiatives should be created that would encourage equal rights for genders, question unhealthy gender standards, and support victims. These could be educational programs, counseling services and women-friendly spaces. Furthermore, the media has a pivotal part to play in sensitizing people about domestic violence and influencing change of attitudes and practices that support women abuse. The socio-legal framework for the fight against domestic violence on women is important in ensuring that this vice is not only prevented but also addressed efficiently. It needs a holistic approach, which includes legal and social steps that ensure gender parity, respect for human rights, prevention of violence against women and support mechanisms in place for the victims.

Based on the literature review of foreign countries' socio-legal measures, we recommend that some elements be incorporated into the system of the Republic of Kazakhstan. Further, relying on the UK's experience, the DVDS program is recommended to be launched along with some of its components borrowed and adjusted for Kazakh practice [125]. This process is a positive development in the fight against domestic violence and to secure victims from further harm. These steps are essential for making the society of Kazakhstan more equitable and safe in relation to all citizens.

Considering the substantial variances of British and Kazakh legal systems, it is necessary to admit that some UK counteractions toward gender-based or domestic violence might be beneficial and appropriate for Kazakhstan.

Considering the widespread use of European standards and Kazakhstan's implementation of numerous international conventions, it is possible to outline common tasks and goals that refer to protecting women's rights as well as children's rights and preventing family violence. By adjusting these practices to the peculiarities

of culture and legislation in Kazakhstan, we can develop effective policies and legal acts at the national level in this field.

The transference of foreign experience into the Kazakhstan's context will help in developing modified strategies and programs, which consider the unique sociocultural specifics of this country. It is also crucial to promote sharing knowledge among the countries and get the best practices from abroad to guarantee a successful national policy on DV prevention and women rights protection in Kazakhstan.

So, in our opinion, measures that can improve the effectiveness of legal mechanisms for protecting women from domestic violence in the world and Kazakhstan include:

1) Strengthening the legal framework. This may involve modifying legal and policy frameworks to ensure these laws keep up with the modern day understanding of what constitutes violence against women. This may also involve the creation of robust systems of prosecution against individuals who perpetrate violence against women.

2) Enhancing service quality and availability. One of the effective ways to protect victims and prevent violence is to establish support for them, such as shelters, psychological help, and legal consultation services.

3) Law enforcement and support service training. Training of police, judges, prosecutors, lawyers and other professionals in the field of women's rights is necessary to ensure that they perform well in their duties according to international standards.

4) Public Awareness Raising. These can be informational activities among the population with a view to draw attention to violence against women and its consequences, as well as forming stable positions against such violence within the normal standards.

5) Working with men. Men oriented programs can also serve as an important way to reduce violence against women. This can be through sensitization on what women violence entails and how to change attitude towards women.

6) International cooperation. The international level of cooperation can be one of the decisive factors to stop violence against women. It could entail sharing information and best practices across various countries, as well as the advancement and formulation of international regulations and standards regarding human rights and combating violence against women.

7) Changing public opinion. Public opinion shift and cultural attitudes can be one of the elements that may prevent violence against women. These could involve teaching men and women how to respect one another through educating them in such programs, as well as fostering gender equality via the media and social media.

8) Increase legal aid services. Women, who are victims of violence have to be provided with access to legal aid and mechanisms for legal protection. This may involve the capacity building of lawyers handling women's claims as well as creation of legal aid centers that offer free legal services.

9) Funding. The state and international organizations' financing can be crucial for the fight against violence towards women. This can be funding violence prevention programs, legal aid to victims or community education aimed at changing people's perception towards violence against women.

Overall, the successful fight against violence against women should be based on a combination of legislative and law enforcement solutions along with community interventions, education programs, and international initiatives. Only such a holistic approach can produce the decrease of violence against women and establish a safer and fairer society.

3.2 Victimological foundations for countering domestic violence against women in foreign countries

It is worth noting that legal measures alone are not enough to solve the problem of domestic violence. Victimological foundations of combating domestic violence against women are considered by us in the system of victimological prevention and represent a comprehensive system of state measures aimed at disseminating information and knowledge about domestic violence and social rehabilitation of women victims of domestic violence, including the provision of legal, medical, psychological and social assistance, as well as compensation for harm caused.

The creation of a compensatory infrastructure will allow the state and society to reduce social tension and the level of domestic violence since a set of such measures will provide real support to affected women, and increase the level of citizens' confidence in law enforcement and judicial authorities of the Republic of Kazakhstan.

Practically in all centers of Europe for several decades there have been special shelters for women who have been subjected to domestic violence (the so-called crisis centers), which offer not only a haven from abuse but also provide women with legal assistance in protecting their violated rights. As a rule, all crisis centers have a "hotline", which is available not only to the victims themselves but also to other persons who need information about this center.

In Kazakhstan, such centers are united in the Union of Crisis Centers and include more than 40 organizations from 12 regions of the country. The work of the Union is aimed at preventing gender-based violence and all forms of discrimination, building a culture of non-violent relations in society.

In the Mures region of Romania, there is a "Coordinating Community Response", also known as "COR". This organization was created after the adoption of a special law at the federal level in 2003. In Mures, a local "COR" model was created by bringing together existing sectors in the region dedicated to the protection of victims of violence, such as a non-profit crisis center, police, and emergency medical departments.

At the beginning, the victims did not have much faith in the police and after reporting; they rarely took necessary actions. However, it took only a year since COR had been introduced to set up the unified domestic violence filing-complaints-evaluating-referring system with the crisis center resulting in increase of referrals. Solutions to this problem were repeatedly discussed in meetings between COR staff, medical staff and the police. The police started to follow the results of complaints independently, and in Mures, a special room was created in the police building, which served as another option for reporting domestic violence cases because victims often shied away from publicity and did not want to address the main department [130].

In some countries, special programs for correction of aggressors have been developed to combat domestic violence.

For instance, in the United States, such programs are referred to as Anger management Programs and are frequently employed instead of try or imprisonment The anger management program management Programs) within the USA is unique correctional application that aids individuals in preventing their anger operations and also competitive behavior. This program can be utilized instead of a court trial or jail sentence for individuals who have committed acts of domestic violence.

An anger management program may include various methods and techniques, such as:

- Development of emotional control skills – people who are taken to the program learn how to identify their emotions and not show them, so as not to react inadequately in case of a conflict.
- Communication Skills Training – here, participants of the program would be able to learn how they can enhance their communication and listening skills so as not to suffer from misunderstandings and conflict all the time.
- Constructive Conflict Resolution Training program participants will learn to practice constructive conflict resolution techniques, such as reaching a compromise or identifying areas of common interest.
- Problem Solving Training – the program teaches participants to seek alternative means of problem solving rather than reacting in an aggressive manner.
- Social responsibility training – people in the program are taught how to take responsibility for their actions and realize that they have adverse effects on others.

The format of the anger management program is diverse, and it can be individual and group sessions or even online classes. As for the length of the program, it can be several weeks long or last even longer depending on what suits them best.

In the US, one of such popular remedial programs is an Anger Management Program that may be offered through the court or by other agencies like domestic violence centers or correctional facilities.

In Canada, these programs are referred to as ‘Home Peace’. The program ‘Home World’ also known as Peace at Home, is developed in Canada and designed to eliminate the violent behavior of men at home. The program is underpinned by the idea that domestic violence arises out of uncontrolled anger and an indication of a lack of skills to handle such anger. Such a program aims at equipping men with the necessary anger control skills as well as development of more wholesome family relationships.

The Home World program provides individuals with a 15-week curriculum containing session groups, individual consultations, training items and homework. These courses are held with the help of specialists, who have been educated in that field such as psychologists and social workers.

The anger management program teaches participants these skills and others such as communication, conflict resolution, emotional regulation, behavior management among others. Within the program, the men under its influence also share their family relations practicing and exchange knowledge with other course mates.

The Home World program is already a success in Canada. It is disseminated to numerous institutions, which include local government agencies as well as non-profit organizations dealing with domestic violence issues.

Germany and Norway also have initiatives to combat anger violence.

In Germany, such programs can be within the court or without. Programs typically consist of lectures and workshops conducted by psychologists, psychotherapists, and social workers. The aim of the programs is to enable violent individuals to realize the causes of their anger, how to cope with it and develop effective communication skills that will help them not engage in violence ever gain. Programs can be taken in groups or alone and often take a few weeks to several months.

In Norway, the concerned program is called 'Alternative to violence' that provides training in constructive conflict resolution and communication skills. The program consists of three parts: a topic overview, training exercises, and homework. The groups in which classes are taught should be attended by both offending individuals as well as their partners, who can share their stories and learn how to assist a partner not to resort to violence.

In both jurisdictions, such schemes could be voluntary in nature but can also be mandatory as a court-ordered or legal authority ordered diversionary option out of prison or other punitive measures. The ultimate objective of the programs is to assist violent individuals in coming up with positive means of anger management, avoid domestic violence and develop effective relations.

The majority of people get into such programs by court order at the stage of a preliminary investigation, or under probation's requirement, or to receive custody rights, and removing the restriction on visiting children.

In Australia, these programs are known as Anger Control Course and can be administered either in groups or individually. In Austria, such programs are implemented under the auspices of the Project on Domestic Violence and include psychological and legal counseling sessions, courses in anger management as well as communication skills.

Russia has such units as the Sky Centre and the Dom Centre, which are supposed to help victims of violence and rehabilitation centers for aggressors where therapy, counselling, psychological assistance, group training and correctional programs for offenders who committed domestic violence can be offered.

The violence Protection Program was launched by the government of the United Kingdom in 2010 as a part of National Strategy to fight against violence that is perpetrated on Women and Girls (VAWG strategy). The program aims to better the integration of law enforcement, health, education, social services and civil society to prevent violence against women and girls, protect victims and punish aggressors [140].

The "Protection from Violence" program includes several key activities, including:

– Providing law enforcement, health, education and social service agencies with training on identification and response to cases of violence against women and girls

– Granting financial aid to organizations serving victims of the violent crimes, including women leaving their torturers.

– Education programs for school children on the gender equality and violence against women and girls.

– Enhance legal framework for violence against women and girls including new regulations on victims' treatment and stricter punishment for violent actions.

– Improving measures aimed at preventing violence against women and girls, such as the awareness-raising campaigns on this issue.

The Violence Protection Program is still evolving and growing, and its activities are constantly revised according to the current situation on the ground and the needs of violence victims.

Moreover, there are also other programs for the correction of aggressors' behavior – "Violence in intimate relationships" and "Men against domestic violence." Nonetheless, despite the presence of such program initiatives, the problem of domestic violence still remains significant in England and demands a more severe attitude from society and government.

In Belarus, the objective of such program includes two steps. Male aggressors are to end performing acts of violence, understand the effects of their behavior and get a feeling for ten sessions in stage one. The aim of the second stage is to assist men who have quitted from abusing their partners through twenty sessions, to prevent control behavior which has been the foundation for violence in the previous days.

Correctional programs act as a substitute to incarceration. In some jurisdictions, these programs are meant to let the aggressors know that they cannot employ violence. Among the best intervention program models are ones that promote gender equality, provide behavioral methodologies in controlling violence and works closely with social service agencies. Where the participant fails to complete the whole course, prison sentence may be recommended by the facilitator. The outcomes of the scheme indicated that nearly 70% of participants were not aggressive at six and eighteen months after the program's completion.

It should be understood that without quality control of training and subsequent observation of the behavior of their participants, correctional programs can become a legitimate way to avoid responsibility and/or provide an opportunity to continue to manipulate victims, i.e., allow you to bypass the law and continue.

The problem of recognizing domestic violence as strong-willed behavior that cannot be corrected has existed in some countries in the past and may still exist in some regions. This is due to traditional ideas about the role of women in society, the lack of political will, and legislative regulation. For example, the courts in Scotland have stopped sending aggressors to courses in correctional programs, believing that domestic violence is a strong-willed behavior that cannot be corrected. Unlike states of alcohol dependence or drug addiction, where abstinence brings certain and tangible benefits to the consumer, aggressors, on the contrary, may continue to use violence in connection with the benefit derived from such behavior, which they find in control over the actions of a partner. Instead, the authorities began to pay more attention to the victims of domestic violence and provide them with more support and protection. However, in recent years, the approach in Scotland has begun to change, and more and more attention is paid to the issue of correcting the behavior of rapists.

However, in some situations, participation in intervention programs after arrest may be more likely to lead to positive behavioral changes than imprisonment, especially when the attacker is charged with minor bodily harm and in situations where the couple wants to stay together [141].

It is worth mentioning the significance of programs that provide socio-emotional education for young people and healthy relationship training for couples. These programs establish expectations of caring, respectful, and non-violent relationships among young people and assist them in developing social-emotional skills like empathy, respect, healthy communication, and conflict resolution skills.

Indeed, good programs do not only educate individuals about skills for healthy relationships but also offer many chances to practice and reinforce these skills. While it is usually the case that these kinds of programs are used in high schools, which hold children aged 12-18, such systems can be useful for young adults as well.

In fact, healthy relationship programs for couples are intended to improve relationship dynamics and quality of life by teaching individuals better communication patterns, methods of conflict management, and strategies to regulate their emotions. Some of these programs are developed to help couples who have been engaged or had a commitment in the early stages to improve quality, satisfaction and skills of their relationship while some aim at correcting such problems as substance abuse within various couples. Although the use of couples-based strategies is under debate, it can be generally accepted that such programs are not secure for survivors who suffer severe abuse and fear. Nevertheless, development of these interpersonal skills may be helpful in decreasing the likelihood for succeeding violent actions.

There are programs that can be accessed by couples which seek to improve their relationship skills like communication and conflict management, and this has been demonstrated in research findings as instrumental in the prevention of further violent behavior. For instance, the Premarital Relationship Improvement Program (PREP) is a specific program that includes five sessions and aims at teaching engaged couples techniques and skills on how to enhance their relationships as well as effectively control negative emotions. These programs aim at relationship functioning and prevention of problems. PREP has been evaluated for its efficacy among different population groups such as the community, active duty, and incarcerated people. The randomized controlled trial indicated that at the end of five years, couples who either finished or almost completed their PREP program showed a significant decline in levels of physical abuse between them as compared to the control set. Moreover, the intervention group had significantly greater scores on positive communication skills and lower negative communication skills.

In a recent ePREP, which is an electronic version of the PREP program, at 10 months follow up couples receiving the intervention had significant reports of physical aggression and psychological aggression reduction compared to those in the placebo control group. Possible results:

– Encouraging healthy relationship habiliments.
– Reducing the rate of physical, sexual and emotional IPV and harassment.
– Lesser victimization of physical, sexual and emotional IPV and harassment.
– Decrease in peer violence such as bullying.

– Reduced risky sexual behavior.

– Reduced acceptance of violence in relationships.

– Better overall state of relationship satisfaction and well-being.

– Reduction in substance abuse.

UN and OHCHR (Office of High Commissioner on Human Rights), gives special weight to the struggle against impunity for gender-based killing. In this respect, OHCHR has supported the formulation of relevant regulatory frameworks and assisted in the attempts to enhance investigations and prosecutions in Latin America. OHCHR has been involved in the development of particular legislations pertaining violence against women such as gender-based killings commonly referred to as 'femicide' in El Salvador and Bolivia. In 2009, OHCHR for Mexico published a document on femicide which provides the direction towards building of suitable national legislation [142]. The protocol on femicide investigation in El Salvador was developed with the assistance of OHCHR regional office for Panama in 2011 and then approved by Attorney General's Office [143].

At present, OHCHR and UN Women are developing the Model Protocol for Femicide Investigation in Latin America. In this protocol, including gender aspects in the formulation of hypotheses, analyzing crime scenes and obtaining relevant expert evidence is its intended purpose.

A number of OHCHR's branches observe the rulings made by the newly created chambers and tribunals, as well as provide them with technical assistance such as training judges on international standards and principles regarding women. OHCHR is also carrying out an analysis on selected recent judicial rulings in the Dominican Republic relating to women killings so as to pinpoint various barriers of effective judicial action.

Based on June 24, 2021, analysis of expert recommendations that were provided within the PaperLab discussion platform to include opinions of experts from the countries of Central Asia regarding measures aimed at preventing and reducing violence against women, we consider such suggestions effective for purposes of prevention and victimological prophylaxis as far as domestic violence targeted at women is concerned [144].

Here are some of them:

a) Strengthening the legal frameworks for combating violence against women, which include changes and additions to the Penal Code as well as Civil Court.

b) Establishment of the centers for women who have been subjected to violence, where these women would receive legal, psychological, and medico-social help.

c) Organizing thematic propaganda concerning the problem of violence against women in society among the general public, including children and young people, publishing media products devoted to this issue, addressing victim-blaming language that puts responsibility on a person who suffered from violence.

d) The training of police officers on conducting the investigations according to the international human rights standards is necessary to enhance response to cases on violence against women. This training should consider how to work with victims so that it does not cause additional trauma and also ensure that cases are not closed by the law enforcement agencies prematurely.

e) Create programs for schools, colleges and trade schools that will prevent violence against women and teach people how to react in the case of violence. Incorporation of a mandatory discipline or mandatory number of hours on human rights in schools from the first grade, where children will learn the basic rights such inviolability of honor and dignity.

f) In the sphere of research, do a study tracking and analysis on violence against women so as to get better information on how big it is and be able to make wise decisions about what should be done.

g) Quotas for the involvement of women in political and public affairs aimed at achieving gender equality as well as more reasonable decisions regarding combating violence against women [144].

Therefore, public attention to the problem of domestic violence is crucial for its prevention and overcoming. In this regard, active influence not only through the media but directly on women and children as an audience is of great importance. To this end, some of the actions may be installation of banners and tips in public places with increased attendance such as transport, gathering places, women's toilets and changing rooms, prayer room. These banners and tips should contain information about the hotlines, special words for help, as well as reminders that everyone's and citizen's rights are protected by law. In the event of any form of abuse, women and children have the right to access social, legal, and medical services.

Raising public awareness also implies activities that help to establish a safe climate in society and develop social responsibility of each citizen. The problem of violence should not be overlooked as it is a criminal activity itself. There should be an infrastructure, which guarantees citizens anonymity and integrity of the information when they wish to tell about violence or become witnesses. International best practices show that this leads to more openness in reporting the problem and increases chances of violence prevention.

Comprehensive measures to counter violence should be aimed not only at enabling women's rights and freedoms but also actively involving men in changing the common understanding of gender equality, which is necessary to eliminate those social norms that give rise to and contribute violence. Because it is men who are most often the perpetrators of violence against women, the active inclusion of men in this process becomes extremely important − they can help destroy gender stereotypes, influence other men through their own example, and actively implement programs aimed at preventing and eliminating violence against women. In this case, male members of parliament should lead by example.

In addition, it is very important to promote the creation of an environment that would be characterized by equality and zero-tolerance policy to discrimination in different public institutions like schools, universities, medical establishments, community service centers and also other organizations. Banners, posters, stickers, and other visual means including catchy slogans can be used to set a positive mood and remind everyone of the values of equal rights and unacceptability of discrimination in any aspect. However, such slogans are often very memorable and may contribute to the change of public opinion on this issue and raise awareness about the need to address violence and violations.

Lastly, a critical task is the involvement of all members of society in this work – government bodies, non-governmental organizations, media representatives, business sector, and general public. It is only a combination of the entire society that can make changes to domestic violence.

Furthermore, it is necessary to engage men in combating violence against women. Men can positively contribute to the establishment of a no-tolerance-to-violence culture and become women's partners in resisting violence. For this, it is needed to conduct activities for the transformation of stereotypes related to the male role and behavior.

Generally, the effective fight against violence on women involves all sectors and groups of people that make up a given society.

CONCLUSION

As a result of the study, the problem of domestic violence against women was identified; the state, structure, and dynamics were investigated; the criminological characteristics of the personality of the subject of domestic violence against women were disclosed; proposals were presented to combat and prevent domestic violence; an analysis of the current legislation of Kazakhstan was carried out; recommendations were proposed for introducing changes to certain norms of the current legislation. The following conclusions and directions are formulated to achieve the goal of the study:

1. Among the most important results of research on gender-based violence is an all-inclusive definition of the term gender-based violence. Gender-based violence refers to any violent act that results in physical, mental or material harm directed against a human being wholly on the basis of gender. The idea and essence of gender violence, which helped to reveal the causes, pattern, effects and measures for preventing violence against individuals on a gender basis were worked out. Research on gender based violence also emphasizes the need for joint work and collaborations across sectors and actors such as health care providers, law enforcement agencies, civil society groups, and government. The data analysis presented that Offences are committed daily in the study area, and women are at risk, even though there are legislative norms aimed at protecting their rights and freedoms.

2. As a result of the research, on legal mechanisms has allowed distinguishing several principal instruments, such as restraining orders, procedural constraints, administrative sanctions and preventive conversations. Based on this analysis, we suggest a number of specific recommendations to improve the legal mechanism for protecting victims and preventing other cases of domestic violence. The following recommendations include the prolongation of protective order duration, the change of penalties for violations, establishment of criminal liability for domestic violence offences and exclusion of unrelated criteria from eviction measures. In addition, in order to strengthen the fight against violence against women and instill a sense of the state's responsibility for gender-based violence, we propose ratifying and actively implementing the Istanbul Convention, which will be an important step towards sustainable development and ensuring safety and protection of women in Kazakhstan. The provided amendments and the ratification campaign are important for strengthening legal protection, creating a safer atmosphere, and matching up to international norms in countering intimate partner violence.

3. From the research of the issue of criminal responsibility for domestic violence against women were identified the most essential voids in the current legislation, which led to several suggestions for the enhancement. The lack of a specific provision on criminal liability for domestic violence and weak punishments for such crimes are the main legislative gaps. To eliminate these problems, we suggest certain changes, such as the introduction of battery and intentional infliction of minor harm to health as criminal offenses with qualifying conditions regarding actions against family members. What is more, the proposal provides for the introduction of a qualifying aggravating criterion on the ground of gender into the Penal Code and the expansion of qualifying criteria for the offense of 'restriction' in the Law on the Prevention of

Domestic Violence. Also, in order to bring the law in line with international norms and to tackle different emerging issues, we recommend that new crimes such as domestic violence, sexual harassment, and cyberstalking be introduced, whereas punishment will be further elaborated and approved. These amendment proposals seek to improve legal framework, safeguard societal concerns and align national legislation with international standards in addressing violence against women.

4. The analysis of violent crimes against women in domestic sphere in the Republic of Kazakhstan uncovers the multidimensional character of domestic violence, which is influenced by cultural, social, and economic factors, as well as individual features of both victims and offenders. The analysis of committed offences of acts in domestic settings revealed an alarming tendency of domestic violence. Crimes concerning the deliberate causing of slight bodily harm and battery also revealed a strong presence in family and domestic relationships. In order to eliminate these data discrepancies and increase the accuracy of the crime statistics, we suggest improving the current system by creating a single-state database. Such a database should contain clear, detailed, and clear statistical data that would allow tracking of the crime dynamics, cases of domestic violence, and relevant demographic characteristics. Homogeneity in the way data is reported by different government organizations is necessary for a wholesome understanding of domestic violence in Kazakhstan.

5. The study of the causes and conditions that produce domestic violence against women has successfully identified the primary causes and conditions contributing to domestic violence against women. The analysis of 1500 criminal cases underscores the role of patriarchal beliefs, gender inequality, cultural norms supporting male dominance, economic factors, substance abuse, mental health issues, childhood experiences of violence, and lack of social support in fostering an environment conducive to violence against women. The survey of 250 female victims further highlights the prevalence of underreporting, with over 83% of victims acknowledging that they did not seek help or report incidents to law enforcement or other organizations. The latent nature of domestic violence significantly influences both quantitative and qualitative indicators, emphasizing the need for targeted interventions. Ultimately, the identified factors collectively contribute to the perpetuation of violence within families, with far-reaching consequences that extend beyond individual victims to impact broader societal relationships. Addressing these root causes is crucial for effective prevention and intervention strategies in combating domestic violence against women.

6. The study of the criminological characteristics of a person who has committed domestic violence against women made it possible to identify certain patterns of behavior and personality traits that contribute to the occurrence of such situations. A distinctive profile of a domestic violence offender has emerged from qualitative analysis. The distortion of social roles, particularly patriarchal stigma, reinforces men's dominant positions, leading to a socio-psychological criminal personality characterized by increased conflict and a combination of violence and cruelty in family relationships. Utilizing this criminological characterization enhances the identification of risky behavior, facilitating the development of personalized

correction and rehabilitation programs, with the potential to reduce the incidence of studied issue.

7. The analysis of international strategies to fight domestic violence against women, in particular UK and US initiatives, provides important socio-legal recommendations for Kazakhstan. The suggested adoption of a violence disclosure program (DVDS) based on the UK model and the introduction of dedicated family violence courts as evident in the US provide encouraging directions. These steps are necessary for improving the legal and social environment, furthering the cause of justice and ensuring the safety of the citizens of Kazakhstan.

8. Analysis of these foundations in foreign countries makes it possible to treat exploration as one of the victimological forms of resistance to domestic violence. The suggested measures of victimological prevention, such as banners and hints in crowded places, are aimed at the improvement of social control and the creation of a supporting environment. Moreover, the vision of establishing equality and anti-discrimination environments in different public organizations highlights the necessity of visual materials and catchphrases used to promote the message about violence and violations.

In this regard, we assume that the objective of the dissertation research has been met and all tasks posed have been fully revealed. The proposed counteraction recommendations are considered, and the use of these measures will provide positive dynamics to preventive work on combating domestic violence in Kazakhstan.

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