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**LEGAL AND SOCIAL PROTECTION OF SURVIVORS
OF CONFLICT-RELATED SEXUAL VIOLENCE IN UKRAINE**

**ПРАВОВИЙ ТА СОЦІАЛЬНИЙ ЗАХИСТ ПОСТРАЖДАЛИХ
ВІД СЕКСУАЛЬНОГО НАСИЛЬСТВА ПОВ'ЯЗАНОГО
З КОНФЛІКТОМ В УКРАЇНІ**

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Conflict-related sexual violence (CRSV) is a relatively new, but already extremely painful phenomenon for Ukrainian society. Cases of CRSV have been occurring in Ukraine since 2014, but with the outbreak of large-scale armed aggression by the Russian Federation against Ukraine in February 2022, cases of sexual violence have become systemic. It has become not only a crime against individuals, but also an element of terror directed at civilians, often with the aim of humiliating, intimidating, and destroying moral resistance. Until 2022, Ukrainian legislation did not have sufficient tools to effectively respond to cases of CRSV. Only through the implementation of international standards, cooperation human rights organizations was the need to create a separate system of protection and support for survivors recognized. Thus, CRSV in Ukraine has turned from a hidden problem into a subject of legal regulation and state policy.

The adoption of specific legislation for survivors of conflict-related sexual violence was an important development in Ukraine's legal system. The Law of Ukraine “On Legal and Social Protection of Survivors of Sexual Violence Related to the Armed Aggression of the Russian Federation against Ukraine and Providing Immediate Interim Reparations”, adopted in 2024, is a groundbreaking development for the Ukrainian legal field, as it is the first to recognize at the legislative level the existence of CRSV as a separate category of crimes that are systemic and military in nature. Its adoption is not only a legal, but also a political and moral decision that demonstrates the state's readiness to speak out loud about sexual violence as a war crime, not as a private tragedy.

One of the key aspects is the clear definition of the term “conflict-related sexual violence”[1]. The law takes this category beyond the scope of a

general criminal offense and indicates the specifics of such actions in the context of armed conflict. CRSV includes not only rape, but also other forms of sexual violence, including sexual slavery, forced prostitution, forced sterilization, and other humiliating acts of a sexual nature committed for military purposes or as part of a military strategy. This definition is consistent with international humanitarian law, in particular the norms of the International Criminal Court and Conventions, which demonstrates Ukraine's intention to act within the legal framework of global standards.

The law introduces a special legal status for survivors of CRSV. This status allows survivors to claim a number of benefits: priority access to legal, medical, psychological and social assistance; protection of personal data and confidentiality; participation in rehabilitation programs; and receipt of monetary compensation and reparations [1]. Special attention should be paid to the mechanisms for identifying and registering survivors. The law provides for the creation of a special register, which can be accessed only by authorized bodies. This is intended both to avoid re-traumatization of the survivor and to control the amount of assistance.

The law also provides for financial mechanisms for reparations. Although the amounts of payments are set by the government and are subject to change, the basic logic is that the state recognizes the moral and material damage caused by sexual violence.

Reparations take three key forms:

- Monetary compensation - a one-time or phased payment to victims.
- Medical and psychological support - including the costs of medical treatment, psychotherapy, and restoration of reproductive health.
- Social guarantees include priority access to housing, education, retraining, and employment.

Although the law looks progressive on paper, its implementation and the construction of the assistance system in Ukraine as a whole currently face a number of challenges:

- Stigmatization of survivors. Many people do not seek help because of shame, fear of judgment or re-traumatization. There is still no culture of support for survivors of CRSV in society.
- Underdeveloped assistance infrastructure in certain regions - especially in combat zones or recently de-occupied territories.
- Lack of trained specialists - both psychologists and law enforcement officers - who can work professionally with survivors and, as a result, the risk of re-traumatization due to unprofessional attitudes on the part of investigative bodies or medical personnel.

- Problems with evidence. Due to the nature of the crime and delays in collecting evidence, it is often difficult to bring perpetrators to justice. Some crimes are not properly registered at all.

- International legal recognition. Although the state has declared its policy, not all cases are recognized under international standards, including as war crimes.

To ensure the development of a survivor assistance system, Ukraine receives methodological support from the Dr. Denis Mukwege Foundation, a unique world-class organization that embodies the principles of deep humanity, professionalism and justice in assisting survivors of conflict-related sexual violence. Founded by the Nobel Peace Prize laureate, Congolese gynecologist Denis Mukwege, the Foundation's experience is unique in the world: it combines medical, psychological, legal and social assistance as part of a comprehensive or holistic approach to rehabilitation and restoration of the dignity of survivors.

A holistic approach to supporting survivors of violence involves taking into account the full range of their needs, which are closely interrelated. When helping survivors of sexual violence, it is important to remember that physical recovery or readiness for complex surgical intervention is often impossible without proper psychological support. At the same time, full emotional healing requires reducing anxieties related to life after violence, including issues of safety, housing, and finances. Similarly, the desire for justice and the willingness to undergo complex legal procedures - from filing applications to participating in court - are only possible when the survivor feels reliable and stable support from professionals and the community. That is why special attention is paid to creating a safe environment where survivors are not only physically treated, but also restore their faith in themselves, in justice and in a just society.

The holistic approach consists of 4 components [3]:

- 1) Medical care is the first and most urgent stage of assistance to survivors, as many of them have serious physical injuries and require surgery and treatment.

- 2) Stigma, fear and shame make many victims postpone seeking help, which complicates diagnosis and treatment; some symptoms are psychosomatic, related to psychological trauma, which is why psychological assistance is equivalent to medical intervention, as the emotional consequences of violence - depression, anxiety, self-blame - slow down the process of physical healing and make it impossible to fully return to life.

- 3) Legal aid is an important part of the healing process for survivors of conflict-related sexual violence, as it helps restore dignity, a sense of justice

and security, and opens up the possibility of compensation for harm. Legal support is provided exclusively on a voluntary basis, respecting the right of each survivor to decide for themselves whether they are ready to go through the legal process.

4) Social and economic reintegration is a crucial stage of recovery, as survivors often lose their sources of income, family and community support; effective rehabilitation includes access to education, vocational training, employment and economic support.

One of the most acute problems in providing assistance to survivors of conflict-related sexual violence remains the medical component, particularly in cases where the violence occurs in the temporarily occupied territories. In such situations, survivors are often unable to seek timely medical care or undergo a physical examination, which greatly complicates further legal qualification of the crime and obtaining victim status. In this regard, it is extremely important to develop modern methods of forensic medical assessment that allow establishing the severity of bodily injuries not only through personal examination, but also based on the analysis of medical documents, photo or video evidence, testimony of the survivor, etc. This approach opens the way to justice for those who remain on the other side of the front line but have the right to be heard and protected.

During the war, Ukraine became the first country in the world to launch a Pilot Project on Immediate Interim Reparations for Survivors of Sexual Violence Related to the Armed Aggression of the Russian Federation against Ukraine, implemented by the Global Fund for Survivors of Violence, in accordance with the Framework Agreement signed between the Global Fund, the Office of the Vice Prime Minister for European and Euro-Atlantic Integration and the Government Commissioner for Gender Policy [2]. In total, the pilot project received 1,004 appeals (657 from men, 320 from women, 27 from children).

To summarize, we can conclude that Ukraine has taken an important step towards recognizing and protecting survivors of conflict-related sexual violence. The adoption of the relevant law and the launch of a reparations program demonstrate political will and international solidarity. However, many challenges remain ahead: overcoming social stigma, building support infrastructure, raising the professional level of specialists, and ensuring effective justice.

Literature:

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SPECIFIC ISSUES OF PROTECTION OF THE RIGHT TO HEALTH AS A PERSONAL NON-PROPERTY RIGHT OF A NATURAL PERSON

ОКРЕМІ ПИТАННЯ ЗАХИСТУ ПРАВА НА ЗДОРОВ'Я ЯК ОСОБИСТОГО НЕМАЙНОВОГО ПРАВА ФІЗИЧНОЇ ОСОБИ

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Питання забезпечення основоположних прав людини, зокрема особистих немайнових прав, набуває особливої актуальності в контексті сучасних трансформаційних процесів, що відбуваються в українському