

BEIJING +25 YEARS ON PARALLEL REPORT UKRAINE 2014-2019

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List of abbreviations

CCU	Criminal Code of Ukraine
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CFTU	Confederation of Free Trade Unions of Ukraine
CMU	Cabinet of Ministers of Ukraine
EU	European Union
FES-Ukraine	Friedrich Ebert Foundation Office in Ukraine
GBV	gender-based violence
GRETA	Group of Experts on Action against Trafficking in Human Beings
ICW	International Council of Women
IDPs	internally displaced persons
IFU	Inter-faction Union of MPs in Ukraine's Parliament
IGCA	Industrial Gender Committee for Advertising
ILO	International Labor Organization
IOM	International Organization for Migration
LU	Law of Ukraine
M&E	monitoring and evaluation
MES	Ministry of Education and Science of Ukraine
MHU	Ministry of Health of Ukraine
MJU	Ministry of Justice of Ukraine
MP	Member of Parliament, People's Deputy of Ukraine
NAP 1325	National Action Plan for the Implementation of UNSCR 1325 on Women, Peace, and Security until 2020
NAP CEDAW	National Action Plan for the Implementation of the Recommendations set out in the Concluding Observations of the UN Committee on the Elimination of Discrimination against Women in the eighth periodic report of Ukraine on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women until 2021
National Review	Ukraine's National Review of the Implementation of the Beijing Declaration and Platform for Action 1995 submitted in 2019

NCW	National Council of Women
NDI	National Democratic Institute
NGO	non-governmental organization
PSA	public service announcement
SDG	Sustainable Development Goal(s)
State Labor	State Labor Service of Ukraine
State Program	State Social Program on Providing Equal Rights and Opportunities for Women and Men until 2021.
STEM	Science, Technology, Engineering, and Mathematics
SSS	State Statistics Service
TORCH	TORCH group of perinatal infections
UAH	hryvnia (Ukrainian currency)
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
UNOPS	UN Office for Project Services
UPR	Universal Periodic Review
USD	United States Dollars
USAID	United States Agency for International Development
VAW	violence against women
VRU	Verkhovna Rada of Ukraine (Parliament of Ukraine)
WHO	World Health Organization

Preface

While highly appreciating the National Report prepared by the State, the Ukrainian women's NGOs decided to independently summarize the efforts on promoting the rights of women and girls in Ukraine in the last five trying years. The war and loss of a part of the Ukrainian territories, over a million of internally displaced persons, economic decline, and the need for the countrywide reforms have created additional challenges for the governmental policy.

Therefore, in June of 2019, four organizations (National Women's Council of Ukraine, Women's Information Consultative Center, Kyiv Gender Studies Institute and World Federation of Ukrainian Women's Organizations) announced their intention to jointly write the Parallel Report and present an independent view on the situation with the securing and protecting the rights of women and girls in Ukraine. More than 40 respected women's, feminist and research NGOs from all over the country and with the expertise in a wide range of gender policy issues supported this initiative along with the Friedrich Ebert Foundation Office in Ukraine.

The draft Report was presented on August 20, 2019 at the National Consultation on preparing the draft National Parallel Report on the Implementation of the Beijing Declaration and Platform for Action, which was held under the aegis of the Parliament High Commissioner for Human Rights and in cooperation with the Friedrich Ebert Foundation. Despite the tight timeline, the process of preparing the parallel report was open and everybody interested was given an opportunity to comment and make suggestions on the Report.

The draft Report was presented and discussed at the Annual conference of WFUWO (Lviv, August 30 – September 4), the Coordinating meeting on preparing for the 64th session of the UN Commission on the Status of Women and the 25th anniversary of the Beijing Action Plan,

organized by the UN Women office in Ukraine, Kyiv, September 17), and other events.

This Report appeared as a result of self-organization of Ukrainian women's, feminist and research organizations, and their volunteer work. The Parallel report became a «living document», a joint effort of writing, updating and rectifications, a great tool for coalition building and advocacy work for representation and protection of the interests of women and girls both within and outside the country.

As Kateryna Levchenko, the Government Commissioner for Gender Equality Policy, pointed out, "This was a very important work of a wide coalition of NGOs and experts, executed at a high professional level, based on the comprehensive approaches and views, representing diverse aspects and issues, the relevance of the gathered information with practical recommendations".

The Report recommendations and conclusions were presented to the newly elected MPs (October 2019).

The Coordinating Committee on preparing the National Parallel Report on the Implementation of the Beijing Declaration and Platform for Action expresses its gratitude to:

- the Office of the Parliament High Commissioner for Human Rights for their support and advocating the Parallel Report's conclusions;
- the Government Commissioner for Gender Equality Policy and the Commissioner's Office for the submitted comments and additions to the Report;
- the Office of the Friedrich Ebert Foundation in Ukraine for partnership and support in preparing this parallel report;
- all activists, researchers, and the feminist community, which engaged in preparing, commenting, editing and discussing the Report's text, conclusions and recommendations.

Section One.

PRIORITIES, ACHIEVEMENTS, CHALLENGES AND SETBACKS

1. What have been the most important achievements, challenges, and setbacks in progress towards gender equality and the empowerment of women over the past 5 years?

What are general achievements in implementation of the BPfA and CEDAW and SDGs?

Within the past 5 years, Ukraine's implementation of gender policy was more effective than it was during the previous reporting period. Directions taken with respect to gender policy were determined by:

- the onset of armed conflict in the East of Ukraine caused by the occupation of a part of Donetsk and Luhansk oblasts and annexation of the Autonomous Republic of Crimea by the Russian Federation. These developments put emphasis on activities related to the implementation of the United Nations Security Council Resolution 1325 on Women, Peace and Security.
- the ratification of the EU-Ukraine Association Agreement (entered into force on September 1, 2017), which confirmed Ukraine's course towards European integration and commitment to gender equality;
- the inclusion in Ukraine's NATO Membership Action Plan of the Objective 13 (Gender Perspective), which delineates concrete steps to be taken in the security and defense sectors to incorporate the principle of equal rights and opportunities for men and women.
- the recommendations in the Concluding Observations of the UN Committee on the Elimination of Discrimination against Women to the eighth periodic report of Ukraine on the implementation of the Convention on the

Elimination of All Forms of Discrimination against Women, given to Ukraine by the CEDAW Committee in March of 2017.

During the reporting period, the national machinery for gender equality was enhanced. Coordination of interaction between the central bodies of executive power on gender equality issues was made part of the mandate of the Deputy Prime-Minister for European and Euro-Atlantic integration of Ukraine (Ivanna Klympush-Tsintsadze held this position from March 2017 to September 2019.) In addition, in June 2017, the Cabinet of Ministers of Ukraine (CMU) introduced the position of the Government Commissioner for Gender Equality Policy, subordinated to the line of the Deputy Prime Minister (Dr. Kateryna Levchenko was appointed to this position as of February 2018).

The government approved three national gender equality policies for the period till 2021¹:

- The National Plan of Action for the implementation of the United Nations Security Council Resolution 1325 on Women, Peace and Security (hereinafter, NAP 1325), adopted by the Decree of the Cabinet of Ministers of Ukraine on February 24, 2016 (Decree №113-p) while in the midst of the armed conflict, a situation unique among countries that have adopted similar plans;
- The State Social Program on Providing Equal Rights and Opportunities for Women and Men (hereinafter, State Program);
- The National Action Plan for the Implementation of the Recommendations set out in the Concluding Observations of the UN Committee on the Elimination of Discrimination against Women in the eighth periodic report of Ukraine on the implementation of the Convention on

¹ Decree of the Cabinet of Ministers of Ukraine "On Approval of the National Plan of Action for the implementation of UN Security Council Resolution 1325 on women, peace and security for the period until 2020" as of February 24, 2016 №113-p; Order of the Cabinet of Ministers of Ukraine "On Approval of the State Social Program on Providing Equal Rights and Opportunities for Women and Men up to 2021" as of April 11, 2018 №273; Decree of the Cabinet of Ministers of Ukraine "On Approval of the National Action Plan for the Implementation of the Recommendations set out in the Concluding Observations of the UN Committee on the Elimination of Discrimination against Women in the eighth periodic report of Ukraine on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women until 2021 " as of September 05, 2018 №634-p.

the Elimination of All Forms of Discrimination against Women (hereinafter, NAP CEDAW).

The government adopted amendments to the various Laws of Ukraine (LUs) that address the protection of women against domestic violence². The government also repealed a Ministry of Health order which barred women from certain professions³, making an exception only for those jobs covered by the ILO Convention 45. The government also expanded the list of military positions allowed for women⁴.

Gender-sensitive legislation and regulations were advanced by the CMU through the adoption of an improved procedure of an anti-discrimination assessment (legal gender expert review) which is made obligatory for all pending legislation⁵.

Also, Ukraine's Ministry of Finance adopted guidelines on gender-responsive budgeting⁶, according to which participants of the budgeting process take into consideration gender aspects in planning, implementation and reporting.

Over the past five years, the government paid significant attention to the establishment of a new system for preventing and combating domestic violence and sexual harassment. However, despite the avid support for it by women's NGOs, the Parliament of Ukraine (Verkhovna Rada, hereinafter VRU) failed to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention) in 2018.

As the armed conflict created new categories of vulnerable citizens – like internally displaced persons (IDPs), the state has adopted several programs on the integration of IDPs to local communities and providing them with social security. Women IDPs were at the forefront of this policy, and strategic documents on IDP issues were developed as gender-sensitive.

Recent parliamentary elections and the formation of the new government (July-September 2019) increased women's representation in the legislative (from approximately 12% of all members of the Parliament to 22%) and executive branches of power (up to 35%).

What have been violations of rights?

The most serious violations of women's rights in Ukraine include failure to secure: 1) women's right to political, public and trade union representation; 2) women's right to paid work/employment, to equal pay for work of equal value, and the right of pregnant women and new mothers to social protection, in particular, for women facing multiple forms of discrimination; 3) women's reproductive rights.

Especially egregious is the failure to secure 4) the safety of women public figures and activists, several of whom were murdered in this reporting period, for example, the Kherson-based civil rights and anti-corruption activist Kateryna Handziuk, who was attacked with sulfuric acid and succumbed to her injuries; a human rights activist Iryna Nozdrowska, and others. While the Ministry of Internal Affairs (MIA) does not gather data on attacks on bodily integrity of female public figures and activists, human rights advocacy organizations do.

The rights of women to equal political, public and trade union representation are still far from secure. Whereas the percentages of women in parliament, in the oblast/rayon level councils, and in government positions are closely monitored and made public as SDG indicators of interest to both national and international institutions, the representation of women in civil society and especially in trade unions is not. The share of women in these bodies is not being monitored and remains low; the corresponding legislative norms regulating their operation do not track gender and fail to ensure women's participation.

² Laws of Ukraine "On Prevention of Domestic Violence" №2229-VIII, 2017; "On Amendments to the Criminal Code of Ukraine and to the Criminal Code of Ukraine to Implement Provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence" №2227-VIII, 2017.

³ Order of the Ministry of Health "On Recognition as Invalid of the Order of the Ministry of Health of Ukraine as of December 29, 1993 №256" as of October 13, 2017 №1254.

⁴ Law of Ukraine "On Amendments to Certain Laws of Ukraine on Ensuring Equal Rights and Opportunities of Women and Men during Military Service in the Armed Forces of Ukraine and Other Military Formations" №2523-VIII, 2018.

⁵ Procedure of gender-legal expert review approved by the Decree of the Cabinet of Ministers of Ukraine as of November 28, 2018 № 997.

⁶ Order of the Ministry of Finance "On Approval of the Methodological Recommendations on Implementing and Using the Gender-Responsive Approach in the Budget Process" as of January 02, 2019 №1.

Women and women's organizations are not adequately included in the processes leading to the development of state gender policies. Most of the state's (drafted and adopted) gender policy legislation did not allow for public consultation with the women's NGOs or undergo independent gender-legal expert review. Women community in Ukraine has limited opportunities to influence the policy the government is developing in cooperation with the donors "in the interests of women" but without the women's input.

Women's rights to paid work and equal pay for that work are regularly violated. Many women, particularly those over the age of 40, experience both direct and indirect discrimination in the hiring process, at the workplace and upon taking leave of employment. Women are subject to sexual harassment and other kinds of psychological violence in the workplace. Women are systematically underpaid for being women, and the gender pay gap is significant, exceeding 35% in some occupations. Women of reproductive age constantly experience discrimination based on assumed or expected pregnancy and family obligations. The rights of an employee with family duties is still poorly regulated. In practice, employers and business workplace culture continues to favor a single and childless male worker.

Women from groups subject to multiple forms of discrimination, like girls and women from rural areas and ethnic minorities, have critically few opportunities for gainful employment.

Social infrastructure (where it even exists) fails to meet the needs of working women. Social benefits awarded for the care of newborns do not approximate any sort of living wage, amounting to only 21-28% of a subsistence minimum.

During this reporting period, Ukraine has witnessed an attack on women's reproductive rights with pressure coming from a group of organizations forming a nationwide network embracing all of Ukraine's oblasts, and supported by several conservative-leaning MPs of the previous parliamentary convocation. They submitted draft legislation to criminalize abortion and conducted letter campaigns and mass rallies for "family values" to support their cause.

Many lawmakers in Ukraine consider this family values campaign to be an open challenge to Ukraine's commitment to gender equality policies. The pressure from the "family values" front is considered to be an aspect of the Russian Federation's hybrid war against Ukraine, and an attempt to thwart Ukraine's aspirations for European integration which are shared by a majority of the Ukrainian population.

What work, roles, or other activities have been prohibited or criminalized for women and girls?

At the end of 2017, laws barring women from a total of 483 professions were still in effect⁷. The professions in question were in the sectors of metallurgy, chemical engineering, transportation, work performed underground, among others. The Ministry of Health of Ukraine (MHU) retracted its ban, but the Labor Code of Ukraine still reflects sectoral norms, which regulate women's access to vocational training in these professions and to the vocational training system. In addition, Ukraine did not revoke ILO Convention 45 restricting women's employment in underground mines; and the section of MHU Order №256 on prohibiting women from this same kind of work remains in effect. However, Ukraine's ban on women training for and working in certain jobs in the military was lifted.

What are the obstacles to enjoy rights?

The 2018 annual report of Ukraine's Parliament Commissioner for Human Rights as well as reports by human rights advocacy NGOs point out that women are hindered from accessing their full rights to marriage, healthcare, employment benefits, protection from violence and discrimination, and justice in legal decisions. Low awareness of their rights, the complexity of litigation and the lack of information and awareness-raising campaigns about how women could get legal protection of their rights, are all obstacles to women's full enjoyment of their rights. Women suffering multiple forms of discrimination due to ethnic background or sexual orientation face even more serious obstacles to their rights, since they are still invisible for the legislative field.

⁷ Order of the Ministry of Health "On Approval of the List of Difficult Professions and Professions with Harmful and Hazardous Working Conditions, which Prohibit the Employment of Women" as of December 29, 1993 №256.

Does the government have gaps in data? If so, what are these?

Yes, it does. While gender-disaggregated data has been relatively available in medical and demographic statistics, and such data have become available for higher education and scientific sectors in the past two years, there are very big gaps in most other areas. There are gaps in the data on paid work, employment and professions, social services and social benefits; there is a lack of reliable data on gender-based violence. The lack of gender-disaggregated statistics and data prevents developing important sections of Ukraine's national and sectoral gender policies.

Some statistical data is gathered at the national level but due to the lack of local survey it is impossible to monitor the situation at the regional, oblast or rayon level. In August 2019, the CMU has issued "gender portraits" of Ukraine's oblasts, providing a comparison of 15 general indicators that can be monitored for men and for women. These included, for example, "Average age of women and men by type of settlement", "Average life expectancy at birth by sex and type of settlement", "Average monthly salary of women and men", "Economic activity of the population by age groups, sex and place of residence"⁸. These indicators are entirely inadequate for the purposes of developing appropriate gender equality policies. These data also fail to reflect in any way the situation of women facing multiple forms of discrimination, who remain invisible.

Unfortunately, the government does not commission research that might fill gaps in the data, despite the fact that Ukraine has a branched system of research institutions (under the umbrella of the National Academy of Sciences of Ukraine) and professionally trained researchers capable of conducting such data gathering.

Is there adequate allocation of resources for training, institutional coordination, monitoring and evaluation?

In 2017 the government started addressing the lack of gender policy coordination among Ukraine's

national institutions. To tackle this issue the Deputy Prime-Minister for European and Euro-Atlantic Integration of Ukraine was mandated with gender equality policy coordination. In addition, the position of the Government Commissioner for Gender Equality Policy was created. At the same time, institutional coordination is still not sufficient at the sectoral and local levels.

Most of Ukraine's national policy programs are conducted with the support of donor funds as pilot projects and this affects the stability of these initiatives. National gender policies have been developed without provision for monitoring and evaluation (M&E), which complicates any sort of impact assessment. The Ministry of Internal Affairs is the only exception, having built in a M&E mechanism for its sectoral plan for implementation of the UNSC Resolution 1325 on Women, Peace and Security. The only example to date of a feminist approach to policy development based on gender analysis and performance assessment through collection of sex-disaggregated data, was the Ministry of Finance document "Methodological recommendations on implementing and using the gender-responsive approach in the budget process" (January 2019)⁹. However, even this document's toolset is not detailed enough and as such is open to interpretation. The state takes no consistent steps to establish the feminist M&E system for the implementation of gender policy. Data are collected mainly for reporting but not for developing appropriate policies. This has to change if Ukraine is to implement a comprehensive gender policy.

What laws need to be changed?

Although the government started to develop its anti-discrimination legislation rather recently, Ukraine already has several basic laws addressing these issues: the LU "On Ensuring Equal Rights and Opportunities" (2005)¹⁰, LU "On the Principles of Prevention and Combating Discrimination in Ukraine" (2012)¹¹ and LU "On Prevention and Combating Domestic Violence" (2017)¹². The state has also begun to develop administrative laws (rules and regulations) for the enforcement of these laws. The 2018 LU "On Equal Rights and Opportunities"

⁸ Implementation of the State Gender Equality Policy. // Mode of access: <https://eu-ua.org/genderni-profil-25-oblastey-ukrayiny>

⁹ Order of the Ministry of Finance "On Approval of the Methodological Recommendations on Implementing and Using the Gender Responsive Approach in the Budget Process" as of January 02, 2019 №1.

¹⁰ Law of Ukraine "On Ensuring Equal Rights and Opportunities for Women and Men" as of September 08, 2005 №2866-IV.

¹¹ Law of Ukraine "On Principles of Prevention and Combating Discrimination in Ukraine" as of September 06, 2012 №5207-VI.

¹² Law of Ukraine "On Prevention of Domestic Violence" as of December 07, 2017 №2229-VIII.

underwent some amendments concerning domestic violence and still requires significant revisions.

Within the reporting period, sectoral laws began to incorporate the provisions declaring implementation of the principle of equal rights and opportunities in the sectoral regulation's sphere of effect. At the same time, most of sectoral laws are gender-blind, they have to be revised and updated.

The ratification of the Istanbul Convention remains a priority. Equally important are the adoption of a new Labor Code and the new Electoral Code. Ukraine's electoral laws need not only to provide rules for gender-balanced representation, but also penalties for non-compliance.

Are there public awareness programs about women's legal rights?

The government initiated the development and adoption of Gender Equality Communication Strategy (2018), with support from UN Women. It was discussed at the level of the line Ministries, but not yet adopted by the government. As a part of the implementation of the NAP CEDAW, the State TV and Radio Committee developed several public service announcements (PSAs) about equal access to professions.

However, most often, when adopting laws important for women (e.g. on combating domestic violence), the government does not plan and does not implement any awareness-raising programs.

2. Which of the following have been important for accelerating progress for women and girls in your country?

- Equality and non-discrimination under the law and access to justice
- Quality education, training and life-long learning for women and girls
- Poverty eradication, agricultural productivity and food security
- Eliminating violence against women and girls
- Access to healthcare, including sexual and reproductive health and reproductive rights
- Political participation and representation
- Right to work and rights at work (e.g. gender pay gap, occupational segregation, career progression)
- Women's entrepreneurship and women's enterprises

- Unpaid care and domestic work / work-family conciliation (e.g. paid maternity or parental leave, care services)
- Gender-responsive social protection (e.g. universal health coverage, cash transfers, pensions)
- Basic services and infrastructure (water, sanitation, energy, transport etc.)
- Strengthening women's participation in ensuring environmental sustainability
- Gender-responsive budgeting
- Digital and financial inclusion for women
- Gender-responsive disaster risk reduction and resilience building
- Changing negative social norms and gender stereotypes
- Other

As the analysis of the national gender equality policies shows, they are developed for the period of two to three years and as a rule come as a response to the recommendations received after reporting to the international institutions, thus, having a reactive nature. It is crucial that the state adopts a strategic gender policy document for a longer period, say, until 2030, which would include the recommendations of the Beijing Platform for Action, the CEDAW and the SDGs, and incorporate the results of the local expertise and analysis of the observance of women's rights.

Several directions were important for accelerating the advancement of the progress for women and girls:

Eliminating violence against women and girls

The full-fledged combating of gender-based violence (GBV) remains a task for the future, although it is crucial for women and girls in Ukraine.

Within the reporting period, the state has been working on the elimination of only one kind of violence – domestic. All other kinds of gender-based violence were pretty much ignored. The state did not consider and did not address violence and sexual harassment against girls and women in higher education institutions and at the workplace, violence in public transport and in public areas. It also did not address issues very important for a post-totalitarian country – different kinds of structural violence, including violence by state and non-state corporate actors, violence perpetrated by police, by private corporations and organized groups during public confrontations (with the use of hired thugs), or all varieties of political violence.

Women's participation in conflict resolution

The UNSC Resolution 1325 on Women, Peace and Security recommends the states to concentrate their attention on engaging women in conflict resolution, protection from violence caused by the conflict, conflict prevention and restoration of peace. It is important that the state policy address these four pillars for sustaining peace.

Women's entrepreneurship and women's enterprises

Ukraine ratified ILO Equal Remuneration Convention C100 more than 50 years ago, but until recently no (regulatory or practical) measures were taken to address the gender pay gap (especially the horizontal pay gap). Since 2018, the State Social Program on Providing Equal Rights and Opportunities for Women and Men until 2021 (hereinafter – State Program) and the NAP CEDAW have provided such measures. The State Program contains a separate objective (Objective 11 for “Reducing the pay gap between women and men”) which specifies measures for its implementation. The NAP CEDAW contains nine measures aiming to ensure the equality of women and men in paid work. The timelines for the implementation of these measures span the years 2019-2020-2021. Thus, there are no reports on them yet.

It is important, however, that the state is deploying measures to address the gender pay gap, which, according to the official data, is around 23%, and in some sectors – up to 35%¹³.

Both the labor market and the vocational training system exhibit a significant degree of segregation by sex. This discrimination is somewhat less pronounced in the field of preschool and secondary education. In the field of vocational training, however, sectoral bans are still being applied that prevent female access to those certain professions listed in the (now repealed) MHU Order №256. The 1998 LU “On Vocational Education and Training”¹⁴ is the only law governing access to education that does not provide a guarantee of non-discrimination by sex.

To free up time for women to develop their professional careers, the state should pay attention to programs of social and economic development to

benefit women: revise and optimize social benefits to new mothers, support the expansion of male participation in parenting, develop social and physical infrastructure serving women's interests (for example, preschools, extended after-school activities, transportation infrastructure, awareness-raising programs to dispel gender stereotypes about parenting roles, etc.).

The state should revise its approach to social benefits for women on maternity leave. Currently, the total benefit for uninsured women amounts to only 28.1% of an employable person's monthly subsistence minimum, not a sum sufficient for raising a child.

Urgent steps are required to redesign urban spaces, whose infrastructure is far from user-friendly for women with children and women with disabilities. This inaccessibility lays a significant burden on women and limits their opportunities for the participation in economic development. Even more urgently needed are infrastructural projects for women residing in rural and sparsely populated areas.

Women's economic development should become a priority of the state. Several donors supported pilot projects in this area – such as #SheExports¹⁵ – that have proven their effectiveness. It is feasible to gather best practices and introduce special temporary measures in the state's entrepreneurship development programs to support women entrepreneurs.

3. Over the past five years, has the state acted to prevent discrimination and promote the rights of women and girls who experience multiple and intersecting forms of discrimination?

- Women living in remote and rural areas
- Indigenous women
- Racial, ethnic or religious minority women
- Women living with disabilities
- Women living with HIV/AIDS
- Women with diverse sexual orientations and gender identities
- Younger women

¹³ Average monthly salary by sex and type of economic activity for a quarter of 2019 // Mode of access: <http://ukrstat.gov.ua/>

¹⁴ Law of Ukraine “On Vocational Education and Training” as of February 10, 1998 №103/98-BP.

¹⁵ Program #SheExports // Mode of access: <https://epo.org.ua/sheexports/>

- Older women
- Migrant women
- Refugee and internally displaced women
- Women in humanitarian settings
- Other

The state has taken a positive step by including several categories of women facing multiple forms of discrimination into Ukraine's national gender equality policies. The NAP 1325, the State Program, and the NAP CEDAW all include discrete measures to improve the status of rural women, Roma women, and women IDPs. Measures to improve the status of LGBTIQ women and women with disabilities are still unaddressed.

In October of 2018, the VRU conducted Ukraine's first parliamentary hearing on the "Prevention and combating discrimination of women from vulnerable social groups." Unfortunately, the VRU succumbed to pressure from anti-gender groups within the ranks of its own membership, and did not approve the recommendations of this hearing.

Rights of women with disabilities have been only partially addressed. In December of 2016, Ukraine adopted an action plan to implement the recommendations set out in the "Concluding Observations of the United Nations Committee on the Rights of Persons with Disabilities"¹⁶. This plan includes measures to improve the access of women with disabilities to healthcare services. Women activists point out, however, that the plan's implementation has been inadequate, and it is difficult to monitor the results. Moreover, women with mental disabilities and mothers of children with mental disabilities constitute a category that remains invisible to the workings of state policy on persons with disabilities.

Women's rights activists emphasize that not all women and girl-victims of violence have realistic access to special institutions for victims of domestic violence (centers of sociopsychological assistance, the centers for mother and child, centers of medical and social rehabilitation for victims of domestic violence, crisis centers, shelters for women and shelters for children). Since 2018, there are shelters for women victims of domestic violence ready to serve women with disabilities, but not all these

shelters are wheelchair accessible or otherwise lack accommodation for disabilities. There are limitations concerning women's age, age and number of children, women using substances, lack of conditions for women with disabilities, the red tape, payment for services, the limited length of stay, the shelter's address disclosed (violation of the anonymity of stay), inconvenient location of the shelter, untrained personnel, lack of information about the shelter. That is, there are many potential obstacles both at the formal level and in access to the existing services. This makes it impossible to provide quality assistance to many women in need.

In 2013, the government adopted the Strategy of protection and integration into Ukrainian society of the Roma ethnic minority until 2020 and the Action Plan for its implementation. Unfortunately, neither document is gender-sensitive. Even though Roma women's human rights advocacy organizations report multiple barriers uniquely faced by Roma women, Ukraine's Action Plan does not list any specific measures targeting Roma women's particular needs. These needs include such basics as access for Roma women to primary identification documents (internal passports or identity cards) for themselves and their children. Roma women (as compared to Roma men) are more frequently unemployed. Roma girls (as compared to Roma boys) have a lower rate of secondary school graduation, and are more likely to enter earlier into marriage, when compared to girls from other ethnic groups, which contributes to secondary school drop-out rates and a pattern of early child-bearing.

The CEDAW Committee included this last issue in its March 2017 recommendations to Ukraine's eighth periodic report. Ukraine's NAP CEDAW contains educational measures to combat early marriages and support education and employment of Roma girls and women. The issue of domestic violence in Roma families and of the special Roma courts is a closed topic – it is not even discussed neither at the state level nor by the NGOs.

There are no measures included in the state's sectoral agricultural development programs that would strengthen the rights of rural women. The state did not develop a separate policy to address poverty among rural women. No measures are in

16 Decree of the Cabinet of Ministers of Ukraine "On Approval of the Action Plan for the Implementation of the Recommendations set forth in the Concluding Observations Provided by the United Nations Committee on the Rights of Persons with Disabilities to the First Periodic Report of Ukraine on the Implementation of the Convention on the Rights of Persons with Disabilities up to 2020" as of December 28, 2016 №1073-p.

place to enhance the access of rural women to justice, housing, land ownership and usage, official employment, skills training and opportunities for education, income generation projects and microloan programs, despite the fact that all of these were recommended by the CEDAW committee (paragraph 41) in March 2017.

In Ukraine, there are pilot initiatives on the development of women's dairy and plant-growing cooperatives with the support from donors, but their best practices need to be collected and scaled up to the national level. At the time of the submission of this Report, the Ministry of Agrarian Policy and the Ministry of Economic Development have been merged, and this poses a risk that the protection of rural women's rights might potentially fall outside of the government's formal attention.

As mentioned earlier, the rights of LGBTIQ women are invisible for the legislation of Ukraine. There are no legal ways to register a marriage or a civil partnership, which affects the right of custody over their children and the protection of their rights in court. The Law "On Combating Domestic Violence" contains no means of protection for women in single-sex partnerships. Peaceful gatherings for the rights of LGBTIQ persons are attacked by organized groups, and police classify these attacks as hooliganism, not as hate crimes that they actually are, based on homophobia and transphobia. This is a violation of the right to peaceful assembly and freedom of expression. Women activists report cases of discrimination based on sexual orientation in the workplace, and frequent cases of sexual harassment at work against lesbians, bisexual, and transgender women.

Furthermore, the draft national program for combating HIV infection/AIDS, which was to be launched for the years 2019-2023, was discussed with the participation of NGOs of women who live

with HIV and incorporated special measures for affected women, but at the time of this writing, has not yet been adopted.

The military conflict fomented by the Russian Federation in 2014 has caused the emergence of one more vulnerable group in Ukraine – women IDPs. Ukraine's war-displaced women faced the problems of unemployment and finding a place to live. For the protection of the rights of IDPs, and women in particular, the government adopted the Strategy for integration of internally displaced persons¹⁷. The government also adopted an Action Plan to implement the Strategy¹⁸. The measures included in this Strategy were developed taking gender into account, but there is no plan for monitoring its implementation.

4. Have conflicts, climate-induced or other disasters or other events affected the implementation of the BPfA/CEDAW in your country?

The hostilities related to the temporary occupation of parts of Donetsk and Luhansk oblasts by the Russian Federation brought about a new type of violence – sexual violence related to the conflict, which requires the state to take measures and to create a coordination mechanism for combating and responding to such cases.

In addition to women IDPs, another category of women emerged in the context of the aggression on Ukraine – women-veterans. This category also calls for the government's attention and necessitates programs for the specific needs and re-socialization of female veterans.

Problems and perspectives of strengthening protection of right of these groups are described below.

¹⁷ Decree of the Cabinet of Ministers of Ukraine "On Approval of the Strategy of Integration of Internally Displaced Persons and Implementation of Long-Term Solutions to Internal Displacement until 2020" as of November 15, 2017 №909-p.

¹⁸ Decree of the Cabinet of Ministers of Ukraine "On Approval of the Action Plan for Implementation of the Strategy of Integration of Internally Displaced Persons and Implementation of Long-Term Solutions to Internal Displacement until 2020" as of November 21, 2018 №944-p.

Section Two.

PROGRESS ACROSS THE 12 CRITICAL AREAS OF CONCERN

INCLUSIVE DEVELOPMENT, SHARED PROSPERITY AND DECENT WORK

5. What actions has your country taken to advance gender equality in relation to women's role in paid work and employment?

Ensured the same employment opportunities for women as men, including the application of the same criteria for selection in matters of employment

Measures for ensuring the rights of working women and enhancing gender-sensitive policy in the labor market were included in the State Program for equal rights and opportunities that was adopted in 2018 upon the initiative of Ukraine's women's organizations. The State Program lists a wide range of measures (fourteen activities) targeting equality in the labor market: awareness-raising campaigns, trainings for employers and staff of the State Employment Service and State Labor Service of Ukraine (State Labor) regarding prohibition of sexism and both direct and indirect discrimination of women, development of instructions, tools for labor inspectors, gender-sensitive employment programs to engage women in productive work, gender audit of enterprises both in the public and private sectors, etc.

These measures are to be applied in 2019-2020, results pending.

Despite specific legislative provisions for equality in employment, women still face discrimination when looking for work and when employed. According to the Gender Committee of the Confederation of Free Trade Unions (CFTU) of Ukraine, it is not uncommon for women to be required to submit upon hire a resignation notice with an open date. Employers often discriminate against women for potential pregnancy and taking of maternity leave, or other guarantees to protect motherhood, as provided by

law. Other frequent grounds for discrimination in the labor market include age, disability, HIV status, or the status of an IDP.

In a survey of its members conducted by JurFem, the association of women lawyers of Ukraine, 63.3% of the respondents reported being refused employment due to their sex or childcare responsibilities, and 65.3% of them noted being denied promotion for the same reasons. This research covered the experience of discrimination in only one professional sector, but similar tendencies can be observed in other employment spheres as well.

Women show a lower level of economic activity and employment than men do. According to the State Statistics Service of Ukraine (SSS), in May 2019 there were 25% more women registered as unemployed than men. Unemployment statistics calculated by using techniques followed by the International Labor Organization (ILO) for the same period compared women's unemployment (8.6) to men's (10.4). Women's wages in Ukraine is by 20-30% lower than men's¹⁹. The numbers reflect the fact that women in Ukraine are widely engaged in part-time, temporary, or shadow employment.

According to official statistics, women's wages in Ukraine are up to 35% lower than those of men. Several legislative initiatives to remedy this situation were submitted to the VRU. The parliamentary Inter-Faction Union (IFU) "Equal Opportunities Caucus" included this issue in its agenda.

Strengthened / enforced laws and workplace policies and practices that prohibit discrimination, including on the grounds of marriage, pregnancy or maternity in the recruitment, retention and promotion of women in the public and private sectors, and equal pay legislation

After years of being disregarded, the issue of equal pay for the work of equal value for women and men

¹⁹ State Statistics Service: Men in Ukraine Earn Almost a Third More than Women. UNIAN, December 4, 2017.

finally began to emerge in the political agenda in Ukraine. As early as in 2014-2016, this issue was mostly disregarded in governmental programs and in legislature, as well as in donors' projects²⁰, and recently some progress has been made. Since 2018, the State Program on Equal Rights and Opportunities and the National Action Plan for the implementation of CEDAW have included objectives and corresponding measures for their achievement. Objective 11 of the State Program addresses "Reduction of the gender pay gap" and prescribes four measures; nine measures towards gender equality in paid work are prescribed by the NAP CEDAW. The measures are to be applied in 2019-2021.

Throughout 2017, MPs Svitlana Voytsekhovska and Iryna Suslova, members of the parliamentary IFU "Equal Opportunities Caucus", ran a successful public media campaign, in keeping with the NAP CEDAW, for the repeal of the Ministry of Health Order №256 (1993) which bars women from 483 professions. The CEDAW Committee also suggested Ukraine repeal this Order²¹. The Order was finally rescinded by the MHU on May 30, 2018, except for jobs classified under ILO Convention №45 (concerning work in the mines) that are still off-limits to women.

In March 2019, the public alliance Women's Political Action, an initiative of the Equal Opportunities Caucus, called for a draft law on the equalization of pay for men and women, as guaranteed by Ukraine's Constitution²².

In response to the ratification (September 2017) of the EU-Ukraine Association Agreement, trade union activists and gender experts from the "Coalition for equality and non-discrimination in work" worked in 2017-2019 to examine and propose changes to Ukraine's laws to ensure equality of women and men in access to paid work as one of the requirements of the Association Agreement²³.

Donors' projects have been somewhat re-oriented as well. In 2018, ILO launched a 5-year project on "Inclusive Labour Markets for Job Creation in Ukraine".

While the project does not specifically address women's labor rights, it does include measures connected to ratification of ILO Convention №183 "On Protection of Maternity." Generally, the project aims to improve labor market management, and develop professional skills of both men and women.

On March 12, 2019, ILO launched a two-year project "Wages in Ukraine: Technical Assistance to Address Wage Arrears, Set Minimum Wages and Equal Remuneration." One of its three components is "Providing equal remuneration for the work of equal value and closing the gender pay gap"²⁴. This project steers a tripartite constituency (the government, trade unions and employers) towards resolution of issues related to several ILO conventions (№95, 131, 173, 100, 111). However, there is no provision for cooperation with women's NGOs and the organized women's movement to compensate for the lack of women represented among stakeholders of the project. This means that the women's movement organizations lose an opportunity to get engaged more directly with the issue of women's labor and social rights.

Even though the "Government of Ukraine-United Nations Partnership Framework for 2018-2022" declares that "gender inequality in economic opportunities, as well as discrimination in recruitment and at work have limited women's access to employment, income and career promotion," the issue is still not effectively prioritized.

In the meantime, women's access to decent work in Ukraine is still limited, and women still face discrimination when looking for employment.

Ukrainian legislation does not provide for effective protection of workers in case of violation of the norms regarding equal wages. In practice, these disputes are resolved on a case-by-case basis or through trade unions. Legal counsel is problematic because lawyers often lack training in equal pay and labor rights principles, in which trade union activists are much better versed.

²⁰ Alternative Report on Ukraine's Implementation of the Convention on the Elimination of All Forms of Discrimination against Women: Eighth Periodic Report / Edited by M. Skoryk. – Kyiv: CO CC «Kyiv Gender Studies Institute», 2017. – 60 pages. – Article 11.

²¹ Concluding Observations on the Eighth Periodic Report of Ukraine: Committee on the Elimination of All Forms of Discrimination Against Women, March 3, 2017, observations 36b, 37c. // Mode of access: <http://www.mil.gov.ua/content/gender/CEDAW-Concluding-Observations-UKR.pdf>

²² Manifest of Women's Public Alliance // Mode of access: <https://www.facebook.com/GromadskyiAlyans/posts/329083187736076>

²³ "Government and Business: Are There Prospects for Implementation of Non-Discrimination Norms in the Ukrainian Labor Market?". Resolution of the International Conference. – Kyiv, November 3, 2017 // Mode of access: <https://is.gd/t9hcis>

²⁴ ILO Draft Open on Issues of Labor Remuneration in Ukraine and Address Wage Arrears. – Profspilkovi Visti (Trade Union News), №1008. – June 26, 2019.

One crucial problem is that close to 35 per cent of Ukraine's working men and women receive their wages (totally or partially) as an informal "envelope salary," complicating efforts to establish documentation and regulation of equal pay for work of equal value.

In 2018-2019, the JurFem association partnered with the Coordination Centre for Legal Aid Provision to conduct a training program in the recognition of gender discrimination in labor disputes. The program, offered to both male and female lawyers, including lawyers from the pro bono legal assistance system, familiarized the trainees with the algorithm of providing legal assistance. JurFem developed guidelines for identification of gender discrimination in labor, family and criminal disputes, and advocated for the approval of these guidelines by the Ministry of Justice of Ukraine (MJU). By the end of September 2019, an online course on identification of gender discrimination and on the mechanism of providing legal assistance will be launched, and it will be available not only to lawyers, but also to the public.

Cases of gender discrimination in labor disputes are extremely widespread, as the discriminatory norms of the Code of Laws on Labor of Ukraine are still in effect, namely, Articles 174, 175, and 176, which ban women from working at night or from being sent on business trips if they have children under three years of age. Still, there is virtually no judicial practice regarding protection of women against gender discrimination in labor disputes.

Taken measures to prevent sexual harassment, including in the workplace

In recent years, the government has begun to take measures to prevent sexual harassment and sex-based violence in the workplace.

In 2018, the Ministry of Social Policy (MSP) of Ukraine started to develop guidelines for the inclusion of language regarding gender equality in labor relations in master contract, sectoral (regional) contracts, and collective agreements, language which would also cover combating sexual harassment in the workplace. The MSP is expected officially to approve the finalized draft of these guidelines by the end of 2019.

In 2019, the Ministry of Internal Affairs is on track to adopt "Guidelines on submission, registration, review and response to complaints regarding sex-based discrimination and sexual harassment in the National Guard of Ukraine" and three manuals: "Instruction on measures of control over submissions from citizens regarding sex-based discrimination and sexual harassment in the National Guard of Ukraine", "Instruction on appeal mechanism for sex-based discrimination and sexual harassment in the National Guard of Ukraine" and "Instruction on submission, registration, review and response to complaints regarding sex-based discrimination and sexual harassment in the National Guard of Ukraine."

The National University of Kyiv-Mohyla Academy (NaUKMA) developed and adopted a policy of prevention and combating of sexual harassment²⁵.

The VRU of the eighth convocation (November 2014-July 2019) registered three draft laws (10118, 10118-1, 10118-2) on combating and prevention of mobbing (i.e. the bullying of an individual by a group). These laws would obligate employers to combat and prevent mobbing and to take administrative responsibility for mobbing. In addition, they provide a legal definition of mobbing and require the inclusion of sections on mobbing prevention in various collective agreements and contracts. The prospects for the adoption of these draft laws depend entirely on the new Parliament (VRU of the IX convocation), which began its work after the parliamentary elections on July 21, 2019.

The government has taken no further measures on combating sexual harassment beyond the legislative sphere. The government's measures on the issue are isolated, not systemic, and do not cover the institutions where such harassment is taking place or may take place. However, even this is a start.

The government's attention to the issue of sexual harassment in the workplace was called out by a public campaign on combating abuse against women – the large-scale nationwide flash mob that took place in 2016 under the hashtag #IAmNotAfraidToSay (Ukraine's #MeToo). The flash mob began with a Facebook post by Nastia (Anastasia) Melnychenko, who shared her experience as a sexual violence survivor and urged other women

²⁵ Order of NaUKMA "Policy of Prevention and Combating Sexual Harassment" as of 28.12.2018 №575.

and men to share their stories. Opinion leaders and mass media promptly picked it up and it spread to neighboring countries. The flash mob brought to public attention numerous personal stories, including those of harassment and gender-based violence in the workplace. This persuaded the government of the gravity of the issue and urged it to begin addressing it.

The current legislation of Ukraine on combating sexual harassment is limited to a statement that the employer is obliged to take measures to prevent and protect the staff from sexual harassment and other manifestations of GBV (Article 17, Law of Ukraine "On Providing Equal Rights and Opportunities for Women and Men," 2005).

As a rule, women find it difficult to prove the facts of sexual harassment that took place one-on-one, and under circumstances that usually make it impossible to record an audio or video of the incident. According to the CFTU Gender Committee, women also fear libel lawsuits and pressure from management. Gender equality activists of the "Nuclear Trade Union" report that few cases of workplace sexual harassment are officially registered because the victims are afraid of losing their jobs. Women even hesitate to turn to their trade union committee if it is headed by a man.

Although trade union lawyers are prepared to handle such harassment cases, there is still a lack of reliable legislative mechanisms. Currently there are no opportunities to prove a direct cause-and-effect link between workplace biases and an employee's work experience. Thus, trade union activists believe it is important to conduct joint training of the administration and trade union committees on how to respond to cases of sexual harassment and sex-based violence in the workplace.

Access to justice for women subjected to sexual harassment is an urgent problem. The first Ukraine-wide Forum of Women Lawyers organized in 2018 by JurFem listed the various challenges and obstacles faced by women who have been subjected to sexual harassment. Foremost is the problem of the absence of a unified court practice for sexual harassment cases. In the last three years, there has been no court decision listed in the Unified State Register of Court Decisions under Article 154 (pertaining to forced sexual gratification) of the Criminal Code of Ukraine (CCU). Additional problems are related to the fact that sexual harassment cases are closed at the pre-trial investigation stage, partly due to the lack of

effective investigation mechanisms and partly because law enforcement officers do not understand these crimes to which there are usually no witnesses; the fact that the victim is subjected to re-stigmatization by officers of the court and law enforcement; the fact that the victims may not recognize the occurrence of sexual harassment and do not identify the act as such, and they have no knowledge of the algorithm of combating sexual harassment; and the fact that widely-held gender stereotypes, bias against the victim, psychological pressure, and general tolerance of sexual harassment all together serve to perpetuate the latency of sexual harassment and feed the victim's reluctance to ask for help.

Most criminal proceedings under CCU Article 154 are closed due to ineffective investigation. We recommend the following measures: to introduce unified legal definitions of terms for sexual harassment; to develop clear legal mechanisms for the prosecution of sexual harassment and effective sanctions for the crime. It is important to develop procedures for proving a sexual harassment claim and articulate it in a regulatory document.

Provided social security for women, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave

Roma women are in an especially difficult situation: as a rule, they tend to be officially unemployed, and because of the lack of education, experience and/or personal documents, they are effectively excluded from this part of the social security system.

Improved financial inclusion and access to credit, including for self-employed women

There is no program of microloans for women. Loans remain inaccessible, especially for women suffering from multiple discrimination, like rural women or Roma women, who have no official or permanent work.

The banking sector commonly practices discriminatory profiling, by ethnicity and sex, as well as by other criteria.

Supported the transition from informal to formal work, including legal and policy measures that benefit women in informal employment

In response to a barrage of cases citing violations of workers' rights, the CMU issued in September 2018

a Decree “On Measures to De-shadow Relations in the Sphere of Employment of the Population”.²⁶ The Decree initiated a one-month awareness-raising campaign on the importance of officially registered work and instructing ministries and departments to review and strengthen laws governing formal registration of labor relations. These documents do not treat women as a separate category, but the problem affects them urgently. “If this is not done right away, these people will be receiving minimum pensions», explained the Prime Minister. As of August 2019, the government has adopted a new procedure that allows supervision and control over observance of the labor legislation, including the right granted to inspectors to issue a warning when violations are identified.

Since 2017, the EU-ILO project “Enhancing the Labor Administration Capacity to Improve Working Conditions and Tackle Undeclared Work” has supported the efforts of the MSP and State Labor, but without addressing women’s issues directly. The websites of the responsible agencies offer general information about the advantages of official employment and the long-term disadvantages of performing undeclared work. This awareness-raising did not however address the employment of women per se, being geared to the general working public.

Devised mechanisms for women’s equal participation in economic decision-making bodies (e.g. in ministries of trade and finance, central banks, national economic commissions)

Despite legal guarantees of equal opportunity, Ukraine exhibits a marked degree of vertical gender segregation. The Gender Gap Index of 2018 showed that there are only 70 women for every 100 men in higher level positions (legislators, senior officials and managers)²⁷. Economic institutions have not developed any special mechanisms for equal participation in decision-making by women, especially from ethnic minorities or vulnerable populations. The LU “On State Service” adopted in 2015 provides for non-discriminatory access to public service, but does not contain a separate norm of sex-based equality. These norms do not cover the business sector. The state did not develop any bylaws on equal participation of women in decision making in economic institutions within the reporting period.

6. What actions has your country taken in the last five years to recognize, reduce and/or redistribute unpaid care and domestic work and promote work-family conciliation?

Included unpaid care and domestic work in national statistics and accounting (e.g. time-use surveys, valuation exercises, satellite accounts)

The gap between the time spent on unpaid care (of children and other relatives) and domestic work of women in comparison to men was included in the list of indicators pertaining to the gender equality goal (Goal 5) of the Sustainable Development Goals. Still, the SSS did not collect statistics on hours spent in unpaid domestic work, despite the urging of women’s groups and trade unions since 2009 and despite the lack of any other mechanism to gather this data. Currently, the «development of the technique and conducting research on the ratio between women’s and men’s load of unpaid domestic work, namely, housekeeping, caring for children and other relatives” is one of the objectives listed in the State Program. The topic is to be addressed in 2018-2020 by the Ministry of Social Policy, the State Statistic Service and the National Academy of Sciences of Ukraine.

Expanded childcare services or made existing services more affordable

Over the last five years, the government has been developing measures to better balance family and professional life in anticipation of the EU-Ukraine Association Agreement (effective September 1, 2017), since the agreement directives №92/85/EEC, 96/34/EU, 2004/113/EU, 79/7/EEC and 2006/54/EU refer to gender equality with respect to: parental leave, family-work balance, equal access to goods and services, social security, and employment; safe work conditions for pregnant women and new mothers, among other issues.

The government had prepared draft laws for the implementation of these directives, but they were recalled or withdrawn in April 2016. The VRU has now a draft law “On Amendments to Several Legislative Acts of Ukraine on Additional Guarantees Related to Balancing Family and Labor Duties”²⁸,

²⁶ CMU Decree “On Measures to De-Shadow Relations in the Sphere of Employment of the Population” as of September 05, 2018 №649-p.

²⁷ The Global Gender Gap Report 2018 // Mode of access: <https://www.weforum.org/reports/the-global-gender-gap-report-2018>

²⁸ Draft Law of Ukraine “On Amendments to Several Legislative Acts of Ukraine on Additional Guarantees Related to Balancing Family and Labor Duties” as of 05.09.2018 №9045.

which despite its name, does not actually provide any additional guarantees, but rather extends paternal right to a reduced work day, or part-time work, and limited night/overtime hours, among other details. Another draft law “On Amendments to Several Legislative Acts of Ukraine on Regulation and Legalization of Employment of Domestic Workers”, intended to address childcare, was submitted to the VRU, but ended up recalled by the CMU also in April 2016.

In June 2019, the MSP developed a draft law “On Amendments to the Code of Laws on Labor of Ukraine (regarding flexible work arrangements).” It establishes a category of persons who will have priority in entering flexible or remote work contracts – disabled persons, or parents of children with disabilities, for example. The prospects for passing this law are vague, thus the legal regulation of care services in Ukraine, remains unchanged.

If a new mother does not want to leave her work and does not take her three-year parental leave, and instead chooses to combine work and maternity, the national legislation supports this. The Code of Laws on Labor has a norm (Article 186), requiring enterprises and organizations with many women employees, to provide childcare facilities, rooms for breastfeeding and women’s personal hygiene. This norm lacks a mechanism for practical implementation and provides no sanctions for failure to implement it, which incapacitates it. So, the issue of creating conditions at work for employees-mothers depends purely on the employer’s good will.

As detailed in the governmental project “Providing Social Security and Responsible Parenthood in Ukraine”, “expansion of childcare services was projected to cost USD 25 million²⁹. Starting in September 2018, the project has issued to every new mother a “baby box” of basic supplies for the newborn. In addition, this project provides for a blood test for the TORCH group of perinatal infections for those submitting marriage applications; and participation in the “Municipal Nanny” program³⁰ through which reimburses parents for payments to babysitters (for child up to 3 years old) in the amount of UAH 1.500 (UAH 1.626 as of

January 2019 (approximately USD 55) monthly. This government-funded project was initiated by UNICEF.

By and large, the care and domestic labor of Ukrainian women constitutes another invisible sector of activity – the Ukrainian society traditionally expects women to perform these duties and does not count them as work. Women strive to fulfill care duties by reducing hours of paid employment, agreeing to lower-paid work that offers more free time, or giving up employment altogether. According to the expert data, on average Ukrainian women spend around 31,2 hours a month on domestic labor, and a significant part of this labor is devoted to caring for children, elderly and other incapacitated members of their families³¹. For employers, this often is a negative factor when women apply for jobs. This hinders women from work commitment, building careers, seeking economic opportunities, establishing income and social protection benefits. This feeds a vicious cycle in which women do not have enough income to afford childcare services and are forced to care for the young and elderly themselves, often dropping out of the workforce to do so.

Ukraine’s rural areas suffer a total lack of infrastructure, with many villages having no kindergarten, school, drug store, infirmary or other amenities. In the urban areas, kindergartens and schools are overcrowded, especially those cities and regions that have accepted families of internally displaced persons. Many features of urban space (buildings, public transportation, etc.) are not “infrastructurally friendly” and accessible for women with children. The balance of work and family life requires systemic development of high-quality and affordable care services and care infrastructure. This includes nurseries, kindergartens, schools and medical institutions, care institutions for people with disabilities and elderly people, and the system of social assistance for families in difficult circumstances, etc.

The lack of places in kindergartens (especially in big cities) leads to the corruption schemes. To combat this phenomenon and secure equal conditions for parents, the cities introduce online registration for kindergartens, and since 2018, Kyiv initiated linking this registration to blockchain to make it impossible to manipulate the data. Kyiv City State Administration together with its

²⁹ Registration №3919 in the Ministry of Economic Development and Trade. Donors: UNICED and UNOPS (UN Office for Project Services). The implementation timeline: 1.07.2018 – 1.06.2020.

³⁰ CMU Decree «On Procedure of Reimbursement of the Babysitting Services for Children Under Three “Municipal Nanny”» as of January 30, 2019 №68.

³¹ Malys L.O. Involvement of Women and Men to Household Chores in Ukraine and Other European Countries: cross-cultural study // Mode of access: http://nbuv.gov.ua/UJRN/Grani_2018_21_1_6

partners (NGO Kyiv Smart City and the Friedrich Ebert Foundation Office in Ukraine) are promoting the innovative technologies to secure social justice, in particular, in access to social services, which will enable mothers and fathers to return to the labor market.

In July 2019, a unique (first of its kind) organization the “Domestic Employees’ Union” was created and registered in Ukraine as an NGO (not a union, despite its name). It unites about 50 domestic workers, who offer childcare services. This NGO’s goal is acknowledgment and advocacy for socioeconomic rights of domestic workers at the national level, support and protection of domestic workers’ rights in Ukraine.

Expanded support for frail elderly persons and others needing intense forms of care

In January 2019, a law was adopted establishing a new system of social services (LU “On Social Services”), laying out the types of available services, their organization, and funding. Under this law, social services are to be extended to people in difficult circumstances, such as old age, partial or complete loss of motor activity and/or memory; incurable or long-term disease, homelessness, unemployment, poverty/insufficient income, loss of social connections, and also important for women’s rights, GBV/sex-based violence, domestic violence, being trafficked, among others. This LU stands out for its supplying a list of regulatory acts, which guide and enable the practical implementation of its provisions. This law will be effective as of January 2020.

This law, however, has its limitations: it will be of more use for urban women living in the locations with the developed system of institutions, and of significantly less use for women living in villages and small towns. One third of women of Ukraine live in rural communities.

Introduced or strengthened maternity/paternity/parental leave or other types of family leave

In May of 2017, the Parliament adopted a long-awaited law that prevents fathers from avoiding payment of child support³². For a long time, non-

regulation of this issue meant that women were precariously dependent on ex-husbands, who were able to avoid child support obligations by switching to “shadow salary” arrangements on the job. This had become a regular practice and in more than 80% of child support cases, resulted in the lowering of payment amounts and decrease in the frequency of child support payments being made at all.

In the last few years, several other legislative initiatives appeared. In February 2019, the VRU considered a draft law, which provided paid parental leave – up to 10 days – for new fathers³³.

In 2016, the government conducted an audit of social assistance available to single mothers. The audit aimed to “reconfigure the system of providing assistance to single mothers depending on family income.” Based on the results of this audit, only 400 thousand of the 600 thousand women receiving this benefit before January 2016, were eligible to re-register for it, cutting aid to 200 thousand mothers³⁴.

Maternity assistant payments for all new mothers are still calculated based on their official and not actual salaries, and their official salaries are, as a rule, minimal, especially in the case of young mothers.

The Social Insurance Fund does not cover sick leave and maternity leave payments in a timely fashion. According to the trade unions’ data, as of July 2019, the arrears are almost two months, even though the legislation clearly sets the timeline for issuing sick leaves and payments. For example, the Social Insurance Fund must process the sick leave on pregnancy and childbirth within ten days of receiving it.

Invested in time- and labor-saving infrastructure, such as public transport, electricity, water and sanitation, to reduce the burden of unpaid care and domestic work on women

No. Such measures were not taken.

³² Law of Ukraine “On Making Amendments to Several Regulatory Acts of Ukraine on Improved Protection of the Child’s Right for Proper Support by Improving the Child Support Collection Procedure” as of 17.05.2017 №2037-VIII.

³³ Draft Law of Ukraine «On Making Amendments to Article 17 of the Law of Ukraine „On Leaves”» (on paid paternal leave after the birth of a child) as of 27.02.2019 №0099.

³⁴ Alternative Report on Ukraine’s Implementation of the Convention on the Elimination of All Forms of Discrimination against Women: Eighth Periodic Report / Edited by M.Skoryk. – Kyiv: CO CC «Kyiv Gender Studies Institute», 2017. – 60 pages. – Article 13.

Promoted decent work for paid care workers, including migrant workers and domestic workers

The predominant majority of domestic workers are women. The national labor legislation does not regulate the labor of domestic workers. The only exception is the recent, launched in 2019, government program «Municipal Nanny», one of whose objectives is to regulate women's labor of childcare and make it official.

The domestic workers' tasks in many cases are the same household chores family members perform at home. But these relations are labor ones. In most cases, labor relations between domestic workers and their employers are not officially registered. The invisibility of housework hinders its regulation. Domestic workers face a lot of problems: excessive working hours; considerable physical activity; exclusion from the healthcare services, lack of protection against dismissal in case of pregnancy and childbirth; «lack of representation» in collective bargaining, etc. Another widespread hazard for domestic workers is violence at workplace – both physical and psychological.

Introduced/ strengthened programs that address the particular problems faced by rural women including their work in the non-monetized sectors of the economy

No.

Such measures were not taken. Introduced legal changes regarding the division of marital assets or pension entitlements after divorce that acknowledge women's unpaid contribution to the family during marriage

Such changes were not introduced.

7. Has your country introduced austerity/ fiscal consolidation measures, such as cuts in public expenditure or public-sector downsizing, over the past five years?

Yes, the state did introduce austerity measures. They were exhaustively covered in the corresponding section in the National Review (pages 41-42). NGOs do not provide additional information on the issue.

Have assessments on their impact on women and men been conducted?

No impact assessment has been done. Neither forecast nor actual gender impact was assessed, and the government/CMU decrees³⁵⁻³⁶ do not specify, how such an assessment should be done. This means that the assessment of gender impact becomes a purely subjective one, depending on the competence of the official preparing this or that regulation act. For instance, in 2016, the government reviewed and cut down social assistance to single mothers; it ignored other categories of people receiving benefits and their payments were not reviewed or not cut down. It is crucial to have a clear, unambiguous, acknowledged technique already practiced in other countries to assess gender impact.

Are austerity measures on women also affected by rising conservatism and political ideology of the state?

No.

Are cuts in budget and expenditure for social measure due to rise in budgets for defense and military?

Yes.

³⁵ CMU Decree №326-2018-n as of 18.04.2018, «On Making Amendments to the Standing Order of the Cabinet of Ministers of Ukraine», and Appendix 4 (para. 1, §50), Appendix 11.

³⁶ CMU Decree «On the Issue of Legal Gender Expert Review» №997-2018-n as of 28.11.2018.

POVERTY ERADICATION, SOCIAL PROTECTION AND SOCIAL SERVICES

8. What actions has your country taken over the last five years to reduce/eradicate poverty among women and girls?

Promoted poor women's access to decent work through active labor market policies (e.g. job training, skills, employment subsidies, etc.) and targeted measures

These issues were not a priority in the last 5 years. The key document, the Strategy for Overcoming Poverty (the CMU Order as of March 16, 2016 №161-p), supplemented by the government's annual plan for its implementation, lays out several objectives, but lacks a comprehensive approach. For instance, the draft guidelines on the inclusion of women's rights/gender equality in collective agreements³⁷, refers only to agreements on the level of the business enterprise. The guidelines do not address territorial or general agreements which would determine social policy on labor rights at the regional and national levels, which would be more appropriate.

Ukraine ratified the Revised European Social Charter December 21, 2006, accepting 76 of the 98 paragraphs of the Charter. However, Ukraine still has not joined in the key social obligations of that Social Charter. Some of the articles Ukraine did not accept are Article 2 paragraph 3 "The right to just conditions of work"; Article 4 p. 1 "The right to a fair remuneration"; Article 12 pp.1-4, "The right to social security", Article 13 "The right to social and medical assistance."

The work in the sphere of social security and services, in which women traditionally constitute a majority, remains hard and low-paid. For instance, the state calculation of «cost of paid social service», which includes care and service work, and which is provided predominantly by women, is extremely low, with the costs of UAH 4.92 (performing sanitary and hygienic measures at the place of residence (changing the underwear and linens), UAH 22.85

(organization of meals (cooking) and UAH 7.82 (Housekeeping (preparing foodstuff for cooking, washing vegetables, fruits and dishes, taking out the trash) per services³⁸. The function of practical combating of labor and other forms of discrimination of women is not performed by either the Ministry of Social Policy; nor the State Labor Service, which is authorized to perform state supervision and control over observance by employers of the provisions of the legislation, including regarding work of women; nor by the Office of the Parliament High Commissioner for Human Rights; nor courts.

Separate measures regarding gender equality in the labor market are listed in the State Program and the NAP CEDAW, but the timeline for their implementation just began, and so they have no results so far.

Statistical data on access of different categories of women to gainful employment is still unavailable. In particular, there is a lack of statistical, administrative or researcher data regarding access of rural women or of women from different groups facing multiple discrimination to such employment.

For instance, the analysis of the data of the all-Ukrainian survey on IDPs' rights (2017), conducted by the Oleksander Yaremenko Ukrainian Institute of Social Studies in all oblasts of Ukraine showed that, compared to men, women IDPs bear more responsibility and burden of taking care of the underage children (children under 18 live with 27.1% men and with 41.6% women), and the gender gap constitutes 14.5%³⁹. IDP women are more economically vulnerable compared to IDP men. They are three times more likely to live with families with many children, almost twice as likely – in low-income families, and by 9% more often – within families in difficult life circumstances. Less than one half of the surveyed IDPs had work, of them 35.9% women and 46.1% men. For 60.5% of IDP women, compared to 53.8% men, the monthly targeted assistance to internally displaced persons for living expenses was the family's only source of income. This type of assistance is comparatively more important for women, and they apply for it more often.

³⁷ To Gender Equality Through Collective Bargaining. – 12 April 2019. // Mode of access: <http://kvpu.org.ua/uk/news/6/3383-hendernuri-vnistcherez-kolektyvni-peremovyny>

³⁸ CMU Decree «On Approval of the Procedure of Regulation of Tariffs for Paid Social Services» as of 9 April 2005 N 268.

³⁹ Gender-based analysis of the All-Ukrainian survey on observance of IDPs' rights (2018) // Mode of access: <http://www.un.org.ua/ua/publikatsii-ta-zvityi/gender-and-gender-based-violence/4533-hendernyi-analiz-rezultativ-vseukrainskoho-opytuvannia-shchodo-dotrymannia-prav-vpo-2018>

According to the trade unions' data, in 2018 and 2019, Ukraine set the minimum wage below the actual amount of the subsistence minimum for an employable⁴⁰ person. In interaction with the vertical and horizontal stratification of the labor market, this had the effect of widening the gender gap in wages and salaries. This is because women more often work in lower-ranking positions and in lower-paying sectors of the economy. In particular, women are dominant in employment in the public sphere, where wages are significantly lower than the average wage overall, especially in the healthcare and social protection sectors. Women are the clear majority of workers employed in the sphere of social security and services. The work is physically hard and extremely low paid⁴¹.

When calculating the state budget and approving it, the government sets the subsistence minimum for employable persons at an amount from 2 to 2.5 times less than the real amount⁴². The subsistence minimum serves as the floor for setting official salaries (tariff rates), so that the highest tariff category in the public sphere is significantly lower than in the private sphere. As a result, public institutions, where the staff is predominantly female, have lower salaries. This contributes to the feminization of poverty.

Generally anti-discrimination (labor and gender-based) actions are handled by an expert council created in 2012 to work in a consultative-advisory capacity within the MSP. The executive branch of the government is little involved in these processes, although the State Labor Inspection is authorized to conduct audits of employers to ensure compliance with the law, including equitable employment of women, as do the courts and the Human Rights Ombudsman.

Separate measures regarding gender equality in the labor market are listed in the State Program and the NAP CEDAW, but the timeline for their implementation just began, and so they have no results so far.

IDP women are particularly vulnerable to poverty. A nationwide survey on IDPs' rights conducted in 2017 by the Yaremenko Institute of Social Studies showed that women bore the brunt of responsibility for children. Of all IDP children under 18, 41.6% of them lived with a single female head of household, while 22% lived with a single male head of household. Female IDPs are three times more likely than male IDPs to live with families with many children. Female IDPs are twice as likely to live in low-income families. They are 9% more likely to live within families who are experiencing difficult life circumstances. Less than one half of the surveyed IDPs had work, of them 35.9% were women and 46.1% men. For 60.5% of IDP women (compared to 53.8% men) the monthly assistance provided to IDPs for living expenses was the family's sole source of income.

Broadened access to land, housing, finance, technology and/or agricultural extension services

The Association of Women Farmers of Ukraine has reported on the illegal takeover of the lands rented by women-farmers of Kherson oblast to grow cereal crops. The women who experience these takeovers and their consequences describe the utter impunity, with which land is grabbed away. Their appeals to the local bodies of self-government for help yield no result.

There is no state program for development of small businesses run by women.

Buying housing for Ukrainian women is an extremely difficult issue. Home loans remain unaffordable. The state guarantees the deposit repayment only of UAH 200 thousand, which is merely USD 8,000. The home loan rates are unaffordable for women. Their monthly incomes make it impossible to repay loans in a timely way. There are no state programs of affordable housing.

There is a very high demand for products from Ukraine's small farms tended by women. 95% of potatoes consumed by the citizens of Ukraine are grown by women without the use of any modern

⁴⁰ From ILO Ukraine country report: In 2011, the minimum wage was raised by law from UAH 941 to UAH 1,004 which was equal to the defined subsistence minimum for an able-bodied person. However, the minimum wage in Ukraine remained significantly lower than in comparable EU member states and the standard set in the European Social Charter, which stipulates that minimum wages should not be lower than 60 per cent of the average wage within the country.

⁴¹ As calculated by the government, UAH 4.92 is paid for performing sanitary and hygienic measures at the place of residence (changing the underwear and linens), UAH 22.85 for organization of meals (cooking) and UAH 7.82 for housekeeping (preparing foodstuff for cooking, washing vegetables, fruits and dishes, taking out the trash).

⁴² According to the calculations of Ukraine's MSP, the actual amount of subsistence minimum for employable persons in May 2019 prices constituted UAH 4,745. Thus, the legislatively set as of May 2019 subsistence minimum for employable persons of UAH 1,921 UAH is more than halved (2.5 times) compared to its actual amount. The minimum wages were lower than the subsistence minimum's actual amount by UAH 572.

technology, which is for them unaffordable. Women running small farms do not get any sufficient support from the state. Small farms do not participate in any state-run microcredit program. The State Fund for Regional Development to support start-ups has just begun operating and has yet to impact the development of women's farms and small businesses. There is a need for mentorship programs for women running small businesses. Lack of modern knowledge prevents most women from writing business plans, and this is the key prerequisite for funding or leasing.

There are examples of the introduction of modern technologies to the small farm operations in the areas of Ukraine affected by military action and small farms run by women IDPs. These programs are funded by foreign donors active in Ukraine.

Private programs and initiatives for the development of small and middle-size business are successful. State programs, which promote women's entrepreneurship in the export sphere, are concentrated mostly on education so far.

Supported women's entrepreneurship and business development activities

Several state and private initiatives, including donors, are supporting women's entrepreneurship, and associations of female entrepreneurs have appeared. Special measures to support women-entrepreneurs were included both in the previous (2013-2017) and current (2018-2021) State Programs.

Still, there is no reliable statistical data on the status of women-entrepreneurs in Ukraine, however, as of 2015, some research is being conducted and is identifying the obstacles commonly faced by women entrepreneurs. The dismal state of Ukraine's "Entrepreneurial learning and women's entrepreneurship" was revealed in the "SME Policy Index: Eastern Partner Countries 2016"⁴³ showing that Ukraine's implementation of the Small Business Act for Europe (2016) was rated to be the lowest among the eight Eastern Partnership countries – 2.25 out of 5 on that index scale. To bring about change, Ukraine needs to establish mechanisms to support grassroots initiatives, especially ones launched by Ukrainian women's NGOs.

Women's business unions conduct annual forums of business and professional women of Ukraine to expand the businesswomen's opportunities and to broaden their potential.

The Canada-Ukraine Trade Investment Support project (CUTIS), a 5-year project funded by Global Affairs Canada, focuses on small and medium enterprises and supports the women's entrepreneurship platform "#SheExports." The platform conducts educational events that encourage women to organize and develop their businesses and move towards exporting their wares. More than 1,000 women-entrepreneurs and business owners have participated in this program. In July 2018, the Ministry of Economic Development announced the start of the new project on entrepreneurship development in Ukraine, also funded by Canada with a budget of USD 30 million. One of its priorities is women's entrepreneurship development⁴⁴.

For years, the non-governmental charitable organization 'Ukrainian Women's Fund' has supported the expansion of economic opportunities for women, the development of women's entrepreneurship and reduction of women's unemployment in Ukraine. Overall, there are a lot of mostly-free training and educational events on women's entrepreneurship in all oblasts of Ukraine. The development of women's entrepreneurship is consistently promoted by international organizations and local women's business unions. The government's activity in this sphere is still peripheral and episodic.

Most projects aimed to promote gender equality in small and medium business, concentrate on encouraging entrepreneurship among women and helping them acquire business skills. At the same time, there are no projects aimed to secure the competitiveness of these businesses, in particular, to specifically address assistance in understanding peculiarities of the labor legislation, the provisions on employees' rights, the development of human resources or promotion of gender equality. The low level of knowledge and skills among representatives of small and medium business brings them to gather in business associations (NGOs) and not in trade

⁴³ SME Policy Index: Eastern Partner Countries (2016) // Mode of access: https://issuu.com/mineconomdev/docs/ukr_smepi_launch_ukraine_v3

⁴⁴ Within the target program, Canada provides \$30 mln to support entrepreneurship in Ukraine. – CMU, 19 July 2018. // Mode of access: <https://www.kmu.gov.ua/ua/news/u-ramkah-cilovoyi-programi-kanada-nadast-30-mln-na-pidtrimku-pidpriyemnictva-v-ukrayini>

unions or associations of employers, which deprives them of opportunities of joining the social dialogue as a key tool for regulation of labor relations.

Introduced or strengthened social protection programs for women and girls (e.g. cash transfers for women with children, public works/employment guarantee schemes for women of working age, pensions for older women)

The retirement reform turned out to be disadvantageous for women, especially for rural women, who have especially limited access to official employment. The retirement age for women was raised, and the scope and quality of services for elderly women were reduced as a result of the new medical and other reforms. Accessing benefits and services in the newly digitized systems, depends on having online technology skills, a reliable internet connection and a device (computer, tablet, smartphone) to take advantage of it – often a problem for senior females in both urban and rural areas. In certain respects, it seems that the government has concentrated its efforts on young women, and left women of the middle age and older, especially officially unemployed or retirees, out of the focus of its social and gender policies.

Introduced/strengthened free or low-cost legal services for women and girls living in poverty

Ukraine has invested significant efforts to improve access to justice, which will expand women's opportunities in this area. A law was passed guaranteeing access to free primary legal aid, and providing for affordable secondary legal aid, through a branched network of primary legal aid centers. During 2015-2019, the work on the development of regulatory acts on implementation of the Law on free primary legal aid continued.

The NAP CEDAW (2018) contains a long list of measures aimed to expand women's access to justice. This is one of the priorities of the governmental gender equality policy. A drawback of the governmental policy is the absence of awareness-raising campaigns targeted specifically to women, in order to explain to them, especially to women subject to multiple discrimination, how to use legal tools to combat violations of their rights in court. Such campaigns would require communication channels convenient and accessible to women. Another drawback is that the government has increased the court fee, which is currently set at an amount equal to ¼ of the minimum cost of living – quite high for those in poverty.

As of now, there are very few complaints submitted by women to the Office of the Parliament Commissioner for Human Rights or to the Expert Council on Combating Gender-Based Discrimination, and no lawsuits at all. At the same time, the hotlines of some NGOs register numerous calls from women over violations of their labor and social rights. According to the data of NGO "Labor Initiatives", around 15% calls to their legal clinic are from women, who have children under the age of fifteen. Most frequently, the calls are about work-related discrimination: maternity leave, wage arrears, etc.

According to the information of the International Charitable Organization «Roma Women's Fund "Chiricli"», Roma women turn to them and to special Roma legal centers to assist them with issues of discrimination in employment, medical services, school registration, or obtaining identification documents. Roma often lack passports, and without this identification are unable to use the free legal aid center system.

9. What actions has your country taken in the last five years to improve access to social protection for women and girls?

Introduced or strengthened social protection for unemployed women (e.g. unemployment benefits, public works programs, social assistance)

Unemployed women and girls were not a targeted category for the state policy in the sphere of social protection. However, during this reporting period, female recipients of social payments, including payments made to the registered unemployed, have been seeing incremental increases. This is because social payments are calculated based on the sum of the subsistence minimum, which has been growing.

According to the trade unions' data, the doubling of the minimum wage as of January 1, 2017, and linking it to the actual cost of living or the subsistence minimum (calculated by the MSP this was UAH 3,200 or USD130) resulted in real growth in wages for four million workers in Ukraine. This raised the nominal income by 24.4%, and resulted in increased revenues from taxes and fees to budgets of all levels, to the Pension Fund and to the social security fund. The average wages in Ukraine in May 2019 constituted UAH 10,239 (USD 370). The minimum wage (UAH 4,173 or USD 154) in May 2019 constituted 40.8% of the average (the ILO and World Bank recommendation was 50-60%). The wages of workers in the feminized

public sphere were below the national average: in education – UAH 8,035 (USD 297 or 78.5% of the average in the economy), in healthcare and social services – UAH 6,915 (USD 257 or 67.5% of the average in the economy). Among the most severely underpaid in Ukraine are medical nurses; more than 90% of these highly trained specialists are women, and their salaries are consistently at the subsistence minimum level.

The trade unions are advocating, with good reason and deserving of support, that the state must set the minimum wage at an amount not lower than the subsistence minimum for employable persons. This must be calculated in accordance with the provisions of ILO Convention №117 on Social Policy (Basic Aims and Standards) and №131, on Minimum Wage Fixing, with Special Reference to Developing Countries. It must take into account expenses such as housing (purchase or rental), healthcare, education, family, and the projected Consumer Price Index.

Introduced or strengthened unconditional cash transfers

Nominally, the payments on the birth of the child and subsidies for utilities have been growing, as all social payments are calculated based on the sum of the subsistence minimum, and within this period in Ukraine it has been growing.

Improved access to non-contributory social pension for specific populations (e.g. women in informal employment, including domestic workers; migrant and refugee women; women in humanitarian settings; women and girls with disabilities)

Ukraine's system of social protection, especially as it pertains to mothers, is still insufficient as currently applied.

According to Article 7 of the Law "On State Assistance to Families with Children", the right to receive financial aid in pregnancy and childbirth is granted to every pregnant woman (including underage girls), but the amount and the procedure of the aid directly depends on the recipient's status – employed or unemployed, a student, a private entrepreneur or a servicewoman.

Working women receive the payment based on the sick leave issued according to the Order of the Ministry of Health of Ukraine⁴⁵, at their place of work in the amount of 100% of their average salaries (pay service) and in a lump sum for the entire period of the childbirth leave.

Pregnant women, who do not work and thus do not pay insurance premiums to the Social Insurance Fund (self-employed, students, graduate students, doctoral students, resident physicians, servicewomen, registered unemployed or housewives) also have the right for state assistance. However, the amount of assistance they may receive is calculated by multiplying their average daily income (e.g. pay for services, scholarship, minimum unemployment benefits) by the number of calendar days of allowed leave (usually 126 calendar days, but 180 calendar days for those affected by the Chernobyl catastrophe). The benefit amount is to be, however, no less than 25% of the legislated monthly subsistence minimum for employable persons.

For unemployed women and women registered as individual entrepreneurs, the aid is set in the amount of the 25% of the subsistence minimum, as established by law, for employable persons, per month.

So, for uninsured women, the minimum amount of the financial aid due to pregnancy and childbirth per month (25% of the legislated subsistence minimum for employable persons), does not cover the sufficient living standard for the woman herself and for her child. Since July 1, 2019, this sum constituted UAH 501.75, or 10.3% of the actual amount of the subsistence minimum for employable persons per month (in June prices, it is UAH 4,852.86).

Even considering the monthly payments of the assistance at the birth of the child (in 2019, these payments were set in the amount of UAH 10,320 as a lump sum, and the monthly payment of UAH 860), the total sum of the minimum monthly state aid for the period of the pregnancy and childbirth leave constitutes for uninsured women only 28.1% of the actual amount of the subsistence minimum for employable persons per month.

⁴⁵ Order of the Ministry of Health of Ukraine "On Approval of the Instruction on the Procedure of Issuance of Documents Certifying Temporary Disability of Citizens" as of 13.11.2001 №455.

The low level of state support during the maternity leave leads to the growing flexibilization of the women in the workforce – that is, the increase in the labor market of numbers of women working part-time, remotely or from home, as well as in the informal economy.

Working remotely, predominantly using the information and communication technologies offers numerous advantages to women, mostly due to the ability to determine the private and working time independently. Still, the remote work leaves the workers' rights unprotected: protection of maternity, social protection provided for by the law, paid annual leave, etc. So, flexibilization opened for women new labor market opportunities, which provide for no protection of labor resources. Trade unions have virtually no tools to secure for women proper representation and opportunities for collective actions beyond the structures of formal full-time employment. The situation in the informal economy is similarly bleak.

Introduced and carried out monitoring of social protection programs

No such monitoring was introduced.

10. What actions has your country taken over the last five years to improve health outcomes for women and girls in your country?

Promoted women's access to health services through expansion of universal health coverage or public health services

In the last 5 years, Ukraine has started a deep reform of the healthcare system. Family medicine has been actively implemented. In 2019, each citizen is to enter into an agreement with one of a wide network of family doctor outpatient clinics⁴⁶. Each clinic will receive state funding, commensurate with the number of families/persons it is contracted to serve. It is hoped that this new system will improve early diagnosis and prevention of non-communicable diseases. At the end of June 2019, 80% of the population had chosen their family doctor (and

contracted with the doctor's outpatient clinic). Women have responded to this requirement 30% higher rate than men; however, among Roma women the numbers are lagging, due to the fact that a high number of them do not have passports, which are required to access government-funded social services.

The most significant indicator of health is life expectancy. Of all the countries of Europe, Ukraine has the lowest life expectancy. The average life expectancy is 72 years (77 years for women and 67 for men)⁴⁷. Women live 10 years longer than men (in the EU the average difference is 5 years)⁴⁸. It is believed that women live longer because they are less likely than men to engage in harmful habits and are in general more responsible in caring for their health, especially after age of 59. In the last decade, the women's life expectancy in Ukraine increased by almost one and a half years.

The mortality of infants under twelve months is one of the most sensitive indicators of socioeconomic development. It reflects levels of per capita income, safety, education, in addition to healthcare quality and affordability, and disease prevention. Despite the improvement in this indicator, infant mortality is still relatively high in Ukraine⁴⁹. There are frequent infant deaths in traditional Roma communities, particularly those in the Transcarpathian region, which, according to the Roma Women's Fund "Chirikli", are secretive and often deny entry to doctors and health specialists. Ukraine has improved on health indicators over the past 5 years but still has not achieved what would be considered average in terms of European standards.

For Roma women in general, and especially as reported for the Roma women living in the closed, traditional Roma communities in Zakarpattia (Transcarpathia) and Odesa regions, the absence of personal documents (alongside poverty) hinders access to medications and medical services, including those of maternity hospitals. The Roma enclaves tend to be physically isolated settlements, not within close distance of outpatient clinics and hospitals. Traditional Roma women are allowed to be treated only by women physicians. As non-speakers of Ukrainian or Russian (using the Roma, Hungarian or

⁴⁶ Women's Health in Ukraine: Rights, Opportunities and Recommendations. Kyiv, 2019, 154 pages.

⁴⁷ UN World Population Prospects 2019 // Mode of access: <http://statisticstimes.com/demographics/countries-by-life-expectancy.php>

⁴⁸ Women's Health in Ukraine: Rights, Opportunities and Recommendations. Kyiv, 2019, 154 pages.

⁴⁹ Infant mortality rate in Ukraine: total: 7.8 deaths/1,000 live births (male: 8.7 deaths/1,000 live births; female: 6.9 deaths/1,000 live births (2017 est.) // Mode of access: https://www.indexmundi.com/ukraine/infant_mortality_rate.html

Slovak language), they suffer a language barrier, and are said to regularly experience bias and subpar treatment from healthcare personnel.

According to the 2016 research, only a half of HIV-positive women had access to the cervical cytodiagnosis, and only one third of them – to the mammologist⁵⁰. This screening is of extreme importance for HIV-positive women, as the invasive cervical cancer is indicative of AIDS.

The issue of data anonymity and confidentiality of HIV-positive women as a condition of their access to healthcare services requires additional regulations. Due to disclosure of their diagnosis and the stigmatizing attitude from healthcare professionals, these women lose trust in the healthcare system and are reluctant to come for medical help. According to the data of the research conducted in 10 oblasts of Ukraine in February-March of 2016, about one in every ten respondents (9.1%) believes that if her rights as a woman living with HIV were violated, she would not get necessary legal protection and another 23.8% of them do not know whether they can rely on legal assistance.

So, in practice, the models of healthcare, social, legal, and other services do not account for the gender norms, stigmatization in the society and from those who provide said services.

Expanded specific health services for women and adolescent girls, including sexual and reproductive health services, mental, maternal health, HIV services

The legislation has been amended and the Ministry of Health secured the right to motherhood for HIV-positive women with access to assisted reproductive technologies with a separate order in 2019⁵¹.

Currently in Ukraine, 22% of all pregnancies are terminated in abortion. The average age of first-time mothers is 25 (up from 22 in 1999)⁵² compared to 29 as the average for the European Union. Interesting, the number of women, who gave birth to their first child after 35 doubled over

the last decade, signaling a shift in behavior and attitudes.

The poor health of women even before pregnancy manifests itself during pregnancy and childbirth. One in every four pregnant women shows signs of anemia; one in every seven – the diseases of the urogenital system; one in every sixteen – the diseases of the circulatory system.

Ensured access to prevention, treatment, and palliative care for non-communicable diseases (heart disease, chronic respiratory diseases, diabetes, and cancers)?

Regarding mortality statistics, 86% of women's deaths are linked to non-communicable diseases (cardiovascular and respiratory diseases, diabetes and malignancies) which attests to the lack of early diagnosis and prevention.

The situation is especially complicated in rural areas, where elderly women constitute most of the population. Almost one half of rural women (48%) have no healthcare institutions within the walking distance. Most rural women do not know their own indicators of blood pressure and their blood sugar levels. From 20 to 30% of women with cancerous tumors see an oncologist for the first time when already presenting with a stage 3 or stage 4 malignancy and nearly as many do not survive beyond the first year after their diagnosis⁵³.

NGOs have taken the initiative to cooperate with the national healthcare reform. They are training rural volunteers who will provide preventive healthcare services in their communities, the small villages which are distant from clinics and lack medical facility or pharmacy. The volunteers are trained to use medical devices (tonometers, glucometers, electronic thermometers, picfluometers) to screen fellow villagers for impending health risks. The volunteers, armed with cell phones, email and internet capability, effectively overcome the common technological barriers presented by the new healthcare reform, and help connect villagers with the new healthcare system of services.

50 Rights of women living with HIV in Ukraine. – 2017 // Mode of access: <http://www.un.org.ua/images/documents/4480/HIV%20throg%20CEDAW%20lensukrcompressed.pdf>

51 Order of the Ministry of Health of Ukraine «On Making Amendments to Appendix 1 to the Procedure of Referral of Women for the First Course of Infertility Treatment by Methods of Assisted Reproductive Technologies on Absolute Indications for Budgetary Funds» as of 22.04.2019 №933.

52 Children, women and families in Ukraine. Statistical collection. State Statistics Service of Ukraine, Kyiv, 2016, 329 pages.

53 Annual Report on the State of Health of the Population, the Sanitary-Epidemic Situation and the Results of Work of the Health Care System of Ukraine. 2016. Kyiv, 2017, 516 pages.

On a regional level, bodies of local self-government in several oblasts (Volynska, Vinnytska, Cherkaska, Khersonska and others) are also striving to bring necessary medical services to rural women, funding access to mammography machines, ultrasound equipment, and portable fluorography machines⁵⁴.

Undertaken gender-specific public awareness/health promotion campaigns

National healthcare awareness campaigns, conducted in 2019 by the MHU (whose Acting minister till September 2019 had been Uliana Suprun), included (among others) such topics as seeking quality medical assistance in the event of a heart attack⁵⁵, the risks of passive smoking⁵⁶, and patients' rights⁵⁷, and the rights of the physician⁵⁸.

There were several informational events geared to women, but no national wide campaign made women their specific target group.

Provided gender-responsiveness training based on human rights for health service providers, particularly on violence against women

Training of primary care physicians and school psychologists in the prevention of domestic violence and assistance to women and family members who are victims of violence is being provided in three regions of Ukraine (Rivne, Cherkasy and Chernihiv oblasts) through medical and educational institutions.

According to the information of NGO «Insight», lack of sectoral anti-discrimination legislation leads to violations of LGBTI persons in several spheres, including healthcare. The effective procedure for legal recognition of gender identity for transpeople requires sterilization and other obligatory medical interventions, as well as long-term psychiatric evaluation and does not guarantee against abuse from the employees of the corresponding institutions. Homophobic and transphobic violence is not controlled by the state; it is underestimated, and in several cases poorly investigated and not prosecuted.

Strengthened comprehensive sexuality education in schools or through community programs

A positive indicator is the tenfold reduction of the number of abortions in the last decade, which is connected to the growing use of contraceptives and more open and responsible sexual culture. Women's NGOs and the State Program "Nation's Reproductive Health" have played a crucial role in this. Sadly, the education institutions often ignore this topic; there are no sex education programs for the youth.

Sex education programs in Ukraine's schools are currently blocked, reflecting the position of the Council of churches and the influence that the Council has exerted over the leadership of the Ministry of Education and Science of Ukraine. Ukrainian church communities have been advocating for a complete ban of abortions.

Ratified the WHO Framework Convention on Tobacco Control

Ukraine ratified the WHO Framework Convention on Tobacco Control in June 2006, in recognition of the high toll of tobacco use on the Ukrainian populace. In 2017, 51.6% of youth (13-15) reported being exposed to second-hand smoke in public places. The first national awareness-raising campaign about the negative effects of passive smoking was launched in May of 2019.

Gathered data on the health status of marginalized groups of women such as women with disabilities, lesbian, bisexual and transgender women, ethnic minorities, indigenous women, etc.

Ukraine gathers and publishes medical statistics only about the health of women with disabilities, and does not do so for other marginalized groups of women. As to their state of health and their access to healthcare services, the only available data comes from researchers and is based on reports prepared by the corresponding women's steering groups.

⁵⁴ Kherson Oblast Oncology Clinic. // Mode of access: <http://www.onko.ks.ua/>

⁵⁵ How and Where to Get Quality Medical Assistance for Heart Attack: Awareness-Raising Campaign. – 2 August 2019. // Mode of access: <https://moz.gov.ua/article/news/jak-i-de-otrimati-jakisnu-medichnu-dopomogu-pri-infarkti-informacijna-kampanija>

⁵⁶ In Ukraine, the First National Awareness-Raising Campaign About Harms of Passive Smoking is Launched. – 31 May 2019. // Mode of access: <https://moz.gov.ua/article/announcements/v-ukraini-startue-persha-nacionalna-informacijna-kampanija-pro-shkodu-pasivnogo-kurinnja-pres-konferencija-31-travnja>

⁵⁷ The Ministry of Health of Ukraine Conducted the Awareness-Raising Campaign "Patient Has the Right". – 29 March 2019. // Mode of access: <https://www.kmu.gov.ua/ua/news/moz-ukrayini-provelo-informacijnu-kampaniju-paciyent-maye-pravo>

⁵⁸ The Ministry of Health of Ukraine Launches the Awareness-Raising Campaign "Physician Has the Right". – 14 May 2019. // Mode of access: <https://moz.gov.ua/article/news/moz-ukraini-rozpochinae-informacijnu-kampaniju-likar-maye-pravo>

When the Charitable organization “Positive Women” requested from the MHU Public Health Center the data about the results of the cervical cancer screening conducted among HIV-positive women in 2017 and in the first half of 2018, and about the number of free abortions, dispensed contraceptives, use of assisted reproductive technologies, including IVF, the Center responded that its mandate does not include providing such statistical information.

According to the Roma Women’s Fund “Chiricli”, Roma women often face problems with access to healthcare due to the lack of personal documents, passports, or registration, which significantly hinders both their access to treatment and collection of data about the state of health of Roma women and girls.

The armed conflict in the East of Ukraine has produced another vulnerable category of women, that of Ukraine’s servicewomen, who face unique health risks for themselves and future offspring. With the expansion of the scope of professional roles available to servicewomen in the combat zone, the potential for the negative impact of the factors of the military work and the war environment on them is expected to increase. Already, a higher level of morbidity and mortality is observed in women returning from tours of duty in the combat zone, both in comparison with the male colleagues as well as with other civilian women. Overall, women’s participation in combat increases for them the risks of sustaining serious physical injury, post-traumatic stress disorder and problems with reproductive health.

Data provided by the National Council of Women (NCW) of Ukraine, suggests (in alignment with other international data) that when in combat zones, servicewoman tend to seek medical help twice as often as servicemen. In half of the medical consultations, women sought to solve medical problems related to reproductive health: access to contraception, control/suppression of the menstrual cycle and pregnancy, as well as stress-related disorders. No official statistics about them is being collected.

Provided post-abortion care services and decriminalized abortion

Ukrainian church communities are vigorously lobbying for a total ban on abortion, manipulating phrases, images and numbers to the purposes of their anti-abortion message, framing the issue as protection of the family. To this point, on June 22, 2018, a group of MPs submitted an anti-abortion draft Decree of the Verkhovna Rada «On Measures on Securing Protection of Family Values and the Institute of Family in Ukraine».⁵⁹ The National Council of Women of Ukraine appealed successfully to the Speaker of the VRU to reject the draft law from consideration by the Parliament as it is in direct violation of Ukraine’s democratic principles and guarantees of freedom with respect to family planning. The draft law did not come before the Parliament for discussion, and this decision was averted, and on 29.08.2019 this draft was withdrawn altogether.

11. What actions has your country taken in the last five years to improve education outcomes and skills for women and girls?

Undertake constitutional amendments and/or other appropriate legislative action to ensure the protection and enforcement of the rights of girls and women to, within and through education and throughout the life cycle

Within the reporting period, no legislative changes were made. However, several by-laws on the protection of the rights of girls and women in education and training were developed. Among these was the draft Strategy for the Implementation of Gender Equality and Non-Discrimination in the Sphere of Education⁶⁰, which amended the “Provision on the Military (Navy) Lyceum,” and made it possible for women to enroll in formal naval training. Another was an Order by the MES of Ukraine (№1332 “On Improvement of the Quality of Educational Materials” of November 4, 2016) which provided for expert review of educational materials for non-discrimination and gender sensitivity.

Amendments to the policy of adult education (as a component of life-long learning) began in 2017 and are ongoing. The draft law “On the Education of Adults,” is being developed by the Directorate of Higher Education and Education of Adults of the

⁵⁹ Draft Decree of the Verkhovna Rada of Ukraine “On Measures on Securing Protection of Family Values and the Institution of Family in Ukraine” as of 22 June 2018 №8521 // Mode of access: http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=64284

⁶⁰ The Decree of the Cabinet of Ministers “Education: Gender Dimension-2020” as of May 15, 2019 №486.

MES in cooperation with a working group of civil society experts⁶¹.

Through this working group, civil experts from NGO "League of Professional Women" and NGO "Institute of Professional Qualifications" proposed an examination of the issue of securing equal opportunities for men and women in their access to all forms of adult education. These organizations conducted a survey in April-May 2018, and found that 66.7% of respondents believed it is very or extremely important to secure equal opportunities for both men and women in their access to adult education; only 16.7% of the experts believed the issue to be of no importance; and another 16.7% took a neutral stance (undecided). Of the surveyed experts, 55.6% believed it necessary to develop a national policy addressing equal access to adult education.

The Roma Women's Fund "Chiricli" reports that the illiteracy level among young Roma women remains high. The young Roma mothers' situation is significantly worse due to such intersecting factors as age, lower educational level, institutional discrimination, absence of guarantees of protection of their rights as minors by the state. For Roma girls, it is difficult to receive preschool and school education due to the gender stereotypes widespread in Roma communities and economic problems of their families.

Taken measures to increase girls' access to, retention in and completion of education, technical and vocational education and training (TVET) and skills development programs

The measures taken differ significantly, dependent on the level of education.

Preschool institutions are overcrowded and in high demand. The number of kindergartens operating in sparsely-populated rural areas has been reduced, while there is a lack of them in urban areas, where rapid urban development/expansion is not being matched by the necessary social and recreational

infrastructure. Currently the government is not adopting any measures to expand the network of preschool institutions.

Access of both girls and boys to the secondary education in Ukraine is approximately equal. This is reflected in the gender parity index (the ratio between the number of females and the number males, according to the UNESCO technique), which is relatively stable during 2014-2019⁶². However, gender stereotypes are dominating in certain curriculum areas, with girls seemingly more attracted to humanities rather than STEM subjects. Even more blatantly, in life-skills classes called "House work" (home economics), girls are instructed in cooking and sewing, while boys are introduced to metal- and wood-working. In classes called "Protection of the Motherland" (i.e. homeland security or civic service), girls are prepared to administer first aid and boys are given basic military training. At the level of secondary education, this is already gender-differentiated professional profiling.

Less is clear about girls' access to the post-secondary schooling stage of vocational training. Currently, the State Statistics Service of Ukraine does not publish gender-disaggregated data on girls and boys in the vocational training system by professions. It provides only the general number of students in the vocational training system, by region and by gender, boys and girls. As of 2018, the number of students in the vocational training was, correspondingly, 74,530 boys and 97,047 girls⁶³.

The vocational training system, however, still manages to bar girls from enrolling for training in professions included in the "List of strenuous jobs and jobs with hazardous and unsafe work conditions, which are prohibited to women" (Order of MHU №256, which was repealed in 2017). The currently in effect Law "On Professional (Vocational) Education" happens to be the only one of the education laws which does not contain a clause guaranteeing non-discrimination based on sex in this sector of education.

⁶¹ MES Order №30 as of January 12, 2018 and Order №796 as of July 20, 2018 «On Amendments to Appendix of the Order of MES №30 as of January 12, 2018».

⁶² Gender Indices of gender parity among pupils and students of educational institutions of Ukraine. // Comprehensive secondary and vocational education in Ukraine in 2018. // Mode of access: <http://ukrstat.gov.ua/>

⁶³ Training of skilled workers in vocational educational institutions in 2018 in Ukraine by regions. // Comprehensive secondary and vocational education in Ukraine, 2018.

The Concept of the State System of Vocational Guidance⁶⁴ does not contain a gender component.

None of the approved State standards for vocational training⁶⁵ or higher education⁶⁶ contains a gender component or provides for the gender competence of a future specialist. Gender equality appears only at the level of the Implementation Plan.

At the same time, the state is aware of the problem. The State Program and the NAP CEDAW contain separate measures on opening promising areas of technical specialization to girls.

Thus, the NAP CEDAW provides for: the same curriculum for boys and girls (including the same home chores in home economics class); inclusion to the functions of the school psychologist of the norm on non-discriminatory vocational guidance, and development of the corresponding instructions for the school psychologist on non-gender-stereotypical vocational guidance for students. These tasks must be completed by the end of 2019.

The system of higher education offers the clearest statistics. It offers sex-disaggregated data on girls' access to training in different professions in institutions of higher education and on girls' access to scientific activity. According to this data, in the 2013-2014 academic year, women constituted 52.3% of all students in institutions of higher education of the 1st-4th accreditation levels. At the same time, girls generally study humanities and social sciences, and have limited access to STEM sectors of higher education. For instance, at the level of vocational education (colleges and technical high schools) in the specialties of automation and instrumentation in 2018 4% of the students were girls, in electrical engineering – 6%, in mechanical engineering – 7%, in electronics and telecommunications – 10%, and in information technologies – 12% were girls.

Very few girls graduated from colleges and technical schools with a degree in technical specialties. In 2018 only nine girls graduated with a degree in information technologies; nine in electrical engineering; five in mechanical engineering⁶⁷.

Until 2019, girls were prohibited from enrolling in the military lyceums. The CMU Decree №486 (May 15, 2019), made amendments to the LU "On Provision on Military (Navy) Lyceum," and changed the discriminating male-only enrollment policy, opening the doors to this and other military education institutions to girls⁶⁸. In 2019 the first group of girls was enrolled at the Ivan Bohun Kyiv Military Lyceum and the Navy Lyceum in Odesa. Overall, the number of women, who currently study in higher military educational institutions and military educational subdivisions of the institutions of higher education, constituted 8% of the general number of those enrolled⁶⁹.

Strengthened educational curricula to increase gender-responsiveness and eliminate bias, at all levels of education

One of the key and most comprehensively laid-out directions of the NAP CEDAW provides for the development of the educational programs to increase gender responsiveness and practical work in securing women's rights. These measures mostly address the level of higher education, possibly because there is an efficiently operating Network of Gender Education Centers at higher education institutions across Ukraine contributing to this focus. The increase in gender responsiveness of educational materials for secondary schools has been achieved predominantly by the introduction of MES mandated expert review all textbooks must undergo to ensure their gender sensitivity.

64 CMU Decree "On Approval of the Concept of the State System of Vocational Guidance of Population" as of 17 September 2008 №842.

65 State Standards for Higher Education. // Mode of access: <https://mon.gov.ua/ua/osvita/visha-osvita/naukovo-metodichna-rada-ministerstva-osviti-i-nauki-ukrayini/zatverdzeni-standarti-vishoyi-osviti>

66 Standards for Vocational Education and Training 2019. // Mode of access: <https://mon.gov.ua/ua/osvita/profesijno-tehnichna-osvita/derzhavni-standarti-navchalni-plani-ta-programi/zatverdzeni-standarti-profesijnoyi-osviti-2019>

67 Calculated based on: Training of specialists in higher educational institutions as of the beginning of the 2018/19 school year by the sectors of knowledge according to the List 2015. // Higher Education in Ukraine in 2018. Statistical information. – State Statistics Service of Ukraine, – Kyiv, 2019.

68 CMU Decree "On Making Amendments to the Resolution of the Cabinet of Ministers of Ukraine" as of 17 July 2003 №108 as of 15 May 2019 №486.

69 According to L.Humeniuk (chief specialist of the Department of military education, science, social and humanitarian policy of the Ministry of Defense of Ukraine).

Revised and developed non-stereotypical educational curricula, textbooks and teaching materials to eliminate traditional gender stereotypes, address gender-based violence against women and girls

Measures taken by the government, especially by the Ministry of Education and Science, to improve gender responsiveness and eradicate gender bias in the school curricula, included: development of the Strategy of implementation of gender equality and non-discrimination in the sphere of education "Education: Gender Dimension-2021"; establishment under the Ministry of a working group on the gender equality and anti-discrimination⁷⁰ and the introduction of the anti-discrimination assessments of school textbooks, which was mentioned above. (In January 2018, a Government Committee on the Social Policy and Humanitarian Development supported the adoption of the CMU draft Decree "Education: Gender Dimension-2021" on a strategy to implement gender equality in the sphere of education. Ultimately, however, the CMU did not adopt this strategy).

Overall, the results of submitting school curricula to an expert review process for anti-discrimination assessment have been positive, making progress from school year 2017-2018 to school year 2018-2019⁷¹. Despite the progress, textbooks on natural sciences and technologies presented for consideration in 2019 contain significantly more images of men than of women. Thus, in the leading textbook on computer science, men (boys) are mentioned 118 times (87%) and women (girls) – 18 times (13%). Textbooks on astronomy also exhibit similar sexism and sex-based discrimination.

The anti-discrimination assessment review procedures were elaborated by an activist group, working under the aegis of MES. Olena Masalitina, an advisor (pro bono) on gender issues for MES, launched the grassroots educators' movement in 2015 called "EdCamp Ukraine," which was engaged in making guidelines for and conducting the anti-discrimination assessments of textbooks before they went to print. Members of "EdCamp," of the Gender Information-Analytical Center «Krona» and of the Institute of Modernization of the Content of Education cooperated in conducting the assessments

of textbooks, working under the aegis of, and in cooperation with, the Ministry of Education and Science of Ukraine. The movement had conducted anti-discrimination assessments of 270 textbooks and 30 curricula. They had also trained 60 and certified 30 male and female expert assessors of textbooks and curricula.

At the same time, this direction of the state education policy caused a significant resonance among the educators and scientists as underdeveloped. And the Minister publicly called for the improvement of this technique, developed by the activist group with the support from the Heinrich Boell Foundation. The All-Ukrainian Council of Churches and Religious Organizations called on MES to give up on the expert examination as biased. As a result, the technique for anti-discriminatory expert examination of school textbooks failed to receive the legal status and MES did not adopt it with an order, justifying their refusal by «pressure from anti-gender societal groups».

Provided gender equality and human rights training for teachers and other education professionals

The regulatory documents on the national strategy of education on human rights, which MES develops and approves, are the mechanism by which a systemic approach to human rights education is included in primary and secondary education.

In the past five years, no systematic nation-wide training on gender equality was initiated. Secondary school teachers developed their own lessons in gender literacy, using methodological materials published in previous years.

But, from 2014-2019, several general anti-discrimination trainings were offered with gender equality component. For instance, a free online course "Non-discriminatory approach in education" was developed within the project «Program of Facilitation to Civil Activities "Join In!"», which was implemented by NGO "Pact" in Ukraine. The course is available on the EdEra platform.

During 2014-2019, several trainings on combating sexism in advertising for professors of advertising

⁷⁰ MES Order "On Establishment of the Working Group on Gender Equality and Anti-Discrimination in the Sphere of Education" as of 03.07.2015 №713.

⁷¹ Anti-discrimination assessment of school textbooks. Guidelines for Experts on the Anti-Discrimination Examination of Soft Copies of the Drafts of Textbooks Submitted for the Competition of Textbooks for the 5th and 10th Grades of Secondary Schools. // Mode of access: https://drive.google.com/file/d/1GoGnGp9RKil67_WEiKugoze3HsPitCA/view.

and marketing in higher educational institutions were conducted within the framework of the project «Prevention to Discriminatory Advertising in Ukraine», which is implemented by NGO «Ukrainian Marketing Association» in partnership with the Friedrich Ebert Foundation Office in Ukraine (FES-Ukraine).

The movement «EdCamp Ukraine» regularly conducts events for teachers (EdCamp non-conferences) on the grounds of equality, non-discrimination and respect to human rights. At them, female and male teachers familiarize themselves with gender issues and gender approach in order to create gender non-discriminatory environment friendly to children and adults in their own schools. The movement initiators believe that girls and boys raised in such atmosphere will believe, too, that all people have the same rights and opportunities. They believe that gender education at school is the best prevention for discrimination.

An NGO «ICA Ukraine» prepared more than 1,500 ToP (Technology of Participation) facilitators, who introduce the value of diversity in management of organization, community, city and state. 90% of them are women⁷².

Integrated age-appropriate education on women's human rights, gender equality and peace education into school curricula at all levels

During 2018, the state (MES) in cooperation with the activist human rights advocate groups developed a draft concept of the State program on Human Rights Education, and the draft of the Program itself⁷³. The next step is to develop the action plan for their implementation. This work is part of the implementation of the previously adopted and already effective document, the National Strategy in the sphere of Human Rights and Action Plan. The developers report that the documents are being prepared in compliance with the principles of the

World Program of Human Rights Education.

At the same time, none of these documents mentions or reference to women's human rights, contains or offers corresponding provisions.

NGOs carry out separate activities. For instance, the national mediator and trainer network of NGO «La Strada-Ukraine» is implementing the programs on capacity building for women (teachers) and girls (students) to participate in the processes of peacebuilding and conflict resolution in educational institutions, support to the victims of gender-based violence due to the armed conflict in the East of Ukraine. MES approved and implemented in educational institutions of Ukraine the following programs: «Basic skills of a mediator in educational institution. Securing women's and children's participation in conflict resolution and peacebuilding», «Basic skills of mediator in educational institution. Creation and coordination of activities of the mutual understanding service from students for peer-to-peer mediation», «Peaceful conflict resolution. Basic skills of mediation», «I resolve conflicts and build peace around me», «Basic skills of mediator of the mutual understanding service in educational institution».

The competition for the methodological materials for the gender culture formation in students of different age groups (2017) was announced and conducted by the Institute of Problems in Education of the National Academy of Pedagogical Sciences of Ukraine together with the National Council of Women of Ukraine⁷⁴.

Promoted safe, harassment-free and inclusive educational environments for women and girls, including use of technology and internet

At the end of 2018, a law on combating bullying in educational institutions was adopted⁷⁵.

72 Report on EdCamp activities in Ukraine for 2015-2017. – page 23. // Mode of access: http://docs.wixstatic.com/ugd/df4ebb_74b859d90f08406ba0775d433ef98381.pdf

73 Draft Concept of the State Program on Human Rights Education is Offered for Public Discussion. – 24 January 2018. // Mode of access: <https://mon.gov.ua/ua/news/dlya-gromadskogo-obgovorenniya-proponuyetsya-proekt-koncepciyi-zagalnoderzhavnoyi-programi-z-osviti-u-sferi-prav-lyudini>

74 Result of cooperation between the Institute of Problems in Education of the National Academy of Pedagogical Sciences of Ukraine and the National Council of Women of Ukraine. – 06.10.2017. // Mode of access: <http://naps.gov.ua/ua/press/releases/1252/>

75 Law of Ukraine «On Amendments to Several Regulatory Acts of Ukraine on Combating Bullying» as of 18.12.2018 №2657-VIII.

Separate universities are developing and adopting internal policies on combating sexual harassment⁷⁶.

Still, reports in mass media and social networks about the university environment as not free from sexual harassment emerge repeatedly to public outrage. The bullying practices in secondary school are widespread, as well (the mentioned law was supposed to address this issue). There was a case, when schoolgirls did bully another girl, their classmate, as a group⁷⁷. Such cases caused public outrage as well, and became one of the arguments for adoption of the law on combating bullying.

Increased access to skills and training in new and emerging fields, especially STEM (science, technology, engineering and math) and digital fluency and literacy

The situation with STEM education of women has still not changed for the better. At STEM universities, the component of humanities and social sciences offered to students is decreased, and the topic of gender, correspondingly, gets pushed out. During the reporting period, for students of engineering specialties in higher educational institutions of Ukraine, only the Sikorsky Kyiv Polytechnic Institute included the subjects of gender in the curriculum for bachelors (in the 2018/2019 academic year, the elective «Gender Studies»).

Girls' access to STEM education is still low, despite the efforts of the state and NGO initiatives. The number of female students in STEM sectors at all levels of higher education is several times smaller than the number of boys. The largest gender disbalance is observed in engineering: girls constitute less than one fourth among the entrants of engineering specialties⁷⁸. The share of women researchers in the STEM sector is the lowest (33.6% in 2017). A vertical gender segregation is observed: in 2016, among researchers, women constituted 45.0%, of them 6.6% had the scientific degree of Doctor of Sciences; in 2018, women constituted 44.7% among the researchers, of them 7.3% –

Doctors of Sciences. Among men, these indicators were higher⁷⁹.

Women constitute a little more than 20% of specialists in Information Technologies (IT). There is a clear trend in 2015-2019 towards growth: women in IT hold positions in testing (24%), development (23%), non-technical spheres – HR, PR, sales (20%). Overall, according to the Ptoukha Institute for Demography and Social Studies, only 29.5% of women chose to specialize in STEM. Among the obstacles for enrollment in STEM, girls mention the influence of their upbringing (19%), peer pressure (15.2%), and existing stereotypes in the society (4.8). Out of 100 entrants, only 12 choose STEM subjects as their major, and only 3 of these 12 pursue employment in the STEM sphere after graduation⁸⁰.

Both the State Program and the NAP CEDAW include measures on state support to STEM education for girls, but the timeline for their implementation is 2019-2020-2021.

The experiences of health volunteers in the small villages of Chernihiv oblast inspire optimism, in that women of different ages and education levels were quick to learn the skills necessary to work with the Internet and master computer literacy. There are good initiatives at the university level as well: a project “Planning Gender Equality in Scientific Research in the Sector of Computer Sciences and Information Technologies” was launched in 2017 at the Simon Kuznetz National Economic University in Kharkiv.

Several non-governmental STEM initiatives aimed at girls are operating in Ukraine. For instance, the Center for the Development of corporate social responsibility launched a STEM Girls' program in August 2016, which has been offering girls between the ages of 14-24 the experience of being mentored by (so far twenty) women working successfully in STEM careers.

#STEMgirls events have been conducted in Odesa, Lviv, Kyiv, Kharkiv, Dnipro, Vinnytsia, Zhytomyr, and

⁷⁶ Order of NaUKMA «On Enactment of the Provision “Policy of Prevention and Combating Sexual Harassment in NaUKMA”» as of 28.12.2018 №575.

⁷⁷ In Chernihiv, a Gang of Schoolgirls Severely Beat 15-y.o. Girl (video). 05 April 2017. // Mode of access: <https://www.unian.ua/incidents/1861936-u-chernigovi-gurt-shkolyarok-jorstoko-pobiv-15-richnu-divchinu-video.html>

⁷⁸ Girls Constitute 79% of Those Enrolled to Humanities and Arts and Only 23% – in Engineering Departments. – 07 December 2018. // Mode of access: <https://mon.gov.ua/ua/news/divchata-stanovlyat-79-vstupnikiv-na-gumanitarni-nauki-ta-mistectvo-i-lishe-23-na-inzhenerni-specialnosti-liliya-grinevich-na-2-mu-uzhk>

⁷⁹ State Statistics Service of Ukraine: Conducting Scientific Research and Development in 2017. Scientific Research and Development in 2018. // Mode of access: <http://www.ukrstat.gov.ua/>

⁸⁰ More Ukrainian Girls Joining STEM. – 17.11.2017 // Mode of access: <http://careerhub.in.ua/ukrainskikh-divchat-v-nauci-ta-tekhnolo/>

Ivano-Frankivsk. The girls were invited to enter a competition on “Why I am choosing a STEM career” and participate in a nationwide hackathon for girls (Hack4Good), which increased the number of girls entering STEM careers through IT. Two nationwide conferences also served to raise interest and competence: “Women in STEM: from dream to action” for women and young girls dreaming of a STEM career, and “STEM: gender-sensitive approach to training at school,” a hackathon for teachers⁸¹.

There are signs in 2019 that girls’ interest in STEM has significantly grown. According to reports from a 2019 round-table “Ukrainian Women in Science” that was organized by the Junior Academy of Sciences of Ukraine (a program for talented youth run under the auspices of the MES) the number of female participants in the Junior Academy’s mathematics department has grown by 10%. The same trend is observed across the Junior Academy’s 27 regional branches and numerous programs. Girls are commencing coursework in the departments of astronomy and physics. The number of young female researchers in the sphere of technical and computer sciences has grown by more than 15%⁸².

Now in Ukraine, a series of projects for girls in IT sphere is taking place. In particular:

The UN Global Compact and the company CODIFUN gave an opportunity for girls and women to participate in an educational experience called “One thousand girls in web development.” This free online course was available from December 1, 2018 to July 1, 2019. The girls received basic skills for creating the visual part of a website or software (Front End Web Development). The course curriculum included study of HTML, CSS, Java script and Angular.

Another project, “Women’s Perspectives in Tech” provided grants to Ukrainian female graduate and post-graduate students, young scientists and women working in IT, and invited them to attend the World Forum (2018 and 2019), where they attended workshops, meetings and presentations by renowned international companies: Google, Intel, Facebook, Ericsson, Dell, ABB, McKinsey & Co., TomTom, 3M and others⁸³.

Strengthened measures to prevent adolescent pregnancies and to enable adolescent girls to continue their education in the case of pregnancy and/or motherhood

Over the last five years, the frequency of abortions among girls aged 15-17 decreased by 2.7 times, and among girls under 14 – 1.3 times. In eight oblasts of Ukraine, no abortions by young girls were recorded⁸⁴.

Regarding unplanned pregnancies, the national goal is to aim for zero such occurrences among girls under 14 years of age and to strive for a significant reduction in the number of unplanned pregnancies among teenagers. Of teenage pregnancies, 70% end in abortion, 15% – in miscarriage and only 15% – with childbirth. In Ukraine, the problem of early motherhood is the most urgently felt in Zakarpattia oblast, among the Roma, who live in dense settlements and where the most vulnerable girls are from marginalized families or are orphans. For these unfortunates, there exists an institution in the city of Ivano-Frankivsk, a house of mercy established by the nuns of the Ukrainian Greek (Byzantine) Catholic Church, where teenage mothers are invited to live with their babies⁸⁵.

⁸¹ Center «Development of Corporate Social Responsibility». // Mode of access: <http://csr-ua.info/csr-ukraine/>

⁸² How to Remove Gender Imbalance in Science: Small Academy of Sciences held a meeting in UNESCO SDGs. – 14 February 2019. // Mode of access: <https://mon.gov.ua/ua/news/yak-usunuti-gendernij-disbalans-u-nauci-man-provela-zustrich-u-cikli-cilej-stalogo-rozvitku-yunesko>

⁸³ Portrait of Ukrainian IT Specialist. Infographics Based on the Results of the Survey 2015-2019. // Mode of access: <https://dou.ua/lenta/articles/portrait-2019/> <https://nachasi.com/2018/06/18/35-vidtinkiv-ajtishnyka/>, <https://dou.ua/lenta/articles/portrait-2017/>

⁸⁴ Alternative Report on Ukraine’s Implementation of the Convention on the Elimination of All Forms of Discrimination against Women: Eighth Periodic Report / Edited by M.Skoryk. – Kyiv: CO CC «Kyiv Gender Studies Institute», 2017. – 60 pages. – Article 10.

⁸⁵ Annual Report on the State of Health of the Population, the Sanitary-Epidemic Situation and the Results of Work of the Health Care System of Ukraine. 2016. – Kyiv, 2017, 516 pages.

FREEDOM FROM VIOLENCE, STIGMA AND STEREOTYPES

12. In the last five years, which forms of violence against women and girls has your country prioritized for action?

Intimate partner violence/domestic violence, including sexual violence and marital rape

The most important changes to legislation regarding responsibility for sexual violence was Ukraine's criminalization of any sexual act performed on a person without their consent. In January 2019, Ukraine became the 11th country in Europe to define rape and sexual violence in terms of the absence of consent given in free will by the affected person, and made it punishable by 3-5 years' incarceration. The law effectively covers many types of gender-based violence as any sexual act performed without consent whether or not it involves bodily penetration, under any condition of coercion, including murder combined with rape/sexual violence; forced marriage; intentional injury causing genital mutilation or termination of pregnancy; forced abortion and/or sterilization; and mutilation of the face. Also, one of the important innovations of the 2018 Law "On Prevention and Combating Domestic Violence"⁸⁶, 2018 is the increased gravity with which the law views culpability for rape/sexual violence against a spouse, a family member of a person with whom the offender has had an intimate relationship.

Still pending is the development and approval of a procedure for conducting pre-trial investigations of such crimes, as well as work to counter existing gender stereotypes held by officials of law enforcement and the court system, which present additional obstacles for victims in obtaining justice.

Sexual harassment and violence in public places, educational settings and in employment

The updated Article 154 of the Criminal Code of Ukraine⁸⁷ provides for criminal responsibility for forcing a person without his or her voluntary consent

to perform a sexual act with another person. This norm can be applied in case of forcing to perform a sexual act not only by the superior, as it was articulated in the previous wording of this article, but also by a colleague. Coercion to engage in sexual intercourse without the victim's consent qualifies as a crime and implies imprisonment. Although, the pre-trial investigation of such crimes still lacks approved guidelines.

According to the data of the research "Eliminating Gender and Age Discrimination in the Labor Market of Ukraine" (2016)⁸⁸, for the entire decade of the existence of the norm banning sexual harassment in the Law "On Equal Rights and Opportunities", the Unified Register of Court Decisions contains only 17 decisions in cases, where the dispute was directly or indirectly connected to the sexual harassment in the workplace.

In thirteen cases (76%), the plaintiff was the man accused of sexual harassment, who went to court to protect his honor, dignity, reputation, to get the information about sexual harassment adjudged false and refuted, to receive compensation for non-pecuniary damage or be reinstated at work. In seven cases out of 11 (64%), the court decided that the defendant was to refute the sexual harassment information and to compensate the plaintiff for non-pecuniary damage. Only in one decision, during the trial the victim of sexual harassment claimed she was discriminated against. In other cases, the sexual harassment was not identified as discrimination. In none of the analyzed cases did the court or the parties refer to the norms of the European Convention and practices of the European Court of Human Rights or the Convention on the Elimination of All Forms of Discrimination against Women.

Overall, these issues are not studied nor are they a focus of governmental policy for combating GBV/sex-based violence. Feminist researchers and trade union activists believe that we need to start researching them, as these problems are highly relevant for Ukraine.

⁸⁶ Law of Ukraine "On Prevention and Combating Domestic Violence" as of 7 January 2018 №2229-19.

⁸⁷ Law of Ukraine "On Amendments to the Criminal Code and the Criminal Code of Process of Ukraine as Implementation of the Provisions of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence" as of 06.12.2017 №2227-VIII.

⁸⁸ Gender Discrimination: Identification and Mechanism for Providing Legal Assistance. Guidelines. – Kyiv, JurFem. – 2019. // Mode of access: http://jurfem.com.ua/wp-content/uploads/2019/06/%D0%BC%D0%B5%D1%82%D0%BE%D0%B4%D0%B8%D1%87%D0%BD%D1%96-%D1%80%D0%B5%D0%BA%D0%BE%D0%BC%D0%B5%D0%BD%D0%B4%D0%B0%D1%86%D1%96%D1%97_%D0%AE%D1%80%D0%A4%D0%B5%D0%BC.pdf

Femicide

Femicide is not practiced in Ukraine.

Violence against women in politics

It is commonly known that in Ukraine politically active women often experience threats, offenses, intimidation, aggression and unfounded accusations of all kinds. According to research conducted by NGO "La Strada-Ukraine" in 2018, the most widespread types of violence reported by a sample of female politicians included: humiliation via social networks and mass media – 62%; psychological violence – 59%; sexism – 59%; verbal attacks – 58%; sexual harassment – 47%. Research conducted by UNDP within the project "Violence against Women in Politics: Ukraine" shows that 76.5% of the survey respondents claimed that their political party organization did not have any anti-discrimination or anti-violence policy in place to protect women in politics, while only 23.5% reported that such policy did exist and had been activated to respond to instances of gender-based discrimination and/or violence against women engaging in the political arena⁸⁹.

In 2019, the NGO "Ukrainian Marketing Association" conducted a study "Social Media and Political Opportunities for Women: Prevention of Violence Against Women in Online Resources during Elections in Ukraine⁹⁰" as part of a larger international research project "Violence Against Women in Elections" of online violence against women politicians of Ukraine. The level of discovered violence against women was very high. Hundreds of thousands of messages to or about women politicians posted on social media were found to be violence in tone or content. Cyberspace, where politicians and politically active members of Ukrainian society communicate with the public is full of violent discourse, making it a threatening environment for political activity.

Child, early and forced marriages

Forced marriage persists in Ukraine as a way to "resolve problems" arising out of rape and/or unwanted pregnancy, especially when an underage female victim is involved.

The CCU was amended by Article 151-2, according to which forced marriage (forcing people to marry or forcing to cohabit without official marriage, or to induce a person to move to another country with the same purpose) is a punishable offense (arrest and jail time of six months to three years)⁹¹.

However, several factors create serious obstacles to the prosecution of this crime, including the prevalence of gender stereotypes affecting the judgement of law enforcement and court officials, and the absence of a set protocol for the conduct of pre-trial investigations.

Female genital mutilation (FGM)

FGM is not practiced in Ukraine.

Other harmful practices

Besides rape and other forms of sexual violence, CCU also addresses other kinds of GBV in accordance with the Istanbul Convention, criminalizing premeditated murder combined with rape or sexual violence; intentional grievous bodily harm resulting in genital or facial mutilation or termination of pregnancy, forced abortion and sterilization.

Trafficking in women and girls

This is one of the acknowledged priorities of the state gender policy. Ukraine has some achievements in the sphere of combating this phenomenon.

⁸⁹ Women Also Understand Politics. – 7 March 2019. // Mode of access: <http://www.ua.undp.org/content/ukraine/uk/home/blog/2019/women-can-talk-politics-too.html>

⁹⁰ Social Media and Political Opportunities for Women: Prevention of Violence Against Women in Online Resources during Elections in Ukraine. // Gabriel Bardall, Iryna Lylyk, Hennady Korzhov, Elena Buchynska, Gift Murombo. - Kyiv, International Foundation for Electoral Systems, 2019 - 82 p.

⁹¹ Criminal Code of Ukraine. Article 151-2. „Forced marriage is punishable for up to six months jail time or custodial restraint for the term of up to three years, or by imprisonment for the same term. If such actions are committed repeatedly, or with preliminary collusion by a group of people, or if the victim is underage based on the legislation, or in relation to two or more people, they are punishable by custodial restraint for the term of up to five years, or imprisonment for the same term”. // Mode of access: <https://zakon.rada.gov.ua/laws/main/2341-14>

Violence perpetrated by state actors

These issues in Ukraine are not researched at all and are not addressed in the state policy on combating GBV. Feminist researchers and human rights advocates believe these issues need to be studied due to their urgency for Ukraine.

13. What actions has your country prioritized in the last five years to address violence against women and girls?

Introduced or strengthened violence against women laws, and their enforcement and implementation

By 2016, Ukraine prepared a package of draft laws for the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention). However, in November of 2016, Ukraine's Parliament rejected this draft law because it uses the term "gender". Manipulations of the Convention terminology ensued, distorting its goals and the meaning of its clauses. There is a reason to view this scenario as an element of the Russian Federation's hybrid war against Ukraine, as interference and sowing of discord within Ukraine's public and civil society actors in order to divert Ukraine from its committed path towards Euro-integration.

In December of 2017, the Law "On Prevention and Combating Domestic Violence" was adopted and went into effect in January of 2018. In general, this law is rather progressive. It provides legal definitions for physical, sexual, psychological, and economic violence; stipulates responsibility for domestic violence, as well as preventive measures and provisions for assisting victims. Importantly, this law introduces the application of restraining orders for the protection of victims. At the same time (2017) amendments to the Criminal and the Criminal Procedural Codes of Ukraine were adopted to take effect in January 2019, in order to allow time for the training of prosecutors, judges and employees of law enforcement agencies. Article 126.1 regarding punishment for domestic violence was added to the CCU, providing harsher terms for the offender and better assistance to the victim. This indicates a positive shift in the government's position on domestic violence. The implementation of this law, however, still requires the development and approval of regulatory by-laws.

While mostly positive in application, some of these approved regulatory acts present an element of risk to the victims of domestic violence. For example, the provision for establishing a state-run "Call Center of the Ministry of Social Policy of Ukraine for the combating of human trafficking, the prevention and combating of domestic violence, sex-based violence and violence against children" entails certain risks for the persons this call center seeks to serve. The problem lies in the fact that the proposed call center does not guarantee the anonymity of the callers, as it recommended by Article 24 of the Istanbul Convention.

Clause 14 of the provision stipulates that "a digital recorder is to be used for documenting verbal information, with mandatory notification of the caller" that a recording is being made. In this context, confidentiality is somehow to be guaranteed by the application of Ukraine's Law "On Protection of Personal Data". This will be difficult as there are confidentiality risks inherent in the mandate of the call center itself, which is an organizational unit expected to provide consultations and support to the victims of domestic violence. The descriptions of the call center did not foresee it taking on this additional function, rather it was solely to respond to cases of domestic and sex-based violence (and then presumably connect victims with appropriate services).

The call center should in fact avoid duplicating the functions of other existing services, such as "Service 102," the Unified contact center for the free legal aid system, or the nation-wide hotline for the prevention of domestic violence, human trafficking and gender discrimination, operating since 2004 at "La Strada-Ukraine". The La Strada hotline works 24/7, and is an important source of information about services, in addition to its awareness-raising and monitoring functions. Consultations are anonymous and confidential, in compliance with the international standards. In 2016, 38,547 consultations were provided, in 2017 – 28,999, in 2018 – 22,542 consultations. Over the years, 81.9% of callers have been women, 18.1% – men. In 2018, 97.8% of the calls were about the prevention of domestic violence, continuing a trend from 2017 (98%) and 2016 (90.1%). Types of violence concerning callers in these same years (2016-2018) were psychological – 48.9%; physical – 35.9%; economic – 13.9%; and sexual – 1.3%. The large number of calls received by the hotline are evidence of the level of public awareness and of the trust callers place in this service. For this reason, it is important to consider existing programs and seek

effective use of financial and human resources in order to avoid duplication of efforts in the main goal of securing the rights and safeguarding the interests of victims of domestic violence.

Another worrisome example is the CMU Decree №234 as of March 20, 2019, approving procedures for the formation, maintenance and access to a Unified State Register of Domestic Violence and Sex-based Violence Cases⁹². The keeping of such a register is not an internationally accepted practice. The Istanbul Convention does not suggest that victims' personal data should be recorded in this manner. The legislation entails a number of risks, which immediately pose a threat to victims of domestic violence, gender-based violence and human trafficking – all crimes that are projected to be included in the Unified State Register of Domestic Violence and Sex-Based Violence Cases.

As the law is phrased, the caller (victim or reporter of victimization) should consent to the inclusion of his/her personal data in the register (information about the offender is entered into the register only if there is a "well-founded suspicion" that the person actually committed said violence). The procedures for the retention or removal of personal data of the person reporting a case of violence are not specified. What is most importantly not apparent to the caller, however, is that if such consent is not given, the victim in question risks being denied services. For example, Ukraine's unified state Register of Court Resolutions includes four cases in which a restraining order was denied to victims of domestic violence because their names and personal data were not entered into the Unified State Register of Reported Domestic Violence – and these cases happened in 2018, well before this Register was even officially functioning. This, again, opens the question of access to the Unified State Register, because it appears that a rather large circle of people potentially might have such access. This significantly increases the risk of disclosure of private and confidential information about the victim.

Considering the facts mentioned above, the risks of keeping such Register are very significant, and can obstruct providing the assistance to the victim as guaranteed by law, and even obstruct the victim's access to legal aid.

It should be mentioned that creating effective mechanisms of governmental policy for combating domestic violence is a complex matter, and requires consultations with experts, including those from the civil society institutions. Keeping this in mind, it would be advisable to monitor the implementation of these provisions, assess their effectiveness and identify problems that arise.

Monitored violence against particular groups by ethnicity/race, indigenous or minority status, socioeconomic status and/or caste, language, religion or belief, political opinion, national origin, marital status, maternity, parental status, age, urban or rural location, health status, disability, property ownership, being lesbian, bisexual, transgender or intersex, illiteracy

There are no government data, neither statistical nor administrative, on the violence experienced by vulnerable categories of women. The available research data comes from reports prepared by relevant activist women's groups who work with women living with HIV, IDP women from the East of Ukraine, women with disabilities; lesbian and transgender girls and women; and Roma women.

The current Roma Integration Strategy ends in 2020, but little real progress has been made. Over this reporting period (2014-2019) violence against the Roma has increased, particularly attacks against unregulated Roma settlements, often constructed without permits and without formal addresses, that are somehow beyond monitoring, even in terms of the Ukraine census. The Roma Women Fund "Chiricli" reports that 150 Roma women became victims of attacks against these unregulated Roma settlements in 2018⁹³.

According to the monitoring of the situation by the advocacy LGBT Center «Nash Svit», from December 2018 to August 2019, fifteen women, lesbians and bisexual ones, came to NGO «Zhiva-Ya» for psychological support due to the violence because of their sexual orientation and gender identity. Seven women suffered from domestic violence, another seven suffered from gender-based violence, including sexual violence, and one woman was bullied. According to the data of the survey within the project «Awareness Raising About

⁹² CMU Decree «On Approval of the Procedure of Formation, Keeping and Access to the Unified State Register of Cases of Domestic and Sex-Based Violence» as of 20 March 2019 №234.

⁹³ For more information see the Minority Rights Group Europe Report "Roma in Ukraine: Time for Action". May 2019 // Mode of access: https://minorityrights.org/wp-content/uploads/2019/05/MRG_Rep_Ukraine_EN_Apr19.pdf

Gender-Based Violence Among LGBT Community», 29 women were surveyed, and of them 25 experienced domestic gender-based violence and 4 – cyber-violence.

Furthermore, there is no research data on the violence experienced by women and girls who reside in Ukraine's rural communities or by women and girls of ethnic groups other than the Roma. There is also no database of incidence of violence disaggregated by marital status, maternity, age, etc.

Monitored violence against women seeking asylum, being a refugee, internally displaced or stateless, widowhood, migration status, heading households, living with HIV/AIDS, being deprived of liberty, and being trafficked or in prostitution, women in situations of armed conflict, geographical remoteness and human rights defenders.

The government is monitoring the status of women and girls who are temporary displaced due to the hostilities in the East of Ukraine. There is independent monitoring (by civil society) of the situation of the violence against women who live with HIV; women engaged in prostitution; women who use drugs; women who live in the war zones. Not monitored are the incidents of violence against women human rights advocates and, also, VAW experienced in the very remote or sparsely populated and rural areas, even though these women constitute one third of the female population of Ukraine.

Introduced, updated or expanded national action plans on ending violence against women and girls

The concept of a State Social Program for Prevention and Combating Domestic Violence and Sex-Based Violence until 2023 was approved in 2018 and the Program is currently being prepared.

In addition, the government began developing separate state programs for combating GBV/sex-based violence caused by the military conflict.

Introduced or strengthened measures to increase women's access to justice (e.g. establishment of specialist courts, training for the judiciary and police, protection orders, redress and reparations, including for femicide cases, enforcement and combating impunity, improving criminal evidence system to enhance prosecution quality and integrity of eventual judicial decisions, possibility of ex officio/victimless prosecution, clarity on jurisdictions in countries with pluralistic legal systems)

Advanced training in the specifics of domestic violence cases is an important component of improving judicial response in the courtroom. Upon the recommendations arising from the CEDAW and the Universal Periodical Review, and in accordance with the objectives set out in Ukraine's NAP CEDAW (2018), the National School of Judges of Ukraine and the National Academy for Prosecutors of Ukraine, which are Ukraine's key institutions for training of specialists of the judicial system, designed and carried out appropriate course work preparing specialists for effective handling domestic violence cases.

The National School of Judges of Ukraine trained 25 judges on the "Specifics of domestic violence cases" and prepared 25 trainer-judges in this subject matter. In 2018, a total of 263 judges completed this course. In 2019, the National School of Judges introduced a course on "Specific characteristics of sex-based crimes". NGO «La Strada-Ukraine», in cooperation with the National Prosecutors Academy of Ukraine, developed and tested a lecture-discussion on the role of the prosecutor in combating domestic violence, which explored the parameters of the prosecutor's role and provided guidance on how to use new legislation for overall better judicial response to domestic violence. A practical guide for prosecutors "Prosecutor's Activities to Prevent and Combat Domestic Violence" was published as a result.

In 2017-2018, in an effort to improve police officers' qualifications to respond to domestic violence, a nationwide training of "Service 102" domestic violence helpline operators (from 14 of Ukraine's oblasts) was offered under the title of "Responding to calls of victims of gender-based violence." Another example of methodological training – "Special aspects of providing assistance to victims of domestic and gender-based violence" – was developed for specialists working in the network of Ukraine's primary (free) legal aid centers. During 2017-2018, these trainings were conducted for specialists from 73 legal aid centers. In 2019, this activity continues.

The JurFem association of female lawyers of Ukraine focuses its efforts on the protection of the rights of GBV victims, and in particular, domestic violence, which it views as classic gender discrimination. JurFem trains its member lawyers in the nuances of recognizing gender discrimination and in the application of an algorithm of legal steps. These are outlined in the guidelines developed by JurFem experts and published as "Gender-based

Discrimination: Identification and Mechanism of Providing Legal Aid” approved by the Order of MJU as of March 12, 2019 №33 and recommended for use by the lawyers and consultants working in Ukraine’s network of free legal aid centers.

14. What strategies has your country used in the last five years to prevent violence against women and girls?

Of note is legislation regarding punishment for the sexual violence against children, including the proposal in July 2019 of a draft law (№6449) for the VRU review which recommended the registration and chemical castration of pedophiles, a proposal that received significant negative attention from human rights’ advocates.

15. What actions has your country taken in the last five years to prevent and respond to violence against women and girls due to online sexual harassment, online stalking, non-consensual sharing of intimate images?

The issue was addressed in the National Review prepared by the government. NGOs do not provide additional information.

16. What actions has your country taken in the last five years to address the portrayal of women and girls, discrimination and/or gender bias in the media?

Enacted, strengthened and enforced legal reforms to combat discrimination and/or gender bias in the media

To further the implementation of Ukraine’s National Strategy in the Sphere of Human Rights, developed for the period until 2020, the MSP in cooperation with the FES-Ukraine and the Industrial Gender Committee on Advertising (IGCA) developed several anti-discrimination amendments to the 2018 Law “On Advertising”. In July 2018, the VRU registered a corresponding draft law №8558. The MSP, as the specially authorized central executive body of power for equal rights and opportunities for women and men, was responsible for tracking the passage of the draft law. Early elections to the VRU interrupted the process, and prevented the draft law from being properly reviewed. The work is ongoing.

The new Ministry of Informational Policy of Ukraine, since its creation in 2018, has been active in the implementation of gender programs and action plans, cooperating with the Comprehensive Program for implementation of gender approaches and Action Plan (for 2019-2020) of the State Committee for TV and Radio Broadcasting. The Action Plan for 2019 provides for the implementation of the measures set forth in the national programs and action plans on equal rights and opportunities for women and men, prevention and combating sex-based violence; and for the integration of the gender component into activities of the State Committee for TV and Radio Broadcasting.

In May 2019, the CMU ruled (by Decree №437, May 22, 2019) to allow the official usage of feminines for professions and occupations to indicate a female subject. The official list of professions had heretofore recognized only masculine versions of these job titles. Corresponding amendments will follow.

The argument of women’s and feminist organizations advocating for this change of usage is that the gender-specific, in this case – feminine, job titles bring increased visibility to professional women and women in leadership positions. In the spoken and written record, they serve to highlight women’s contributions more prominently. The adoption of the new practice is considered a feminist victory.

Introduced binding regulation for the media, including for advertising

No obligatory regulations for mass media were introduced.

The Head of the National Council of Ukraine for TV and Radio Broadcasting Olha Herasymiuk had proposed to settle the problem of rampant sexism in mass media via adoption of a self-regulation act in cooperation with commercial mass media. However, as reported in the media outlet “Detector Media” in a letter dated July 31, 2019 (№15a/352), the Council head reveals that her agency is unable to impose sanctions on TV channels that broadcast sexist messages because while Ukraine’s Law “On Television and Radio Broadcasting” (Part 2, Article 6) prohibits propaganda suggesting that some persons are superior or inferior to others based on a laundry list of characteristics and social attributes, it does not prohibit propaganda based on gender differences, i.e. it allows gender-based discrimination.

The recommendation is here to amend Article 6 of the Law of Ukraine «On Television and Radio Broadcasting» by adding to the list the prohibition of sex-based discrimination.

Supported the media industry to develop voluntary codes of conduct

Efforts continue to support the implementation of an officially registered and widely-endorsed voluntary code of corporate ethics – the Standard of Gender Non-Discriminatory Advertising – developed in Ukraine in 2011 under the initiative of the Ukrainian Marketing Association and FES-Ukraine. The Standard has been signed onto by all major professional associations of marketing consultants and advertising companies. An NGO “Industrial Gender Committee for Advertising” was established by the Standard signatories to serve as a watchdog and promoter of gender non-discriminatory principle in advertising and marketing. A network of regional branches of the IGCA were created in 2014.

The Industrial Gender Committee for Advertising accepts complaints from consumers and NGOs and conducts its own monitoring of sexist advertising. In 2018 alone, it received 403 complaints against discrimination in ads; 98 commercials were recognized as discriminatory. On request from the State Service of Ukraine on Food Safety and Consumer Protection, the Committee provided 47 expert conclusions. On request from the Expert Council for Prevention and Combating of Sex-Based Discrimination under the MSP, it provided 18 expert opinions. In 2018 alone, owing to the Committee's involvement, a total of 65 advertising campaigns were terminated or modified.

In March 2019, professional journalists from the non-governmental union “Detector Media” developed an “Editorial Office Code of Ethics on Gender-Responsive Policy” as a self-regulatory act in mass media⁹⁴. There is still no information how widely this Code of Ethics has been received, but the initiative is a positive step towards the implementation of gender equality and promotion of the practice of non-discrimination based on sex in mass media⁹⁵.

Also, the NGOs “Volyn Press Club” and the “Gender Center of Volyn” developed a draft policy for gender-responsive media, and they are lobbying it in the regional media.

Non-governmental⁹⁶ organizations and research companies have been regularly conducting their own independent monitoring on gender equality in mass media and publishing results. The Volyn Press Club and the Gender Center of Volyn, in partnership with the independent public network of press clubs of Ukraine and with the support of InterNews, the Media Program in Ukraine, have been monitoring the regional media for gender sensitivity since 2017. The Institute of Mass Information conducts monitoring of the gender balance in Ukraine's online mass media. An NGO «The League for Protection of Women's Rights “Harmony of Equals”» has been engaged in regular monitoring of sexism in advertising since 2017. Within the framework of the EU project, the Kharkiv oblast NGO “Kharkiv Oblast Gender Resource Center” has also been monitoring commercial ads. The results of these monitoring projects suggest that, despite significant effort, women remain under-represented in mass media, and are still often presented as being inferior to men.

Provided training to media professionals to encourage the creation and use of non-stereotypical, balanced and diverse images of women and girls in the media

A project of MSP on the prevention of discriminatory advertising (“Development and Implementation of the Mechanism for Prevention of Discriminatory Advertising in the Information Space”) launched in cooperation with the Industrial Gender Committee for Advertising and FES-Ukraine, conducted regional workshops in 13 oblast centers on the topic “Prevention of sexist advertising: instruments for local governmental agencies and cooperation with the civil society”. These workshops facilitated the creation of oblast-level coordination platforms, which brought together administrators, advertising specialists and civil activists in identifying and preventing discriminatory advertising. The workshops' participants initiated the compilation of

⁹⁴ Final wording of the Gender-Sensitive Policy Code. // Mode of access: <https://issuu.com/irrp/press/docs/>

⁹⁵ Gender Sensitivity of Regional Media: Monitoring Results (02/2019). Independent Public Network of Press Clubs in Ukraine. Volyn Press Club. // Mode of access: http://volynpressclub.org.ua/index.php?option=com_content&view=article&id=842:-2019-&catid=10:2013-01-21-00-00-17&Itemid=21

⁹⁶ Monitoring Research of Gender Balance in Ukrainian Online Media. – February 2019. Institute of Mass Information. // Mode of access: <https://imi.org.ua/monitoring-types/hendernyj-balans/>

guidelines on how to conduct gender expert examination of complaints from local citizens.

Since 2013, the Volyn Press Club and the Gender Center of Volyn have held annual meetings on gender-in-a-café format – informal meetings among journalists for discussing gender sensitivity and creation of gender non-discriminatory content. These organizations also started systemic training of journalists from the regional media and provided expert and mentor support for them.

Some non-governmental media organizations – such as the Commission for Journalist Ethics, the Institute of Mass Information and the Institute for Regional Press Development – do not focus on implementation of the principles of gender equality as direct goals, yet they conduct many round tables and debates on this topic to help promote the idea of gender equality in mass media. The leaders of these organizations are women journalists: Oksana Romaniuk – executive director of the Institute of Mass Information; Diana Dutsyk – executive director of the Ukrainian Institute of Media and Communications; Iryna Slavinska – producer of Radio Culture and gender coordinator for Povaha (Respect) campaigns; Larysa Denysenko – journalist, author of the program “Gene of Justice” and Board member of Hromadske Radio. They are all known civil society figures, who have expressed a clear stance in support of gender equality in Ukraine. They have been promoting gender equality in the society at large, and in mass media, in particular.

In general, numerous trainings have been conducted on the diverse and non-discriminatory image of women for journalists and advertising specialists. The main donors supporting this work are: the National Democratic Institute (NDI), the UK Department for International Development under the Good Governance Fund, FES-Ukraine, the Council of Europe, and the Media program of Ukraine Internews, which is funded by USAID.

Several guidebooks were published on the issues of gender equality for journalists: “Standard of Equality: Guidelines for Press Practices in Gender Perspectives” (2015), “Gender Media Practices: Educational Guidebook for Gender Equality and Non-Discrimination for University Students” (2014), “Gender ABC for Ukrainian Media” (2017), “Gender Sensitivity for Ukrainian Media: Guidebook” (2018), “Covering Elections in Ukraine: Guidebook for Journalists and Editorial Offices” (2019), which contains a separate section on observance of gender parity, and others.

Promoted the participation and leadership of women in the media

In April 2019, the Women in Media network was established as a grassroots self-regulated initiative dedicated to mutual support of women journalists and to the sharing of best practices on combating sexism. In August 2019, the network consisted of 340 women working in media with plans to register Women in Media as an NGO.

On August 21, 2019, for the first time, they united as Ukrainian women working in media to publish an open address to MPs of all convocations, all political parties, officials of the government’s executive branch and representatives of all levels of local self-government on the issue of combating sexism in politics. More than 140 women representing different mass media signed the address. Thus, the women of Ukraine’s media strongly condemned the comment made by elected MP from the “Servant of the People” Party Maksym Buzhanskyi about the journalist Olha Dukhnych, editor of the “People” column of the “Novoye Vremya” (New Times) calling his comments sexist, offensive and degrading, and an affront to the honor and decency of a fellow human and professional.

In addition, the Women in Media demanded that the Ukrainian authorities to develop and implement a code of ethics, which would prohibit expressions of sexism and make politicians and officials culpable for expressions of such views.

Established or strengthened consumer protection services to receive and review complaints about media content or gender-based discrimination/bias in the media

Since 2012, the MSP has an Expert Council for prevention and combating of sex-based discrimination, which responds to complaints of this category. The expert council review complaints, identifies cases of sex-based discrimination and recommends methods to prevent further violations of the principle of gender equality. Representatives of the government, women and men scientists and leaders of NGOs sit on this Council, which since 2017 also includes several women-human rights advocates.

Most complaints reviewed by this council concern negative stereotyping of women in advertisements. In 2018, the council reviewed 78 citizen complaints and based on their recommendation, 35 ads were removed from circulation.

The project for prevention of gender-based discrimination called “Development and Implementation of the Mechanism for Prevention of Discriminatory Advertising in the Information Space” was conducted by the Industrial Gender Committee for Advertising and FES-Ukraine in cooperation with the MSP and expert councils in the cities of Vinnytsia, Uzhhorod, Lviv, Dnipro, Poltava, Khmelnytskyi, Odesa, Zaporizhzhia, Ivano-Frankivsk, Chernihiv, Zhytomyr, and Kamianets-Podilskyi, each of these an oblast (regional) center. Because the current reform process of decentralization grants more control to the bodies of local self-government, the local agencies have greater ability to influence information policy in the region. The project training supports their ability to enforce the censorship of offensive, discriminatory advertisements.

As of 2017, the reorganization of the State Service on Food Safety and Consumer Protection enables it to review complaints about discrimination in advertising and apply penalties. A mechanism for reviewing these complaints was developed in cooperation with NGOs and professional associations of marketers and advertisers. In 2018, the Service and its local branches received 98 complaints from individuals and NGOs about advertisements that offend by violating ethical, moral and gender equality norms. Over 130 thousand hryvnias of penalties were charged. There are examples of court trials won on the matter of removal of the advertisement identified as gender discriminatory.

The National Council of Ukraine for TV and Radio Broadcasting, which operates as a collegial body with authority to oversee compliance with Ukraine’s laws, was able to achieve the withdrawal of an ad (from TV and advertising boards) used by the company OKKO (the slogan was “I love when she

turns on”⁹⁷). The current Head of the Council is Olha Herasymiuk, who has a clear position on gender equality.

The Parliament Committee for Freedom of Speech and Information Policies was also, until recently, headed by a woman, Viktoria Siumar, a former journalist, under whose direction the committee was also following a path of clear support for gender equality.

In general, the mechanism for weeding out sex-based discrimination in advertising is more successful than the means available to rein in offensive materials produced by non-compliant journalists. Individuals may file complaints against such journalists with the Parliament Commissioner for Human Rights of Ukraine (in which case, the complaint may go to court); or one might file with the Commission for Ethical Journalism. The consumer complaints system still needs development, however.

17. Has your country taken any action in the last five years to address violence against specific groups of women facing multiple forms of discrimination?

If YES, have assessments on their impact on women and men, respectively, been conducted?

Yes. With regard to women IDPs, their vulnerability to domestic violence was addressed, but Ukraine’s legislation on domestic violence has yet to address other vulnerable groups, such as women with disabilities, homeless women, elderly women, rural women, and women of the ethnic minorities (Roma, Crimean Tatar, and others). No assessments have been done.

⁹⁷ Ad video “I Love It When She Turns On”. // Mode of access: <https://www.youtube.com/watch?v=nEXu23Uwx3U>

PARTICIPATION, ACCOUNTABILITY AND GENDER-RESPONSIVE INSTITUTIONS

18. What actions and measures has your country taken in the last five years to promote women's participation in public life and decision-making?

Reformed constitution, laws and regulations that promote women's participation in politics, especially at decision-making level, including electoral system reform

To facilitate women's participation in public life and decision-making, the Ukrainian government took several measures to improve and develop the 2005 Law "On Ensuring Equal Rights and Opportunities for Women and Men". This law provides for gender equality in political representation and decision-making, but does not specify mechanisms for achieving these goals, except for a provision for affirmative action, that is, temporary measures focused on eliminating legal or actual inequality.

There are no direct sanctions to force political parties to comply with affirmative action measures, but political parties may be motivated to comply, if reminded that they do receive state funding. In 2013 and in 2015, amendments were made to the Law "On Political Parties in Ukraine" which suggested a voluntary gender quota of 30% in the party election lists. Failure to comply does not however carry any penalty, thus 20 out of 29 parties engaged in the parliamentary election of 2014 did not comply with the suggested quota, and those that did, placed women in unelectable positions on the party lists.

The July 14, 2015 Law "On Local Elections" included the newly introduced aspects of the election system and intended to influence the results of the local elections of that year. This law provided for the proportional election system of semi-open candidate lists for municipal, district and oblast (regional) local councils, and required gender in the list of candidates for MPs and for positions in the local councils in multi-mandate constituencies (Article 4 "Equal right to vote"). Again, however, no sanctions were applied.

There was hope that the problem of absence of any penalty for non-observance of party quotas would be resolved before the local elections of 2015, but the effort remained only a paper exercise. After the local elections of October 25, 2015, the percentage of women in the oblast councils is 14.4%; in the district councils – 23.5%; in the councils of the cities of oblast

subordination – 24.8%; in the councils of the cities of rayon subordination – 31.7%; in village councils – 46%; in smaller settlement councils – 54.3%.

As a rule, the percentage of women is higher in the representational positions (of MPs and local council members) than it is in governing positions, which command higher status. The higher the level and the higher the status of a position, the less women are to be found. Thus, as per the election result of October 2015, only 5.5% of women became mayors in the cities of oblast subordination (no female mayors of oblast centers). Among the mayors of district centers 7.5% were women. Among the heads of the village communities 18% were women. The smallest settlements had 33% women in the head position.

Interestingly, while women are well represented among the heads of villages and smaller settlements, the percentage of women heading the new amalgamated territorial communities which merge larger and smaller communities into one administrative unit (a new category as of the recent reform) is very small. The heads of these amalgamated territorial communities are usually elected from among the local mayors or heads of village councils from the communities that merge (this indicator is on the level of approximately 75%). In this manner, the process of merging territorial communities is consolidating power and decreasing the total number of women administrative leaders in the one arena in which their participation is otherwise high.

The VRU of the VIII convocation made an important contribution to the facilitation of gender equality by creating under the Committee for Human Rights a subcommittee on Gender Equality and Non-discrimination. It also saw the creation of the IFU "Equal Opportunities Caucus" by MPs dedicated to overcoming gender stereotypes in politics. Their goal was cooperation in creating and supporting laws on gender equality and equal opportunities for women and men at work, education, politics, medical care and other spheres of life, combating violence in families, ensuring protection of children, families with many children, and single parents. In March of 2016, the Public Council for Gender Issues was created under this Caucus, which functioned as its consulting and advisory body.

Adoption of temporary special measures, such as quotas, reserved seats, benchmarks and targets to promote women's participation in public life and decision making

Adopted in July of 2019, the Electoral Code, which introduces the proportional electoral system with

open candidate lists starting from 2023, includes provisions on gender quota. In particular, the Code provision establishes that when a party is forming its national and regional lists of candidates to representative bodies, it must secure, for each five candidates on every list (places from the first to the fifth, from the sixth to the tenth, etc.) the presence of both men and women (at least two candidates of each sex). Thus, the gender quota, based on the new Electoral Code of Ukraine, will be at least 40% of women in the party candidate lists. This is a considerable advancement for increasing women's political participation and ensuring parity of both sexes, when making important decisions. Still, this Law again fails to stipulate any sanction for political parties for failure to comply with the gender quota.

In the VRU of the VIII convocation (2014-2019), only one party complied with the 30% quota requirement – "Samopomich". Among the thirty-two MPs elected from this party, eleven were women (that is – 36%), which granted the party the right to receive governmental funding for its activities in the amount over three hundred million UAH.

The elections to the VRU of the IX convocation in July of 2019 showed an increased total number of women in the top ten of the political parties' candidate lists. Along with the party «Samopomich» (six women), several other parties included thirty and more percent of women into the top ten of their party candidate lists – «Holos» (five women), «European Solidarity» (four women), «Servant of the People» (three women), and «Power and Honor» (three women). The party «Batkivshchyna» in 2019 included only one woman in its top ten candidate list – its leader, Yulia Tymoshenko, even though in 2014 they had three times as many women in the top ten of their list. Based on the results of the elections to the VRU of the IX convocation, the number of women increased from 12% (thirty-nine women in the VRU of the VIII convocation) to 20.8% (eighty-seven women, currently).

Put in place laws and regulations that promote women's participation in foreign service and women's engagement in international representation or in work on behalf of the State, including membership in government delegations to international conferences and nominations for peacekeeping or conflict resolution roles, and their seniority in the relevant sector

The government did not take any measures to ensure equal representation of men and women in the international delegations. The only attempt in

this sphere was the draft law "On Amendments to the VRU Standing Order №7283" initiated by MP Svitlana Voytsekhovska, which provides for guidelines for parity representation of women and men when forming Parliament Committees and official VRU delegations.

As of July of 2019, in the Cabinet of Ministers there were six women among the members of the government, which is 24%, and among those on the positions of highest governmental leaders – 16.7% (Category A positions). As of July 2019, 80% of central executive governmental agencies in Ukraine had officials or coordinators for observance of the policies on equal rights and opportunities for women and men. The Ministry of Internal Affairs, the Ministry of Defense, the State Emergency Service, the Ministry for Temporarily Occupied Territories and the Ministry of Education and Science of Ukraine have their appointed advisors for gender issues.

No measures were introduced regarding women's mandatory engagement for peacemaking missions or conflict resolutions, or in other similar spheres in the reporting period.

Ensured that organizations such as political parties and trade unions, which may not be subject directly to obligations under the Convention, do not discriminate against women

Among prioritized activities in this regard was the direct work with political parties on ensuring equal representation of women and men.

The issues of gender balance and providing equal representation to women and men in trade unions and in the civil and business sectors was raised less often. These issues have never been regulated and no efforts to introduce respective measures have been undertaken.

Analyzed and shared factors contributing to the underrepresentation of women as members and officials of political parties, trade unions, employers' organizations and professional associations

No systemic analysis was conducted in Ukraine. Women's representation in political parties and in governmental positions was taken seriously and monitored, but the monitoring was done by different organization using different (incompatible) methodology.

Data on women's representation on decision-making levels in trade unions and professional

associations were never collected or analyzed. Similarly, factors that hinder or facilitate women's empowerment in parties, professional associations or trade unions (among other representative bodies) were never studied.

Implemented capacity building, skills development and other measures

There are many functioning schools of leadership for women, in particular those focused on political leadership, such as: The Academy of Women's Leadership within the framework of the DOBRE program (06.2017 – 01.2021), the School of women's political leadership of the Union of the Women of Ukraine, the Studio of Women's Leadership administrated by NGO Center for Gender Culture, and others.

In the recent years, women's organizations and women leaders have been getting more active and engaging in new forms of joint actions. In 2017, the Ukrainian Women's Democratic Network was established. Its goal is to consolidate women who are MPs or members of local councils of different levels and different political parties in order to maximize the impact women have on the adoption of political decisions, from the local self-government to the national level. The Network has official branches in 17 oblasts of Ukraine.

Since 2014, NDI has supported the project "Women are 50% of Ukraine's Success" The project focuses on encouraging and supporting women in public and political life, promoting balanced representation of women and men in key positions. Within the project's framework, public awareness campaigns, workshops, trainings and other initiatives are implemented to facilitate ensuring equal rights and opportunities for women and men.

In the spring of 2019, 150 women's organizations of Ukraine created an advocacy network called the «Civil Alliance "Women's Political Action"». Its goal is advocating for women's political rights and achieving gender balance in governmental institutions of all levels.

Taken measures to prevent, investigate, prosecute and punish violence against women in politics

Women politicians have repeatedly reported – both confidentially and publicly – about the cases of sexism, discrimination in career progress, and being forced to withdraw from offices to the benefit of men in their party. They also complain about limited party resources for gender equality programs, absence of gender issues in the programs of parties, lack of trainings, and

reluctance to include gender discrimination issues in the party ethic codes. Unfortunately, there were many cases when high officials made statements that contain sexism and reinforce gender stereotyping of women and men in the society.

The IFU "Equal Opportunities Caucus" released several statements against sexist statements made by their fellow MPs in the VRU of the VIII convocation.

Unfortunately, in Ukraine this problem is only starting to be recognized. No regulatory measures were taken to address it.

19. What actions has your country taken in the last five years to increase women's access to expression and participation in decision-making in the media, including through information and communication technologies (ICT)?

The issue was addressed in the National Review prepared by the government. NGOs do not provide additional information on the issue.

20. Do you or the state track the proportion of the national budget that is invested in the promotion of gender equality and the empowerment of women (gender-responsive budgeting)?

If YES, what is the approximate proportion of the national budget that is invested in the promotion of gender equality and the empowerment of women? Please provide information how this was done and the impact.

In Ukraine, the proportion of the budget invested in the promotion of gender equality was not calculated.

Still, a project «Gender-Responsive Budgeting in Ukraine» (GRB Project) (2014-2020) is underway. This project has a goal to improve economic efficiency of budget expenses by taking into account the needs of women and men of different age and social groups. The project provides technical assistance to the Ministry of Finance of Ukraine in the implementation of gender-responsive budgeting. The guidelines regarding the implementation and application of the gender-responsive approach in budget processes were approved by the Decree of the Ministry of Finance of Ukraine as of January 02, 2019 №1.

In 2019, the National Agency of Ukraine for Public

Service signed an agreement with the GRB Project and with the Friedrich Ebert Foundation Office in Ukraine on cooperation in the sphere of training, specialization and retraining of governmental officials and office holders in the local self-government regarding gender equality policies and gender-responsive budgeting.

In the oblasts, a series of workshops was conducted for sustainable training of officials on the implementation of gender-responsive budgeting within public administration and local self-government. These trainings are expected to result in the introduction of gender equality issues and gender-responsive budgeting into the system of training, specialization and retraining of public servants and officials in the agencies of local self-government.

21. As a donor country, does your country track the proportion of official development assistance (ODA) that is invested in the promotion of gender equality and the empowerment of women (gender-responsive budgeting)?

Ukraine is not a donor.

22. Does your country have a valid national strategy or action plan for gender equality?

No, Ukraine does not have such strategic plan. It has several approved short-term (for 3-5 years) documents: State Program (2018-2021), the NAP 1325 and the NAP CEDAW (2018-2021). Currently, the government is preparing three more important documents: The Strategy (Program and Action Plan for it) on combating gender-based violence; the Strategy (Program and Plan for it) on combating gender-based violence in the conditions of the military conflict; the Action Plan on prevention and combating sexism on implementation of the Recommendation of the Committee of European Council Ministers CM/Res (2019).

In addition, the gender equality objectives are dispersed in eight more sectoral government strategic documents. Yet, all of those taken together remain a collection of quite different tasks; those documents are disparate, they fail to show the prospects of gender equality, and do not identify milestones for achieving it.

23. Does your country have an action plan and timeline for implementation of the recommendations of the Committee on the Elimination of Discrimination against Women (if a State party), or of the recommendations of the Universal Periodic Review or other United Nations human rights mechanisms that address gender inequality/ discrimination against women?

Ukraine does not have an action plan to implement the recommendations of the Universal Periodical Review.

However, Ukraine did adopt an action plan to implement the Concluding Observations of the UN CEDAW (2017). Ukraine's NAP CEDAW outlines an appropriate response to the Committee's recommendations, many of which require an interdepartmental approach: issues of women's access to justice through the courts; combating gender stereotypes in the media; gender quotas; equal access to training and employment; data collection and gender-disaggregated statistics; the status of rural women. Ukraine's NAP CEDAW is a comprehensive plan for securing women's rights which has great potential for advancing gender equality in Ukraine.

24. Is there a national human rights institution in your country?

If YES, does it have a specific mandate to focus on gender equality or discrimination based on sex/gender?

The national human rights advocacy institution in Ukraine is the Parliament Commissioner for Human Rights (the Human Rights Ombudsperson), and the Secretariat under this Office. Its mandate includes combating gender-based discrimination (as per Article 9 of the LU "On Ensuring Equal Rights and Opportunities for Women and Men").

Aksana Filipishina served from 2014 to March 2018 as a representative of the Commissioner (within the Secretariat) for children's rights, non-discrimination and gender equality. As of April 2018, Lyudmyla Denisova is the Parliament Commissioner for Human Rights, working with a restructured Secretariat. The structural reform of the Secretariat created a position of the Commissioner's representative for equal rights and freedoms, which currently monitors the observance of non-discrimination. The representative's

staff includes a separate specialist who performs monitoring of human rights based on sex and gender.

The Parliament Commissioner for Human Rights has broad and sufficient powers to monitor the observance of human rights, civil rights and freedoms, to review complaints and determine redress in case of violations.

An important monitoring mechanism is the Commissioner's submission of Annual and Special Reports, which include recommendations for governmental agencies. The annual report includes mandatory sections regarding observance of equal rights and opportunities for women and men by Ukraine and a section regarding discrimination based on sexual orientation and gender identity. At the same time, the Commissioner's strategic action plans for 2018 and 2019 do not have such direction as «women's rights» or «gender equality»⁹⁸.

PEACEFUL AND INCLUSIVE SOCIETIES

25. What actions has your country taken in the last five years to build and sustain peace, promote peaceful and inclusive societies for sustainable development and implement the women, peace and security agenda?

Addressed the various forms of violence and discrimination faced by women in conflict affected community, including women internally displaced persons (IDPs), human rights defenders and (ex) combatants

The National Review (2019) addressed the issue of various types of violence experienced by women in the context of conflict, pointing to Ukraine's adoption of the NAP 1325 and the implementation of regional (i.e. oblast level) and sectoral (agency level) action plans for its localization. These localization efforts,

however, would be bolstered by an approach that includes systematic data collection among the local-level representatives of vulnerable groups that have emerged in the context of military conflict. For example, the experience of implementation of the oblast action plan for implementation of the NAP 1325 in the near-front Khersonska oblast revealed that data about the number of IDPs, women and men, veterans, widows, representatives of other groups, coming from different departments – departments of social security, health, defense, etc. – differed and was collected in a non-coordinated and non-uniform way. This complicated planning and budgeting, and hindered an accurate assessment of needs.

Adopted and/or implemented a National Action Plan on women, peace and security

Ukraine adopted its NAP 1325 in February 2016⁹⁹, accepting the goals of building and supporting peace, promoting peaceful and inclusive communities for sustainable development as fundamental to the implementation of the women, peace and security agenda. Nevertheless, three years of the NAP implementation have yet to create firm foundations for achieving real results in this sphere. One of the main reasons is that hostilities are still ongoing on the territory of Ukraine.

Integrated women, peace and security commitments into key national and inter-ministerial policy, planning and monitoring frameworks

Ukraine's major programs relating to women, peace and security – the NAP CEDAW, the State Program, and Ukraine's strategy for the integration of IDPs¹⁰⁰ – all are consonant with and include the provisions/measures of the NAP 1325, CEDAW General Recommendations 30, 32, and 35¹⁰¹, and SDG Goal 5 (Gender Equality) and Goal 16 (Peace, Justice and Strong Institutions).

Additional specialized sectoral plans for the NAP 1325 implementation were adopted by several

⁹⁸ Strategic directions of activities of the Parliament High Commissioner for Human Rights for 2018; Action Plan of implementation of Strategic directions of activities of the Parliament High Commissioner for Human Rights for 2018; On Approval of Strategic directions of activities of the Parliament High Commissioner for Human Rights for 2019 and of Action Plan for their implementation. // Mode of access: <http://www.ombudsman.gov.ua/ua/page/secretariat/docs/strategichnij-plan-diylalnosti.html>

⁹⁹ CMU Order "On Approval of the National Plan of Action for the implementation of the UN Security Council Resolution 1325 Women, Peace and Security" as of 24 February 2016 №113-p.

¹⁰⁰ This refers to Ukraine's adopted Strategy for Integration of Internally Displaced People and Implementation of Long-Term Solutions Regarding Internal Displacement until 2020 and the Action Plan for its implementation.

¹⁰¹ CEDAW General Recommendation №30 (2013) covers women in conflict prevention, conflict and post-conflict situations. General Recommendation №32 (2014) covers women refugees and asylum seekers and stateless women. General Recommendation №35 addresses gender-based violence against women, updating General Recommendation №19.

Ukraine state ministries and agencies: Ministry of Internal Affairs, State Border Guards Service, National Police, National Guard, Ministry of Defense, and the Joint Staff of the Armed Forces of Ukraine. The government reports that the NAP 1325 and the NAP CEDAW were localized at the oblast level as separate programs or plans, or that separate measures in the sphere outlined by the UNSC Resolution 1325 were included to the oblast gender equality programs. Namely, for implementation of the NAP 1325, 18 regional action plans were adopted, seven more oblasts included the issue «women, peace, security» into other programs of their oblasts. As of yet, no evaluation of this localization was performed – neither by independent researchers nor by the government.

Ensure that preventive measures are put in place including setting up of early warning systems, mediation measures, regulation of arms transfer, having dialogues with protestors or actors in resistance movements and that these include a gender dimension

The NAP 1325 provides for preventative measures to create early warning systems, yet those measures are mostly of educational and informational nature. In addition, the implementation of the plan's objectives is delayed. Despite intentions to do so (clause 3.6 of 1325 NAP), Ukraine has not yet signed onto the Safe Schools Declaration (2015) and of the Guidelines on Protecting Schools and Universities from Military Use during Armed Conflict (2014).

Educational programs and long-distance courses on “Women, Peace and Security” are being developed and conducted: they cover gender aspects of internal displacement, disarmament, security, mediation, demobilization, reintegration, access to justice, theory and practices of establishing peace, reconciliation, and participation of women in peacemaking processes for women and men, etc. (as per clauses 4.1, 4.5, 4.7 of Ukraine's NAP 1325). For instance, the Dniprovskaya Academy of lifelong education introduced a course on “Developing skills for implementing the principles of gender equality in of the modern pre-school education system” and “Basic mediation skills in educational institutions and participation in conflict resolution and peacebuilding.” Such programs are often developed to cover all the issues listed in the NAP 1325 all at once. This approach yields little in terms of practical outcomes.

In Ukraine, there are many non-governmental initiatives for conducting dialogue of mutual understanding and peacebuilding. Most of these initiatives are conducted in the East of Ukraine. According to an NGO “Theater of Dialogue,” in 2017-2018 the locations of dialogue became more diverse compared to 2014-2015; 66% of participants are women. Dialogue facilitators were trained, and dialogues are conducted based on methods internationally-accepted by NGOs and feminist organizations, maintaining a non-judgmental neutrality regarding political views expressed by the dialogue participants.

Used communication strategies, including social media, to increase awareness of the women, peace and security agenda

Of the entire range of possible communication strategies, the NAP 1325 provides for development and publication in mass media of public service announcements regarding the culture of peace, the gender dimensions of resolving and preventing conflicts, and sexual violence related to military conflict. At the same time, there is another set of PSAs on the issues of war and peace that were prepared without incorporation of any gender component.

There are also other means and strategies of communication that appear to be underused. For instance, it takes an effort to find the NAP 1325 on the MSP website, as it is placed as news in the section on “Gender Policy”. The websites and social network pages of the Ministries of Defense, Internal Affairs and their subdivisions do provide some resources regarding the NAP 1325 and the women, peace and security agenda. Beyond that, there are NGOs which have been informing the public on the NAP 1325, but their initiatives are not coordinated and there are gaps in coverage of the information campaign.

In the oblasts located close to the area of hostilities, there have been many training, educational, mediation and other local and wide-scale measures – conducted by both government and NGOs in cooperation with supportive donors – on the topics of security, reintegration, access to justice, peacemaking and participation of women in the peacebuilding processes. These measures are beneficial in terms of information-sharing and have a considerable awareness-raising effect.

Increased budgetary allocations for the implementation of the women, peace and security agenda

According to the updated version of the NAP 1325¹⁰², for its implementation till 2020, the following funding is planned: UAH 261 thousand – from the state budget, UAH 2,533.6 thousand – from the local budgets, and UAH 19,603.1 thousand – from other sources (funds from international organizations). The grand total is UAH 22,397.7 thousand. The state budget contributes 1.2%, local budgets – 11.3%, funds of international organizations – 87.5%.

It is advisable to plan out financial support for women's advocacy organizations that are engaged in the implementation of these plans on the national and local levels.

Taken steps to reduce excessive military expenditures and/or control the availability of armaments

The hostilities on the territory of Ukraine have been going on since 2014. Correspondingly, the dynamics of allocations from the state budget between years 2014 and 2019 shows a constant increase of military spending for law-enforcement agencies.

Re-allocated funds from military spending to social and economic development, including for gender equality and the empowerment of women

Once hostilities have ceased and post-hostility tasks such as de-mining operations are accomplished, Ukraine will be able to address the post-war re-allocation of funds. For the time being, there is ongoing violence and almost with each day the numbers of those killed and injured in the war zone grows. The redirection of military funds to social and economic development programs will be most feasible in a post-war situation.

Supported inclusive and gender-sensitive conflict analysis, early warning and prevention mechanisms

Several clauses of Ukraine's NAP 1325 provide for gender-based analysis of the conflict and of the mechanisms of conflict prevention and early warning. Yet, no implementation of these clauses has been observed because of the lack of the

developed methodology of how this analysis, prevention and gathering of early warning data is to be done. The relevant clauses of the NAP 1325 (clauses 1.1, 1.2, 1.3, 1.4) do not provide guidance for such methodology.

26. What actions has your country taken in the last five years to increase the leadership, representation and participation of women in conflict prevention, resolution, peacebuilding, humanitarian action and crisis response, at decision-making levels in situations of armed and or crisis settings?

Promoted and supported women's meaningful participation in peace processes and the implementation of peace agreements

From 2014-2019, the Ukrainian party to the Minsk negotiation (Minsk Trilateral Ceasefire Agreement in the war in the East of Ukraine¹⁰³) launched on September 5, 2014 included two women: Iryna Herashchenko, who was appointed Special Commissioner of the President of Ukraine for peaceful settlement of the situation in Donetsk and Luhansk oblasts (serving from June 17, 2014 to May 17, 2019); and Olha Aivazovska, who was appointed as an expert member of the Ukrainian party in the political subgroup and in the Trilateral contact group meeting in Minsk for the negotiations regarding the military conflict taking place in Donbas since 2016.

In 2019, after the election of President Volodymyr Zelenskyy, the new Minsk negotiation group includes only one woman, Valeria Lutkovska, the former Parliament Commissioner for Human Rights (2012-2017).

It is understood, of course, that the inclusion of a token woman or women does little to remedy women's poor representation if there are no structural changes made and no sustainable strategy in place for the full engagement of women. The mere fact of a woman's presence at the negotiation table does not automatically improve the quality of the agreements and does little in itself to guarantee a peace agreement's long-term stability. As of today, no mechanisms have been developed for the effective inclusion in the peace processes of

¹⁰² CMU Order "On Amendments to the Order of the Cabinet of Ministers of Ukraine as of February 24, 2016 №113" as of September 5, 2018 №637-p.

¹⁰³ Minsk Trilateral Ceasefire Agreement in the war in the East of Ukraine as of 5 September 2014.

women's organizations and initiatives as civil society entities.

Promoted equal participation of women in humanitarian and crisis response activities at all levels, particularly at the decision-making level

Ukraine has seen the bolstering of representation of certain categories of women engaged in the armed conflict. Representatives of the new Women Veterans Movement joined the work of an expert group advising the Ministry for Veterans Affairs and made women's rehabilitation a part of that Ministry's agenda. The Women Veterans Movement also cooperates on counteraction to wartime GBV, with the Women, Peace and Security Platform, that was created by the IFU "Equal Opportunities Caucus".

For improved protection of veterans, in November of 2018, the Ministry for Veteran Affairs was established, which coordinates the implementation of governmental programs related to treatment, rehabilitation, medical care, granting housing and land, social and professional adaptation, etc. Yet, according to the data of non-governmental organizations that work with the veteran women, the services that are provided are gender-blind, and they fail to produce equal outcomes.

In spite of the adoption by the VRU of LU №. 2523-VIII "On Amendments to Some Laws of Ukraine on Equal Rights and Opportunities for Women and Men During Military Service in the Armed Forces of Ukraine and in Other Military Units", women, who want to be in the military service, or are already serving, continue to encounter discrimination. A particular problem is the absence of provisions for combining maternity with military service. Other problems include hindering of women's access to service in Ukraine's Armed Forces; denying women hiring into desirable positions in the armed forces and offering them lower positions; blocking women from training or re-training opportunities; selecting women for positions or programs only if there are no eligible male candidates.

Servicewomen stress the problem of sexual harassment specifically.

27. What actions has your country taken in the last five years to enhance judicial and non-judicial accountability for violations of international humanitarian law and violations of the human rights of women and girls in situations of armed and other conflicts or humanitarian action and crisis response?

Implemented legal and policy reform to redress and prevent violations of the rights of women and girls

Ukraine's Criminal Code does not define "conflict-related sexual violence." In December 2018, a draft law "On Amendments to Certain Legislative Acts of Ukraine to Ensure Harmonization of Criminal Law with the Provisions of International Law", which included the definition of "conflict-related sexual violence" was registered in the Parliament and adopted on its first reading.

The 2019 Annual National Program under the auspices of the Ukraine-NATO Commission promises to bring into the mutual agreement various terminology and language used to refer to gender-based violence. A draft law on GBV terminology would be developed and submitted to the government in the 2nd-3rd quarter of 2019.

It is also necessary to adapt to the Ukrainian context and implement the International Protocol on the Documentation and Investigation of Sexual Assault.

The 2017 report "War without Rules: Gender-Based Violence Related to Armed Conflict in Eastern Ukraine" (2014-2017)¹⁰⁴ prepared by the Eastern Ukrainian Center for Civic Initiatives covers GBV incidents from both sides of the conflict. It lists proven sexual violence crimes committed by the illegal armed forces backed by the Russian Federation against 175 individuals in the occupied territories of Eastern Ukraine. Representatives of the Center identified these cases through interviews with persons who were directly abused or witnessed violence. More than 300 people were interviewed, including 205 civilians (49 women and 156 men).

The NAP CEDAW includes the development of gender competency standards for legal education,

¹⁰⁴ Report "War Without Rules: Gender-Based Violence Related to Armed Conflict in Eastern Ukraine"./ Mode of access: <http://jfp.org.ua>

training of judges and prosecutors, introduction of gender disaggregation of judicial statistics, unification and dissemination of practices aimed at implementation of gender equality in jurisprudence, etc. Judiciary and law enforcement are listed among the executors.

Correct interpretation of the concepts such as “conflict-related sexual violence” and “domestic violence” remains an issue, as well as distinguishing different types of violence. Administrative reporting still does not include information on gender, age, place of residence or other characteristics in statistics on conflict-related sexual violence victims.

It is important to carry out unbiased and transparent investigations of suicides among ex-combatants, as the widows are unable to get benefits that are foreseen for widows of former combatants.

Strengthened capacity of security sector institutions on human rights and prevention of sexual and gender-based violence and sexual exploitation and abuse

The state has taken some steps to counteract sexual violence and harassment by laws and regulations.

Amendments to the Law “On Ensuring Equal and Opportunities for Women and Men” have strengthened the liability of employers¹⁰⁵. The Order of the Ministry of Internal Affairs as of March 13, 2018 №188 “On Approval of the Procedure of Internal Investigations in the National Guard of Ukraine” stipulated that internal investigations of cases of discrimination on the grounds of race, color, political, religious or other beliefs, gender, age, ethnic and social origin, citizenship, marital and property status, place of residence, linguistic or other characteristics, as well as sexual harassment, shall be conducted with the involvement of experts on gender mainstreaming into military command structure.

An Order of the Commander of the National Guard of Ukraine as of December 27, 2017 №911 “On Approval of the Instruction for Controls on Processing Citizens’ Complaints on Gender-Based Discrimination and Sexual Harassment in the National Guard of Ukraine” was adopted. It foresees timely response to the incidents of gender discrimination with the participation of a gender

focal point at the HR department of the General Directorate of the National Guard of Ukraine.

Order №82 adopted by the Ministry of Defense establishes general internal investigation procedure to investigate harassment. A hotline on social security issues for military personnel may be used to report sexual harassment or other cases of GBV. The order allows inclusion of other specialists into the internal investigation commission on demand.

The sexual harassment complaint system provides for:

- filing sexual harassment and sexual assault complaints not by subordination;
- filing complaints to civilian police, neutral structures or a neutral person;
- protecting complainants from hostility of their management.

According to the reports of female veterans, cases of sexual violence and harassment are routinely glossed over. There are also no decent support services for victims of sexual violence. In particular, there is no specialized hotline in the Armed Forces, as well as any legal or psychological support of victims. There is also no gender-sensitive rehabilitation service for female military personnel. Military units have no medical staff. Doctors, including gynecologists, are available only in hospitals (inpatient centers and field hospitals).

Increased access of conflict-affected, refugee or displaced women to violence prevention and protection services

Internally displaced persons are one of the vulnerable groups. From December 29, 2014 to January 12, 2015, NGO “La Strada-Ukraine” had been conducting a survey in 16 regions of Ukraine regarding the risk of trafficking in this group. One thousand IDPs and 403 persons that returned to their place of residence were interviewed. Of the interviewees, 72.1% were aware of the human trafficking (including 79.7% of the respondents from Luhansk and Donetsk oblasts). Direct knowledge of cases of IDP trafficking was reported by 6.5% of respondents from Luhansk oblast and 12.5% of those from Donetsk oblast.

In the other oblasts of Ukraine, female IDP respondents who were singly supporting households

¹⁰⁵ Article 22 “Complaint on Gender and Sexual Harassment, Gender-Based Violence” and Article 23 “Compensation for Material and Moral Damage Caused by Gender Discrimination, Sexual Harassment, or Gender-Based Violence” of the 2005 Law “On Ensuring Equal Rights and Opportunities for Women and Men” have been expanded.

reported thinking about finding a job abroad. This option of employment abroad was also considered by 12.1% of female IDP heads of households who had returned to their original area of permanent residence. Of the total number of respondents, 13.6% said that they, their family members or acquaintances have worked abroad within the last 6 months. A significant number (7.8%) were ready to work abroad “under any conditions.”

According to an IOM survey of internally displaced persons in 2018, five percent of respondents said that since the beginning of the conflict they had encountered at least one case of employer’s fraud or forced labor. Four percent reported that they “worked without the expected pay,” and another three percent “worked in conditions far worse than promised.” Among the reasons causing them to resort to such work in the last twelve months were lack of food or lack of money to buy food.

One more problem faced by residents of uncontrolled territories and by IDPs is the official registration of births. Under the simplified procedure established in Ukraine for birth registration, the parents or other legal representatives of a child born in the temporarily-occupied territories of Ukraine may apply to any court on Ukrainian territory for birth registration. Such applications must be considered promptly by the court. A copy of the court decision is to be issued to the parties immediately after its announcement or immediately sent by the court to the state civil status acts registration body.

However, according to 2018 research by the Group of Experts on Action against Trafficking in Human Beings (GRETA), only 8% of children born in Crimea and 38% born on the un-controlled territories of Donetsk and Luhansk oblasts received birth certificates. It was found that in some oblasts it takes five to seven days to receive a court decision, which results in additional costs for the applicants.

Taken measures to combat the production, use of and trafficking in illicit drugs

For the last two years drug dealing has significantly increased throughout the country, especially in cities. Addresses of drug dealers selling narcotic substances from marijuana to amphetamines are painted on the walls of residential buildings, including those near kindergartens, schools, and care facilities. Addresses are regularly updated. Drug stashes regularly are found in the yards of residential buildings and playgrounds, and the presence of stashers and drug addicts has become an everyday reality in recent years in all the oblasts of Ukraine¹⁰⁶. There are occasional clashes between the stashers and young men concerned about local community¹⁰⁷. Women, the elderly and children do not feel empowered to oppose drug dealers and users, and generally avoid contact with them.

At present, no systematic action by the Ukrainian police has been planned or undertaken. However, initiatives to legalize light drugs are registered in the Parliament. For example, a petition filed in February 2019 for the legalization of medical marijuana in Ukraine collected the required 25,000 signatures and was considered and received support from the Parliament Human Rights Committee¹⁰⁸. This allowed development of a draft law (the bill is in progress).

Taken measures to combat trafficking in women and children

Ukraine has made major strides over the past five years in combating trafficking in women and children in the context of the military conflict.

The baseline regulatory support for this is provided by 2012 CMU Resolution on Human Trafficking¹⁰⁹.

¹⁰⁶ Cyphers on Walls and Street Stashes: in Ukraine New Way of Dealing Drugs on the Rise. «Siohodni», 13 December 2017. // Mode of access: <https://ukr.segodnya.ua/regions/odessa/shifrovki-na-stenah-i-ulichnye-zakladki-v-ukraine-rastet-populyarnost-novogo-sposoba-narkotorgovli-1098175.html>

¹⁰⁷ Report Street Stash: Ukrainians Uniting Against Street Drugs. UP.Zhyttia. 21 May 2019. // Mode of access: <https://life.pravda.com.ua/society/2019/05/21/236947/>

¹⁰⁸ To lawfully regulate cannabis for science and healthcare is to protect constitutional rights of citizens. 30 January, 2019 // Mode of access: <https://itd.rada.gov.ua/services/Petition/Index/4871>

¹⁰⁹ Resolution of the Cabinet of Ministers of Ukraine №350 as of March 21, 2012 “On Approval of the State Targeted Social Program for Combating Trafficking in Human Beings for the Period up to 2015.”

Since the occupation of the Autonomous Republic of Crimea and the beginning of the military conflict in Eastern Ukraine in 2014, there have been a number of new laws and amendments to the CCU. In 2016 the government adopted the State Social Program for Combating Trafficking in Human Beings for the period up to 2020 and the Instruction on the Collection and Monitoring of Statistical Information on Victims of Trafficking in Human Beings. In September 2018, the VRU passed the LU “On Amendments to Article 149 of the Criminal Code of Ukraine on Harmonization with International Standards”. As amended the article was brought into agreement with the 2000 Protocol on the Prevention, Suppression and Punishment of Trafficking in Persons, Especially Women and Children (UN TIP), one of the Palermo protocols supplementing the United Nations Convention against Transnational Organized Crime (UNTOC).

The 2018 Law “On Amendments to the Criminal Code of Ukraine on the Protection of Children from Sexual Abuse and Sexual Exploitation” was adopted to harmonize the legislation of Ukraine with the provisions of the Optional Protocol to the Convention on the Sale of Children, Child Prostitution and Child Pornography¹¹⁰.

The draft law №6125 “On Amendments to Certain Legislative Acts of Ukraine on Strengthening Efforts to Prevent Trafficking in Human Beings and Protection of Victims” was submitted to the VRU on February 23, 2017. Also, on January 24, 2018, the draft Law №6275-d “On Amendments to Certain Legislative Acts of Ukraine on Conducting Business Activity on Mediation in Employment Abroad” was registered in the Parliament. In June 2019, both documents were adopted in first reading.

The MSP of Ukraine is the government agency charged with serving as national coordinator of anti-trafficking efforts. In 2013, the Ministry created an inter-agency working group – to address issues raised during the implementation of the state policy on trafficking and to make recommendations for improving the legal framework. The interagency working group held seven meetings in 2017, and nine in 2018.

Another interagency body – the Interagency Council on Family, Gender Equality, Demographic Development, Prevention of Domestic Violence and

Trafficking in Human Beings, a temporary advisory body set up under the CMU – is also coordinating activities to implement national action plans and strategies in the field of combating trafficking. The Council did not meet in years 2010-2015, but has resumed annual meetings since 2016. Its last meeting was held on July 24, 2018. Such interagency councils also operate at the regional and local level.

The key challenges for Ukraine in combating the problem of trafficking in human beings are:

- firstly, a lack of consolidation of statistics.

Law enforcement agencies collect data on the number of victims of trafficking registered in criminal investigations; the Ministry of Social Policy keeps record of persons who have officially applied for the status of victims of human trafficking, while the IOM, NGOs and social service providers maintain their own statistics on the victims and likely victims of human trafficking that they are assisting.

For example, to compare MSP and IOM annual counts of trafficking victims:

MSP counts of trafficked persons (official applications for status): in 2014 – 27; in 2015 – 83, in 2016 – 110, in 2017 – 198, in 2018 – 221.

IOM counts of trafficked persons (suspected and confirmed cases of applying for assistance) – in 2014 – 903, in 2015 – 740, in 2016 – 1151, in 2017 – 1259, in 2018 – 1265.

Persons counted as victims of trafficking in criminal proceedings in Ukraine: in 2015 – 102, in 2016 – 86, in 2017 – 367, in 2018 – 223.

The number of victims identified by government agencies is increasing, but identification remains a complex issue.

- secondly, a lack of proper conditions for the social and psychological rehabilitation of the victims of trafficking.

Victims of trafficking can turn to the Kyiv Medical Rehabilitation Center, a specialized institution fully funded by the IOM since 2002. Otherwise, there are local (oblast, district) centers for social and

¹¹⁰ The Protocol to the Convention on the Rights of the Child, which was adopted by the United Nations General Assembly in 2000 and came into force in 2002.

psychological assistance, but these work mainly with IDPs and in most cases, do not have a specialist on staff trained to work with victims of trafficking.

- thirdly, concerns regarding the privacy of personal data of trafficking victims.

GRETA has reported incidents when the names and addresses of victims were communicated to law enforcement officers in contradiction to the will of the victims themselves. GRETA also has raised concern over instances of MSP correspondence in which appeared lists applicants whose request for victim of trafficking status has been declined.

- fourthly, questions of trafficking victims' entitlement to free secondary legal aid.

The 2011 Law "On Free Legal Aid" №3460-VI does not extend free secondary legal aid to victims of trafficking.

Also, taking advantage of the services of a trafficked person is still not recognized as a crime and the CCU does not specify liability of legal entities for trafficking in human beings.

- fifth, new forms of trafficking in human beings are becoming more widespread in Ukraine.

This includes the involvement of trafficking victims in criminal activities such as drug trafficking, smuggling of migrants, and such. Ukrainian legislation does not directly address the possibility of exempting a trafficked person from the penalties for illegal activity forced upon them during their ordeal. Also, there is no proper cooperation between Ukraine and the countries of detention of trafficking victims to ensure their quick extradition back to Ukraine.

In addition, the administrative responsibility for prostitution in accordance with Article 181-1 of the Code of Administrative Offenses has not been repealed, which would have been especially relevant considering the military conflict, when the persons concerned may be forced into prostitution.

28. What actions has your country taken in the last five years to eliminate discrimination against and violations of the rights of the girl child?

Taken measures to combat negative social norms and practices and increased awareness of the needs and potential of girl children

Ukraine's National Social Agenda "National Action Plan for the Implementation of the United Nations Convention on the Rights of the Child up to 2021" is ongoing. Article 3 of the LU "On Childhood Protection" guarantees equal rights and freedoms to all children regardless of gender. In addition, the LUs "On Bodies and Services for Children's Affairs and Special Institutions for Children", "On Prevention and Counteraction to Domestic Violence" and the State Social Program "National Action Plan for the Implementation of the UN Convention on the Rights of the Child" indirectly address the rights of girls.¹¹¹

Strengthened girls' access to quality education, skills development and training

Unfortunately, good efforts by the Ministry of Education and Science have not eliminated gender stereotypes in curricula, despite gender expertise of textbooks; also, school programs are influenced by the biases and gender stereotypes of the teaching staff that hinder the advancement of girls.

There remains a need to implement the anti-discrimination expertise more widely, to include in its scope reviews of legal acts and guidelines of the MES. There also remains a need for more teacher training in the concept and principles of gender mainstreaming, so that they contribute to a safe school environment free of prejudice and forms of GBV.

Sadly, some recommendations of the Ministry itself (for example, regarding textbooks on home-economics or domestic crafts, mentioned earlier in this report) still serve to promote and perpetuate stereotypical gender roles. Thirty-two percent of teachers surveyed indicated that children are not

¹¹¹ CMU Decree «On Approval of the State Social Program "National Action Plan for the Implementation of the UN Convention on the Rights of the Child"» as of 30 May 2018 №453.

allowed to choose between two tracks in the home economics and civic service/homeland security class curriculum, as they are automatically divided into male and female class groupings with very different instructional content. Other observations consonant with a situation in flux are that students report noticing differences in teachers' gender attitudes. A 2016 study found that even when teachers insist the equality has been achieved, students still stress biased attitudes to boys and girls.

Children note that they face GBV in educational institutions. Thus, a survey of children (10 to 17 years old) revealed that 16% of respondents acknowledged being subjected to GBV at school¹¹²: being reprimanded by the teacher about gender non-conforming behavior or appearance; experiencing gender-related restrictions on participation in school activities; and various types of sexual abuse. A correlation should be noted: the older the students, the higher the percentage of them reporting GBV (this was 22% in the 16-17 age group).

Tackled disadvantages in health outcomes due to malnutrition, early childbearing (e.g. anemia) and exposure to HIV/AIDS and other sexually transmitted diseases

In 2018, 47 girls under the age of 14 and 707 girls in the age group 15-17 reported having an abortion.¹¹³ The total number of abortions in 2018 reached 20,362. Births included 118 born to girls under 14 and 3,572 to girls aged 15-17. Of these, 101 girls in the age group under 14 and 3,199 among 15-17 aged girls gave birth for the first time. Access to modern contraceptive and confidential sexual and reproductive health services is crucial to the prevention of abortion and sexually transmitted diseases.

The recommendation of the UN Committee on the Rights of the Child on the development of a comprehensive national policy on child mental health (2011) was not implemented in full.

Psychological help for girls remains inaccessible due to the issues with the primary care in health facilities, the lack of school psychologists or the lack of trust in them.

Within a 2017 survey, girls were asked how they felt about school over the last year. 74% said they had been stressed about school; 71% said they had extended periods of sadness; and 7% of girls reported self-harm in the past year. The most common causes of stress are reported to be the inability to keep up with homework (51% of girl respondents), followed by the financial situation of the family (18% of girl respondents).

A separate issue is access to medical services for refugee children, in particular girls, due to the lack of language skills and assistance. At present, refugee children receive such support only through projects of the UN Refugee Agency (UNHCR)¹¹⁴.

Implemented policies and programs to eliminate violence against girls

Ukraine has complied with the recommendations of the UN Committee on the Rights of the Child and the CEDAW Committee. In 2012, the Family Code of Ukraine raised the minimum age of marriage for girls from 17 to 18, which promotes equality between girls and boys. However, there are still cases of early marriage. According to the SSS, 1,377 girls under the age of 18 entered into marriage in 2017 (they represent 0.5% of all women)¹¹⁵. The number of boys under 18 who entered into marriage over the same time period was sixteen times smaller (84). Marriages involving an underage person are more common in rural than in urban areas. In particular, girls under 18 are three times more likely to marry in rural areas than in urban areas (1.2% and 0.4% of the total number of registered marriages in rural and urban areas, respectively).

A review of court decisions reveals that pregnancy is the main reason for granting legal permission to a claimant 16-17 years old to enter into marriage¹¹⁶.

¹¹² Report of the results of the sociological study «Study of Gender Aspects of Violence in Schools of Ukraine» // Edited by A.Kostenko // Sumy State university. – Sumy, 2016. – 95 pages.

¹¹³ Indicators of health of populations and use of healthcare resources in Ukraine in 2018 // Center for Health Statistics, Ministry of Health of Ukraine. // Mode of access: <http://medstat.gov.ua/ukr/statdov.html>

¹¹⁴ Asylum Levels and Trends in Industrialized Countries, 2014. Published on 26 March 2015. // Mode of access: <https://www.unhcr.org/search?comid=56b087f44&cid=49aea93aba&scid=49aea93a5c&tags=asylumtrends>

¹¹⁵ Demographic yearbook "Population of Ukraine in 2017": State Statistics Service of Ukraine. // Mode of access: http://www.ukrstat.gov.ua/druk/publicat/kat_u/2018/zb/11/zb_dy_2017.pdf

¹¹⁶ Problem of Child Marriages in the World and in Ukraine. // Mode of access: <https://povaha.org.ua/problema-rannih-shlyubiv-u-sviti-ta-v-ukrajini>

However, if the claimant is under 16, permission for marriage is rarely granted, even in the case of a pregnancy.

Early marriages and early motherhood make girls economically vulnerable because of the loss of opportunities to continue their studies and start a professional career. There are almost no social support services. Support may be received only from NGOs or in certain regions due to the international assistance.

Implemented policies to prevent and eliminate sexual violence and harmful practices

Girls are subject to violence in different places – at home, at school, in the street and in public transportation. 22% of girls surveyed admitted feeling unsafe in public transportation during the day, and 39% of the girls identify public transport as dangerous for them in the evening.¹¹⁷ Sexual harassment was one of the reasons given for feeling threatened.

According to the Council of Europe, every 5th child in Ukraine faces sexual abuse. Nationwide, police records annually tally approximately 4.300 claims of child sex abuse. However, investigations into these claims are initiated in only about ten percent of the reported instances, and only two percent of the cases actually go to court. Also, in only 1.5% of cases do children receive social assistance, including social and psychological support.

There is no sex education in schools and kindergartens, thus, girls have no access to learning certain life skills such as seeking help in a situation of danger.

Forced abortion is among the institutional forms of violence experienced by girls. Abortions among girls in orphanages or other similar institutional facilities are concealed by means of entering false medical diagnoses in medical records. In total, one hundred thousand children (1.5% of the total child population of Ukraine) are forced to live in institutions of various types almost to the age of majority (18). Children living in institutional facilities have limited access to justice because their legal representatives are the heads of the institutions in which they reside. This

results in the effective silencing sexual abuse and sexual exploitation in such institutions.

Female genital mutilation is not typical for Ukraine. Nevertheless, due to global migration it is important to be ready to prevent or deal with this issue, when the need occurs. The lack of medical statistics in such cases does not allow estimating the number of residing in Ukraine women and girls who suffered female genital mutilation.

Promoted girls' awareness of and participation in social, economic and political life

Ukraine has begun (mostly in response to initiatives by civil society and international organizations) to take the first steps towards promoting the participation of children in societal processes, to be in line with the standards set out in General Comment №12 to the UN Convention on the Rights of the Child. Most of the current examples, including student self-government bodies and children's NGOs, are really only children-motivated and operated in name, since these organizations are generally managed by adults who do not always listen to the children's opinions.

A survey of girls asked about opportunities to speak and express their thoughts on important issues openly, showed that 55% of the girls felt they had had an opportunity to speak on an important issue during the last year. Of these, 66% said that they had that opportunity at school, while 35% of girls surveyed said they feared harassment for speaking openly at school, particularly during the last year¹¹⁸. Another 61% of the girls surveyed said they had an opportunity to speak on an important issue at home, and only 9% had such an opportunity at the local government level. Sixty-seven percent of the girls wanted more opportunities to express their thoughts and be heard. Eighty-seven percent of the girls agreed that the state should consult with children when making decisions regarding children. And thirty-five percent of girls aged 14 to 17 said they would like to participate in discussions on gender issues.

¹¹⁷ Report on observance of the rights of the child in Ukraine „Children's Voices“ // Women's Consortium of Ukraine, Coalition «Rights of the Child in Ukraine», Ukrainian Marketing Association, and others. – Kyiv, 2017. – 47 pages.

¹¹⁸ Report on observance of the rights of the child in Ukraine „Children's Voices“ // Women's Consortium of Ukraine, Coalition «Rights of the Child in Ukraine», Ukrainian Marketing Association, and others. – Kyiv, 2017. – 47 pages.

ENVIRONMENTAL CONSERVATION, PROTECTION AND REHABILITATION

29. What actions has your country taken in the last five years to integrate gender perspectives and concerns into environmental policies?

Ukraine's women's NGOs do not have any information on government actions to integrate gender into environmental policies, in terms of women's participation in resource management decisions, or climate change/disaster planning, on the national or city level, and have no access to evidence of planning for the education of girls in appropriate sciences to grapple with the management and conservation of Ukraine's land and water resources, including biodiversity, production of clean energy, and implementation of wise food-production technology, encouragement of women's participation in a green economy, among other important issues. This is an important need area.

Monitored and evaluated the impact of environmental policies and sustainable infrastructure projects on women and girls

In March 2018, at the 62nd session of the UN Commission on the Status of Women, Ukraine presented its concern over the use of pesticides and other toxic chemicals and fertilizers, and the introduction of genetically modified sowing material (seeds) into Ukraine's agricultural practices, without adequate consideration of their toxicity, especially their impact on the female reproductive health. Also, in 2018, during the General Assembly of the International Council of Women (ICW) in Jakarta, Ukraine's National Council of Women submitted a draft resolution on access to environmental information and education, which was approved by the ICW. In general, Ukraine is just beginning to address pollution and the gender-specific aspects of environmental hazards related to certain industries.

One example, is the hazards experienced by women working in the livestock production. The Trade Union of the Agro-Industrial Workers and its Gender Commission report that antibiotics are used in virtually all Ukrainian commercial production of meat or eggs. Throughout 2018, the Trade Union had been conducting an awareness-raising campaign

on the dangers and consequences of antibiotics use for non-therapeutic purposes in livestock breeding. Workers in the food chain production are exposed to the risk of contamination with bacteria resistant to antimicrobial drugs in the workplace. Agricultural workers who work with animals and products such as meat, poultry, milk and dairy products, eggs, honey, as well as employees engaged in fisheries, working in slaughterhouses, transportation, retail, and food preparation are exposed to danger. Food produced in hazardous workplaces is also hazardous.

In April 2019, the Union of Agricultural Workers and an NGO "Union of Ukrainian Peasants" held a roundtable on these issues at the national level. Among the participants were representatives of the Committee on Agrarian Policy and Land Relations of the VRU, the State Labor Service of Ukraine, the Federation of Employers in the Agrarian and Industrial Complex, the National Academy of Agrarian Sciences of Ukraine, the State Service of Ukraine for Food Safety and Consumer Protection, the Ministry of Agrarian Policy and Food of Ukraine, National

University of Biotechnology and Nature Management of Ukraine, the State Institution "Center of Public Health" of the Ministry of Health of Ukraine, the Ukrainian side of the EU-Ukraine Civil Society Platform. The resolution they adopted urged authorities to stop the widespread and thoughtless use of antimicrobials, to combine efforts by the state, trade unions, employers and scientists to study the risks of antimicrobials released into the environment and food; to start funding research to minimize the spread of antibiotic-resistant forms of microorganisms in the environment; to initiate hearings in the Committee on Agrarian Policy and Land Relations of the VRU on the issue of "Antimicrobial Resistance – Unjustified Use of Antibiotics in Livestock and Poultry."

30. What actions has your country taken in the last five years to integrate gender perspectives into policies and programmes for disaster risk reduction, climate resilience and mitigation?

The issue was addressed in the National Review prepared by the government. NGOs do not provide additional information.

Section Three.

NATIONAL INSTITUTIONS AND PROCESSES

31. What is your country's current national machinery for gender equality and the empowerment of women? Please name it and describe its location within Government.

What is the line of accountability for the national machinery for gender equality? Does it report annually to the Cabinet and Parliament? Are those reports accessible to the public?

Ukraine's 2005 Law "On Ensuring Equal Rights and Opportunities for Women and Men" (September 8, 2005) – together with the Law "On Adoption of the State Program for Ensuring Gender Equality in Ukrainian Society" (2006-2010) – laid the early legal foundation for Ukraine's national mechanism for gender equality. The 2005 Gender Equality Law was the first legal tool of Ukraine to define discrimination on the basis of sex and to provide for legal protection from such discrimination. It opened up a path towards gender mainstreaming (gender integration) by spurring the growth of legislative and administrative measures, laws and amendments to Civil Labor and Criminal Codes.

The system is still searching for a clear national strategy for the advancement of gender equality.

The current system of state institutions on ensuring the equality of women and men in Ukraine has undergone some changes since 2010. A preliminary National Review Beijing+20 (2014) outlines an institutional mechanism established under this Law and covers legislative and executive branches of power at national and local levels, as well as local self-government.

More dramatic changes have been introduced since 2017. In some respects, the national gender equality mechanism has been strengthened at the top of the executive branch, but in other respects, changes appear to have weakened the mechanism overall.

On the positive side, in 2017, in the Cabinet of Ministers, the office of the Deputy Prime Minister

for European and Euro-Atlantic Integration of Ukraine was charged with the coordination of gender mainstreaming efforts. The CMU also created a special position, the Government Commissioner for Gender Equality Policy, as part of the structure of the Secretariat of the CMU and budgeted for a staff of four persons in this office.

The Government Commissioner for Gender Equality Policy is an official authorized by the Cabinet of Ministers of Ukraine to ensure that the Cabinet of Ministers of Ukraine fulfills its obligations on promoting equal rights and opportunities for women and men in all spheres of life. This position goes a long way towards guaranteeing Ukraine's implementation of a unified gender policy. This is the highest level of government competency to which gender equality has ever been raised. This development was praised and fully supported by the IFU "Equal Opportunities Caucus" and the women's NGO community.

The Government Commissioner participates in the meetings of the Cabinet of Ministers of Ukraine with an advisory vote on matters within the Commissioner's broad reach of competence. The Commissioner participates in coordinating the work of ministries and other central and local bodies of executive power on ensuring equal rights and opportunities for women and men; monitors compliance of the normative legal acts adopted by the Cabinet of Ministers of Ukraine with the principles of gender equality; advises the CMU and Prime Minister in representing Ukraine's gender policy to UN CEDAW and other international meetings and forums, including the UN Commission on the Status of Women, the UN Security Council "Women. Peace, and Security" sessions, the Council of Europe, the OSCE; tracks the implementation of recommendations of international human rights institutions, international monitoring missions and international organizations by central and local executive authorities, as well as local self-government bodies.

The Government Commissioner submits, in agreement with the Deputy PM, proposals to the

CMU aimed at ensuring effective implementation of gender policy and plays an important role in developing a strategic vision of gender equality implementation. The Government Commissioner also facilitates cooperation with civil society. The Commissioner does not, however, have the power of budget allocation.

While the extended powers of the Deputy Prime Minister and establishment of the Government Commissioner's office have brought gender equality issues on the highest levels of the executive branch of power the position needs to be safeguarded. It would enhance the institutional stability of the Commissioner's position, if it were guaranteed by law, enshrined in the Law "On Ensuring Equal Rights and Opportunities for Women and Men".

There are ambivalent changes in the three institutions key for gender equality machinery, which the women's NGO community fears may potentially weaken the national mechanism.

The 2005 Gender Equality Law designated the Ministry of Social Policy of Ukraine as the specially authorized central body of executive power for gender integration, while also being responsible for the issues of social welfare and humanitarian aid (by the CMU Decree as of June 17, 2015, №423). The Ministry of Social Policy as a state executive body participates in the meetings of the Cabinet of Ministers of Ukraine and votes as a full member of the Government.

The Ministry is responsible for developing measures aimed at ensuring equality of rights and opportunities for women and men in all spheres of life; it draws up a National Action Plan for the Implementation of Gender Equality and generalizes the implementation of state programs on gender equality; within the limits of the powers provided by law it monitors compliance with gender equality principles, and resolves personnel issues; it organizes trainings for civil servants on equal rights and opportunities for women and men; together with other central executive bodies it carries out the preparation of science-based proposals on gender equality; and, together with other central executive bodies, takes steps to eliminate discriminatory norms identified as a result of gender-based legal expertise.

Also, according to the Budget Code of Ukraine (Article 22, item 2.1), the Ministry of Social Policy is the budget manager, which means that the Ministry is responsible for implementing state programs on gender equality.

Gender policy objectives were included in the annual plans of the Cabinet of Ministers of Ukraine for 2018 and 2019, and such demonstration of political will, as well as coordination, resulted into intensification of line ministries' gender-policy-related activities. In the security sector (the Ministry of Internal Affairs and the Ministry of Defense), a system of advisers and contact persons on gender issues was established, and gender equality structural units were created. Full-time or part-time advisors on gender issues have been appointed to the heads of 16 regional state administrations. Some of the advisers are employed, while some work on a voluntary basis or are supported by the UN Women Program.

At the same time, "gender" units are being established in other ministries and executive agencies: Department for Gender Equality within the Office at the Ministry of Internal Affairs; Gender Integration Service in the National Guard of Ukraine, Gender Equality Office in the State Border Service; and Department on Gender Equality and Processing of Citizens' Appeals at the State Migration Service of Ukraine. In other ministries, Deputy Ministers for European Integration are responsible for gender equality. Establishment of gender equality units, positions of advisors, support for consultants, development of sectoral action plans, and other significant improvements in the institutional building, as well as donor resources (UN Women), are concentrated mainly in this sector of government.

Meanwhile, with the management reform of the ministries (establishment of Directorates), rather concerning changes within the organization of the Ministry of Social Policy were observed in 2018. One was the elimination of the MSP's Department for Family, Gender and Trafficking in Human Beings within which there was a Gender Unit (an office of five persons). The full spectrum of the abolished department's responsibilities was assigned to a newly-created Directorate of Social Services and Integration, but without the mention of gender equality issues in its title. Thus, there arises uncertainty, as to whether, or to what degree, the Directorate's attention to gender equality issues may depend on the current political situation and political will.

The establishment of this Directorate of Social Services and Integration was also accompanied by an outflow of well-trained and gender-sensitive staff, who had been responsible for gender policy implementation from 2013 to 2019. Gender

competences were not listed among the job requirements for persons filling the vacancies in the Directorate, thus, it is likely that some time will be needed for the new specialists to acquire relevant gender competencies.

Women's NGOs spoke out in protest against these changes. MP Irina Suslova, the Chairman of the VRU Subcommittee on Gender Equality and Non-Discrimination of the Committee on Human Rights and National Minorities, made repeated inquiries about these changes, explaining why they were undesirable. Considering that since 2010 the Ministry of Social Policy has been an executive body specially authorized to protect equal rights and opportunities for women and men, the abovementioned changes should be regarded as negative.

The parliamentary level of the national mechanism for gender equality includes the VRU's Subcommittee on Gender Equality and Non-Discrimination of the Committee on Human Rights, National Minorities and Interethnic Relations, as well as the IFU "Equal Opportunities Caucus" supported by the National Democratic Institute (NDI). Both the Subcommittee and the Caucus existed in the VRU of VI, VII and VIII Convocations. More recently, members of the VRU of the VIII convocation created the IFU "Women, Peace and Security" and the IFU "Women's Initiative for Family Values".

The Office of the Parliament Commissioner for Human Rights has also undergone changes similar to those affecting the MSP. This important body of the national mechanism, the Ombudsperson's System of Representatives, has been reorganized. The position of the Representative on Children's Rights, Non-Discrimination and Gender Equality was eliminated and replaced by the post of the Representative of the Commissioner for Gender Equality Policy, whose office has only one specialist dealing with gender equality. This represents a significant reduction of personnel assigned to the protection of women's rights and it affects the second-most-important government body responsible for gender non-discrimination.

Changes in the Ukrainian Parliament are also to be expected. The snap elections to the Verkhovna Rada of Ukraine (July 2019) resulted in single-party majority of the pro-presidential party "Servant of the People." This initiated discussions on the reduction of the number of Parliament Committees. There is a threat that a key Human Rights Committee may be merged with other committees, and the issue of women's rights will be marginalized.

On the local level of the oblast state administrations, advisory and consultative bodies have been notably developing. However, because of repeated changes of the apparatus of the oblast state administrations, there is still no single approach to creating gender mechanism on the grassroots level.

Due to the decentralization reform, gender policy in the amalgamated territorial communities depends on the political will of the head of the community, and the quality of policy implementation depends on the gender competences of the executors. At present, no mechanism has been developed to mainstream gender policy in the framework of decentralization.

All-in-all, the state institutional mechanism has been developing but disproportionately. Key organs of the gender equality mechanism are being cut, while peripheral ones are being staffed and expanded. These changes to the institutional mechanism were not done in consultation with the women's NGOs or with civil society experts. There is also no information available on how these issues are being discussed in government-only meetings.

Insufficient budgetary resources and lack of qualified staffing adversely affect the effectiveness of the whole institutional mechanism. It is worrisome for the progress of the national strategy and advancement of gender equality, that decisions are potentially being made by civil servants with insufficient gender policy training. Furthermore, there is low accountability of public authorities on the implementation of gender policy, and no responsibility for the failure in this area. There is no single coordinating mechanism to account for gender components in projects or gender equality programs of international donor organizations. This results in duplication of efforts on some gender-related issues or omission of gender perspective in others.

In general, dialogue and cooperation with women need to be strengthened. This is one of the bottlenecks of equal rights and opportunities policy in Ukraine. Six years after the 2005 Gender Equality Law was passed, the 2011 Law "On Social Dialogue" provided the basis for public participation in policy making. The law, however, failed to specify the required participation of women in social dialogue or for gender balance in key dialogue organizations such as trade unions. As a result, women are underrepresented in these organizations and have no significant influence on their policies. Women, and especially young women and girls, continue to be pushed out into street protests and street

movements to voice their needs. This state of affairs requires serious intervention, and women's representation in all organizations that are party to social dialogue must be required by law and backed up by penalties for non-compliance.

Research on international standards for the collection and visualization of the status of women and men in society, including women facing multiple discrimination, conducted within the framework of the project "Women of Ukraine: Heard, Capable, Resilient", implemented by the Pact international with support of the Ministry of Foreign Affairs of Canada proves the need to reform the system of gender statistics collection in Ukraine. It is important to create a system that allows monitoring CEDAW, Beijing Platform for Action, Sustainable Development Goals. At the time of preparation of the report, gender-disaggregated data in Ukraine are mainly collected by demographics but the collection of indicators that show the difference in the status of men and women is sporadic and requires institutionalization and validation of the methodology. The analysis showed that the Government focused on collecting data for SDG reporting, which is positive but not sufficient for gender analysis and gender mainstreaming. The only document that contains a feminist approach to gender-based policy making and subsequent performance appraisal on the basis of gender-disaggregated data is Order # 1 of January 2, 2019 of the Ministry of Finance of Ukraine on GRB.

32. Is the head of the national machinery a member of the institutional process for SDG implementation (e.g. inter-ministerial coordinating office, commission or committees)?

The national SDG implementation process was addressed in the National Review prepared by the government. Ukraine's NAP SDG reportedly has 86 national development tasks and 172 indicators for monitoring. NGOs provide no additional information.

33. Are there formal mechanisms in place for different stakeholders to participate in the implementation and monitoring of the Beijing Declaration and Platform for Action, CEDAW and the 2030 Agenda for Sustainable Development?

The issue was addressed in the National Review prepared by the government. NGOs do not provide additional information.

34. Is gender equality and the empowerment of all women and girls included as a key priority in the national plan/strategy for SDG implementation?

The issue was addressed in the National Review prepared by the government. NGOs do not provide additional information.

Section Four.

DATA AND STATISTICS

35. Out of the following, which are your priorities for strengthening national gender statistics over the next five years?

- Promoted new laws, regulations, or statistical program/strategy to develop gender statistics
- Establishment of an inter-agency coordination mechanism on gender statistics (e.g., technical working group, inter-agency committee)
- Use more gender-sensitive data in the formulation of policy and implementation of programs and projects
- Conduct new surveys to produce national baseline information on specialized topics (e.g., time use, gender-based violence, asset ownership, poverty, disability)
- Greater utilization and/or improvement of administrative-based or alternative data sources to address gender data gaps
- Production of knowledge products on gender statistics (e.g., user-friendly reports, policy briefs, research papers)
- Development of a centralized web-based database and/or dashboard on gender statistics
- Institutionalization of users-producers' dialogues mechanisms
- Statistical capacity building of users to increase statistical appreciation on and use of gender statistics (e.g., trainings, statistical appreciation seminars)
- Other

Ukraine has taken the first steps towards creating a coordinated system of data collection that will enable the government to assess trends along measurable gender indicators. The National Review outlines these first steps towards a mechanism of data collection that will enable monitoring and reporting. In the meanwhile, the very development of an informed and targeted gender policy in Ukraine continues to be hampered by the lack of gender-disaggregated data that would provide a better understanding of the status of gender issues on the national, oblast, municipal and more local

community levels. The need for more disaggregated data is felt even in attempts to report on the status of such large socio-demographic categories as rural women and girls.

While gender-disaggregated data is starting to be gathered in demographic surveys, in the medical field, and in the past two years, in education (with the exception of vocational education and training), such data is still missing in key fields such as employment. Such data would help provide a better understanding of women's access to paid work and employment in rural and urban areas; women's representation in entrepreneurship and top management in the business sector; the extent of women's engagement in unpaid domestic work; experiences of violence against women in the workplace, etc. Without such data it is almost impossible to picture the situation of women from vulnerable groups/groups of multiple discrimination.

The importance and scope of this problem was brought to light by the recent compilation of Gender Profiles of the 25 Oblasts of Ukraine, a pioneering exercise conducted by the Cabinet of Ministers of Ukraine. The gender profiles provide basic information along 33 lines of inquiry and shed light on what gender indicators should be examined for comparison nationwide¹¹⁹.

Some data collection objectives are set in the State Program on Ensuring Equal Rights and Opportunities and the NAP CEDAW adopted in 2018. In particular, the State Program envisions expanding the list of measurable indicators; reviewing all the currently-used reporting forms and amending them so that they gather information in accordance with the Concluding Observations of the CEDAW Committee (CEDAW/C/UKR/CO/8 of March 2017), including the recommendation to focus on data collection regarding the status of women and girls residing in rural areas. The NAP CEDAW provides for interagency cooperation (between the Ministry of Social Policy and others) in identifying needs,

119 Gender profiles of 25 oblasts of Ukraine. // Mode of access: <https://eu-ua.org/genderni-profil-25-oblastey-ukrayiny>

agreeing on indicators, collecting data and improving administrative reporting. No reports about progress towards meeting these objectives are as yet available.

Research on international standards for the collection and visualization of the status of women and men in society, including women facing multiple discrimination, conducted within the framework of the project “Women of Ukraine: Heard, Capable, Resilient”, implemented by the Pact with support of the Ministry of Foreign Affairs of Canada proves the need to reform the system of gender statistics collection in Ukraine. It is important to create a system that allows monitoring CEDAW, Beijing Platform for Action, Sustainable Development Goals. At the time of preparation of the report, gender-disaggregated data in Ukraine are mainly collected by demographics but the collection of indicators that show the difference in the status of men and women is sporadic and requires institutionalization and validation of the methodology. The analysis showed that the Government focused on collecting data for SDG reporting, which is positive but not sufficient for gender analysis and gender mainstreaming. The only document that contains a feminist approach to gender-based policy making and subsequent performance appraisal on the basis of gender-disaggregated data is Order # 1 of January 2, 2019 of the Ministry of Finance of Ukraine on Gender-Responsive Budgeting.

36. Has your country defined a national set of indicators for monitoring progress on the SDGs?

The process has started but NGOs do not provide any additional comments to the National Review (see Appendix 8 of National Report for Ukraine’s Indicators for SDG 5 on Gender Equality).

37. Has data collection and compilation on SDG 5 indicators and on gender-specific indicators under other SDGs begun?

The process has started but NGOs do not provide any additional comments to the National Review.

38. Which of the following disaggregation is routinely provided by major surveys in your country?

- Geographic location
- Income
- Sex
- Gender
- Age
- Education
- Marital status
- Race/ethnicity
- Migratory status
- Disability
- Other characteristics relevant in national contexts

Ukraine’s official data gathering has generally tracked categories of sex, age, geographic location (of residence, and often type of settlement) and income, but has not routinely gathered information for data disaggregation along other dimensions (education, marital status, race/ethnicity, disability, migratory status, etc.).

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Participation, accountability and gender-responsive institutions, paragraph 18

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Notes

Notes



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