



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

Pre-session working group

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**Responses to the list of issues and questions with regard  
to the consideration of the combined sixth and seventh  
periodic reports**

**Ukraine\***

*Information provided in response to the list of issues and questions of the  
Committee on the Elimination of Discrimination against Women with regard to  
the consideration of the periodic report of Ukraine*

**General**

1. The following Ukrainian institutions provided information for the preparation of the present report:

Ministry of Justice, Ministry of Education and Science, Ministry of Labour and Social Policy, Ministry of Internal Affairs, Ministry of Health, Ministry of Foreign Affairs, Ministry for the Family, Youth and Sports, Representative of the Commissioner for Human Rights of the Verkhovna Rada (Parliament), State Statistics Committee.

**Legal status of the Convention**

3. No information available.

**Definition of equality**

4. Pursuant to article 1 of the Equal Rights and Opportunities Act, *discrimination on the basis of sex* comprises acts or omissions reflecting any distinction, exclusion or privilege made on the basis of sex if it is intended to restrict or prevent the recognition, enjoyment or exercise, on a basis of equality, of the human rights and freedoms of women and men.

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\* The present report is being issued without formal editing.

In accordance with article 1 of the United Nations Convention on the Elimination of All Forms of Discrimination against Women, “discrimination against women” means any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of imposing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other fields.

*The definition of the concept of “discrimination on the basis of sex” coincides with the definition of the concept “discrimination against women” given in the Convention, and covers direct and indirect discrimination.*

In accordance with article 1 of the Equal Rights and Opportunities Act, **gender-based discrimination** comprises acts or omissions reflecting any distinction, exclusion or privilege made on the basis of sex if it is intended to restrict or prevent the recognition, enjoyment or exercise, on a basis of equality, of the human rights and freedoms of women and men.

*The prohibition of discrimination on the basis of sex* is aimed at preventing and eliminating gender discrimination. The State facilitates ensuring identical treatment of women and men by activity aimed at prohibiting direct and indirect forms of discrimination. The text of the Act does not mention the existence of such forms, although discrimination, predominantly indirect (hidden), is fairly widespread in Ukraine. Where the definition of areas of State policy is concerned, they are all aimed at “prohibiting gender discrimination”. In article 6 of the Act, there is reference to “prohibition of discrimination on the basis of sex”. Legally speaking, it would be more correct to say “prevention and prohibition of discrimination on the basis of sex”.

5. The Ministry of Justice drafted a bill on the amendment of certain legislative acts as a result of the adoption of the Equal Rights and Opportunities Act. Adopted by the Verkhovna Rada on 15 April 2008 as No. 274-VI, it amends the Labour Code and the acts on citizens’ associations, on collective agreements and on the Commissioner for Human Rights of the Verkhovna Rada.

The Criminal Code contains a norm in accordance with which deliberate actions aimed at the direct or indirect limitation of the rights of, or the granting of direct or indirect privileges to, citizens on grounds of gender are punishable as crimes (art. 116).

In section 1, article 161 of the Criminal Code, it is specified that wilful actions inciting ethnic or racial hostility and hatred, humiliating national honour and dignity, or the insult of citizens’ feelings in respect of religious convictions, and also any direct or indirect restrictions of rights or granting direct or indirect privileges to citizens based on race, colour of skin, political, religious and other conviction, sex, ethnic and social origin, property status, place of residence, linguistic or other characteristics are punishable by a fine of up to 50 tax-free minimum incomes of citizens or by correctional labour for a term of up to two years or by restraint of liberty for up to five years, with or without deprivation of the right to occupy certain positions or engage in certain activities for a term up to three years.

The Verkhovna Rada adopted the Act amending certain legislative acts as a result of the adoption of the Equal Rights and Opportunities Act (15 April 2008, No. 274-VI). The Act amended the following legislative acts:

The Labour Code — definition in a collective agreement of the provisions that guarantee equal rights and opportunities for women and men (art. 13);

The Citizens' Associations Act — with respect to the establishment of additional rights for citizens' associations in relation to guaranteeing equal rights and opportunities for women and men (art. 20);

The Collective Agreements Act — with respect to the definition in collective agreements of the provisions guaranteeing equal rights and opportunities for women and men (arts. 7 and 8);

The Commissioner for Human Rights Act — with respect to the monitoring by the Commissioner of respect for the equal rights and opportunities of women and men (art. 13).

### **Visibility of the Convention and Optional Protocol**

6. In the very first report on the state of respect for and protection of human rights and freedoms in Ukraine, submitted to the Verkhovna Rada in 2002, the Commissioner for Human Rights analysed the state of implementation of the comments and recommendations of the United Nations Committee on the Elimination of Discrimination against Women in terms of the results of the consideration of Ukraine's periodic report. With a view to fulfilling its obligations under the United Nations Convention on the Elimination of All Forms of Discrimination against Women, Ukraine implemented a number of measures. In particular:

In 1999 the Verkhovna Rada adopted the Declaration on General Principles of State Policy with respect to the family and women, which provided for an enhancement of the role of women in the economic, political, social, cultural and spiritual life of the country;

In 2001 the Family Code was adopted, embodying equal rights and obligations for women in family affairs, including the upbringing and material support of children;

In April 2001 the President of Ukraine issued a Decree on raising the social status of women in Ukraine;

The National Plan of Action 2001-2005 was adopted, responding in particular to the Beijing Platform for Action to guarantee the rights of women;

In 2001 the Prevention of Domestic Violence Act was adopted, and crisis centres and shelters were established for the social rehabilitation of women and children victims of violence;

In 2002 the Comprehensive Programme to Combat Trafficking in Persons for the period 2002-2005 was approved.

For the purpose of overcoming domestic violence, on 26 April 2003 the Government of Ukraine approved the Procedure for Reviewing Statements and Communications on the Perpetration or Real Threat of Domestic Violence. In May 2003 the Verkhovna Rada adopted the Act amending the Administrative Offences Code, which established responsibility for the perpetration of violence in the family or failure to comply with protective proscriptions. More than 30 crisis centres and

centres for the medical and social rehabilitation of victims of violence in the family were established.

As a result of a representation by the Commissioner for Human Rights to the President of Ukraine on 29 December 2001, in April 2004 the Verkhovna Rada ratified the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air.

A significant step in meeting the requirements of the above Convention was the adoption by the Verkhovna Rada in September 2005 of the Equal Rights and Opportunities Act. In particular, this Act recognized the guarantee of equal participation by women and men in the adoption of socially important decisions as one of the main areas of State policy, and article 6 of the Act expressly prohibited gender-based discrimination.

The Cabinet of Ministers of Ukraine also adopted additional guarantees relating to job placement for specific population categories in need of social protection, including women with children under the age of 6, single mothers, women with children up to the age of 14 or disabled children. These measures facilitated the gradual reduction of the proportion of women in the total number of unemployed.

Ukraine's ratification in September 2006 of the revised European Social Charter was an important step.

Following its review of the combined fourth and fifth report of Ukraine in June 2002, the Committee noted that side-by-side with positive changes, phenomena of direct and indirect discrimination against women persisted in Ukrainian society in relation to the level of payment for labour incentives where the employment of women was predominant, the high level of unemployment, especially among older women, cases of domestic violence, instances of trafficking in women and girls, the substantial disproportion in the presence of women at the supervisory level in organs of State authority and local self-government, and also in Parliament.

The results of the monitoring of the situation by the Commissioner for Human Rights confirm that to a large extent, these comments remain applicable today.

The main problem to which the Committee rightly draws attention remains the inconsistency between the rights of women as proclaimed and the actual situation of discrimination against women in society as a consequence of the persistence of certain stereotypes regarding the social roles of women and men, and also of errors in the conduct of the liberal reforms which gave rise to a catastrophic stratification of society in terms of income levels and to mass poverty which made it practically impossible, especially for women, to exercise the majority of their constitutional rights.

The representation of women in Parliament, for example, is only 8 per cent. Over the past three years, according to official statistics, the poverty level has been 27-28 per cent, and according to an assessment by the Commission of All Human Rights, which is confirmed by the results of sociological investigations, the figure is more than 70 per cent.

In this connection, the Commissioner for Human Rights emphasizes in his most recent report on the status of the exercise and protection of human rights and freedoms in Ukraine, submitted to the Verkhovna Rada in July 2009, the need to overcome poverty as rapidly as possible and to ensure more equitable access to resources by all members of society.

The Commissioner supports the Committee's position regarding the need to apply article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women by **adopting temporary special measures aimed at accelerating the establishment of de facto equality between men and women.**

In the view of the Commissioner for Human Rights, a radical change in the situation in the area of State policy and management could be brought about, in particular, by embodying in law the principle of positive discrimination, in accordance with which the representation of each sex in Parliament, the Government and the organs of local self-government should be not less than 40 per cent.

#### **National machinery for the advancement of women**

7. The State Programme on the Establishment of Gender Equality in Ukrainian Society over the period of 2010 is financed out of the State budget. In 2007-2008, the Ministry for the Family, Youth and Sports utilized 1,143,900 hryvnias (Hrv). The budget allocation for measures aimed at ensuring the equal rights and opportunities of men and women in 2009 is 100,000 Hrv.

Provincial programmes are financed out of the local budget. By decisions of sessions of the provincial councils in 2008, the financing for provincial programmes to establish gender equality in Ukrainian society over the period of 2010 out of local budgets was approved in the following amounts (except in the cases of Zakarpattia, Kherson and the city of Sevastopol):

Cherkasy 108,000 Hrv;  
 Chernihiv 12,000 Hrv;  
 Chernivtsi 40,000 Hrv;  
 Crimean Autonomous Republic 47,500 Hrv;  
 Dnipropetrovsk 83,000 Hrv;  
 Donetsk 190,000 Hrv;  
 Ivano Frankivsk 97,800 Hrv;  
 Kharkiv 130,700 Hrv;  
 Khmelnytskyi 20,000 Hrv;  
 Kirovohrad 54,500 Hrv;  
 Kyiv 40,000 Hrv;  
 Luhansk 324,000 Hrv;  
 Lviv 120,000 Hrv;  
 Mykolaiv 12,000 Hrv;  
 Odessa 350,000 Hrv;

Poltava 32,500 Hrv;

Rivne 25,000 Hrv;

Sumy 30,000 Hrv;

Ternopil 35,000 Hrv;

Vinnytsia 77,500 Hrv;

Volyn 300,000 Hrv;

Zaporizhia 51,000 Hrv;

Zhitomyr 20,000 Hrv;

City of Kyiv: *Women, Disabled Persons, War Veterans and Labour Administration*, 155,000 Hrv; *Family and Youth Affairs Administration*, 59,000 Hrv.

As a result of the world financial crisis, in 2009 many regional administrations curtailed the financing of provincial programmes and measures related to ensuring gender equality.

The strategy for gender equality and the expansion of the rights of women is governed by the Equal Rights and Opportunities Act. Article 3 of the Act defines the main directions of State policy with regard to ensuring equal rights and opportunities for women and men, namely:

Establishment of gender equality;

Prohibition of discrimination on the basis of sex;

Application of positive actions;

Ensuring equal participation of women and men in the adoption of socially important decisions;

Ensuring equal opportunities for women and men as regards combining professional and family obligations;

Support for the family, promotion of responsible parenthood;

Education in and publicity for a culture on gender equality and to expand educational activity in this area;

Protection of society against information aimed at discrimination on the basis of sex.

**8.** By Resolution 1834 of 27 December 2006, the Council of Ministers of Ukraine approved the State Programme for the period up to 2010 on the Establishment of Gender Equality in Ukrainian Society.

The aim of the Programme is to establish equal rights for women and men and equal opportunities for their exercise as a basic human right.

The main tasks of the Programme are:

To draw up and implement State policy in the area of ensuring gender equality;

To create the related regulatory and legislative framework;

To bring sectoral regulatory and legislative acts into line with the Equal Rights and Opportunities Act;

To adapt the legislation of Ukraine to European Union legislation in the area of ensuring gender equality;

To improve the mechanism for conducting expert gender-law studies of legislation in force and draft regulatory and legislative acts;

To create an institutional mechanism for ensuring equal rights and opportunities for women and men;

To introduce gender approaches in the activity of organs of the executive and local self-government;

To draw up and publish a State report on the implementation in Ukraine of the United Nations Convention on the Elimination of All Forms of Discrimination against Women and an annual report on the establishment of gender equality in Ukraine;

To ensure the cooperation of the central and local executive organs in studying gender issues together with the research institutions of the National Academy of Sciences, involving community-based organizations and international agencies in the conduct of scientific and expert studies;

To support social initiatives aimed at bringing into being a gender culture and overcoming entrenched stereotypes regarding the role and place of women in society;

To involve domestic and international non-governmental organizations in the drafting of decisions of executive and local self-government bodies on gender equality;

To organize discussion in society of draft legislation and programmes aimed at ensuring gender equality;

To conduct conferences, round table meetings and seminars, and other mass activities;

To conduct information and educational work on issues of eliminating all forms of discrimination based on sex, overcoming stereotypes regarding the role of women and men in the family and in society, affirming spiritual values, promoting responsible parenthood and ensuring gender equality in the spiritual sphere;

To ensure the inclusion of a gender component in the socio-economic development programmes of regions and sectors, and also to respect gender equality in resolving staffing issues in central and local executive authorities;

To monitor compliance by the mass media with requirements with respect to equality of the sexes in the placement of advertising materials regarding job placement and the publication of materials relating to the situation on the job market, and also to publicizing the role of women and men in all spheres of life.

According to article 11 of the Equal Rights and Opportunities Act, the national coordinating mechanism is a specially authorized central executive body with

responsibility for matters relating to equal rights and opportunities for women and men. Its role is to:

- Participate in the development and implementation of Government policy on securing equal rights and opportunities for women and men;
- Coordinate the measures taken by ministries and other central executive authorities to bring about gender equality;
- Conduct information and awareness campaigns through the mass media, and organize educational initiatives on the attainment of gender equality;
- Develop measures to ensure equal rights and opportunities for women and men in all areas of life;
- Formulate a national plan of action to bring about gender equality;
- Monitor the observance by central and local executive authorities of gender equality in staffing matters;
- Organize training for civil servants on achieving equal rights and opportunities for women and men;
- Work with other central executive bodies to draft research-based proposals on achieving gender equality;
- Organize scientific and expert research into questions relating to equal rights and opportunities for women and men;
- Make proposals for the initiation and cessation of positive action;
- Monitor the situation with regard to the attainment of equal rights and opportunities in various areas of life, and consolidate the findings;
- Review the implementation of Government programmes on gender equality;
- Examine public attitudes to sex discrimination;
- Record and report on incidents of sex discrimination, and make proposals for preventing them;
- Cooperate with international organizations and the relevant foreign authorities in matters relating to the status of women and observance of international standards relating to equal rights and opportunities for women and men.

Resolution No. 1087 of the Ukrainian Cabinet of 5 September 2007, entitled “On the consultative and advisory bodies on family matters, gender equality, demographic development and combating trafficking in persons”, approved the Regulation on the Inter-agency Council responsible for family matters, gender equality, demographic development and combating trafficking in persons. The Minister appointed to chair the Council is the Minister for the Family, Youth and Sports. Organizational work has been conducted on the drawing up and approval of its staffing table.

### **General achievements**

The following action is now being taken to implement the National Programme:



- \* Special advisers on equal rights and opportunities for women and men have been appointed to the secretariats of the 27 committees of the Verkhovna Rada. (Order of the President of the Verkhovna Rada of Ukraine, 2006);
- \* Provincial (oblast) coordinating councils on family matters, gender equality, demographic development and combating trafficking in persons are in operation in almost all Ukraine's regions, except for the Autonomous Republic of Crimea, Chernivtsi, Kirovohrad, Rivne, Zakarpattia and Zaporizhia provinces, and the cities of Kyiv and Sevastopol;
- \* Gender centres in Chernivtsi, Kharkiv, Kherson, Luhansk, Lviv, Vinnytsia, Zakarpattia and Zhytomyr provinces are operating in the framework of trilateral agreements between the provincial administrations, the provincial councils and the United Nations Development Programme (UNDP) in Ukraine, and receive technical assistance with the support of these partners;
- \* Work is continuing on the appointment of advisers on gender questions to work for the heads of the provincial administrations. According to information from the regions, gender advisers have been appointed in the Autonomous Republic of Crimea, in Chernivtsi, Chernihiv, Donetsk, Ivano-Frankivsk, Kharkiv, Kherson, Khmelnytskyi, Kyiv, Luhansk, Nikolayev, Odessa, Poltava, Rivne, Ternopil, Vinnytsia, Volyn, Zaporizhia and Zhytomyr provinces, and in the city of Kyiv;
- \* Working groups on gender questions have been set up in central and local executive authorities, attended by scientists and representatives of voluntary sector organizations;
- \* A gender component is being introduced into scientific, educational and public information activities.

Under Cabinet of Ministers Resolution No. 741, the year 2007 in Ukraine was declared the Year for Gender Equality. This step was taken to support the European Union initiative by which the year 2007 was declared the "European Year of Equal Opportunities for All". As a result, an annual lesson in gender literacy has been introduced in all general education schools in Ukraine.

The Ministry for the Family, Youth and Sports conducts training for various categories of civil servants on applying the provisions of the Convention on the Elimination of All Forms of Discrimination against Women.

The Ministry of Internal Affairs has adopted a programme for achieving gender equality in Ukraine's internal affairs authorities by the year 2011. The programme aims to restructure and institutionalize the pattern of gender equality observance in the internal affairs authorities by taking steps to resolve gender problems in the law enforcement agencies.

The Ministry of Regional Development and Construction has approved a ministerial plan for the period up to 2012 for achieving gender equality in Ukrainian society.

By an order of the Ministry of Education and Science, a plan has been approved for measures to integrate the principles of gender equality into education.

The Ministry of Agrarian Policy has a Social Council with a membership including activists from women's organizations. They play a role in drawing up

proposals for a gender policy in the sector, in accordance with the Regulation adopted by order on 22 January 2008.

Observance of the Equal Rights and Opportunities Act and the State programme for the period 2006-2010 to establish gender equality in Ukrainian society is regularly monitored, and a Government report is prepared and published each year on the achievement of gender equality in Ukraine (para. 9 of the Programme). Other monitoring measures include Parliamentary and committee hearings, selective surveys of the situation in the provinces (oblasts) in the light of the Programme measures, etc.

### Temporary social measures

9. Ukraine's legislation does not contain any discriminatory rules or restrictions concerning the participation of women and men in the political life of the country. The people themselves are the sole source of authority and sovereignty, and women enjoy constitutional rights and freedoms on the same footing as men. The 1996 Constitution of Ukraine clearly states that all citizens from a certain age, irrespective of sex, are legally entitled to be elected and have the right to propose candidates for parliamentary seats.

As a State Member of the United Nations, Ukraine has undertaken to achieve by 2010 the Millennium Development Goals (MDGs) which the President of Ukraine signed at the Millennium Summit, and which were proclaimed in the United Nations Millennium Declaration. The third of these is achieving equal rights for women and men.

Ukraine's record of achievement of the MDGs in 2008 shows that a gender balance is found only among the elected representatives of local, village and rural executive authorities. At a higher level, the gender disproportion in favour of men increases, and the ratio of women to men among deputies to the Verkhovna Rada (Parliament) of Ukraine is only 8 per cent to 92 per cent. This is shown in detail in the table below:

<i>Indicators</i>	<i>2001</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
<b>Indicator 1.1.</b> Gender ratio among deputies to the Verkhovna Rada, nos. of women/men	8/92	5/95	5/95	5/95	9/91	8/92	8/92
<b>Indicator 1.2.</b> Gender ratio among deputies to local executive authorities, nos. of women/men	42/58	42/58	42/58	42/58	35/65	35/65	37/63
<b>Indicator 1.3.</b> Gender ratio among deputies to province executive authorities, nos. of women/men	11/89	10/90	10/90	10/90	12/88	12/88	12/88
<b>Indicator 1.4.</b> Gender ratio among deputies to district executive authorities, nos. of women/men	21/79	21/79	21/79	21/79	21/79	21/79	23/77

<i>Indicators</i>	<i>2001</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
<b>Indicator 1.5.</b> Gender ratio among deputies to municipal executive authorities, nos. of women/men	22/78	22/78	22/78	22/78	26/76	26/76	28/72
<b>Indicator 1.6.</b> Gender ratio among deputies to village executive authorities, nos. of women/men	47/53	47/53	47/53	47/53	40/60	40/60	46/54
<b>Indicator 1.7.</b> Gender ratio among deputies to rural executive authorities, nos. of women/men	47/53	47/53	47/53	47/53	50/50	50/50	51/49
<b>Indicator 1.9.</b> Gender ratio among personnel of the Criminal Police, nos. of women/men	0/100	1/99	1/99	8/92	0/100	8/92	8/92
<b>Indicator 1.9.</b> Gender ratio among higher categories of the civil service (grades 1 and 2), nos. of women/men	15/85	16/84	13/87	19/81	19/81	17/83	18/82

On 13 December 2007 Bill No. 1232 was introduced, aimed at producing a ratio of 30 per cent to 70 per cent women to men, or men to women, in the Verkhovna Rada. This Bill, drafted by two people's deputies, N.V. Tomenko and O.F. Bondarenko, is entitled "Amendments and additions to certain legislative acts of Ukraine" (*concerning equal rights and opportunities for women and men in the electoral process*).

The Bill proposes amendments to the Equal Rights and Opportunities Act, the People's Deputies (Election) Act, and the Act on elections to the Verkhovna Rada of the Crimean Autonomous Republic and on elections to local councils and elections of rural, village and municipal chairpersons, relating to the composition of lists of candidates.

The Bill also sets out a procedure to ensure that among every five candidates on each list of those nominated there will be both women and men. Article 57, paragraph 5, of the People's Deputies (Election) Act would be amended to read: "The electoral list shall comprise Parliamentary candidates nominated by each party (bloc) in a form approved by the Central Electoral Commission. All candidates nominated by a party (bloc) will be included on a single list for each party (bloc). The order in which candidates are placed on the list will be decided at its congress (assembly, conference). Every group of five candidates on the list must include women as well as men. No individual may be listed by more than one party (bloc)."

Article 34, paragraph 1, of the Act on elections to the Verkhovna Rada of the Autonomous Republic of Crimea and to local councils, and elections of rural, village and municipal chairpersons would read as follows: "A local party (bloc) may nominate as a candidate a person who is a member of that party (a member of a party whose local organization is part of the bloc), or a citizen without party affiliation. When candidates are nominated by a local party (bloc) in a

multi-mandate electoral district, every group of five names on the list of candidates must include women and men.”

When appointments are made to Government service and to local government, candidates of each sex must be among the candidates for selection. Monitoring by the Ministry for the Family, Youth and Sport has shown, however, that the majority of those working in central and local executive authorities are women. Moreover, there are only a few women in leadership positions at all levels, and the number of women falls considerably as the higher categories are reached, which points to an imbalance and a lack of equivalence between men and women in politics.

Gender-based discrimination is prohibited in recruitment to Government service and to service in local government, and in the course of employment in either.

The heads of Government agencies and local authorities must provide equal access for all citizens to Government and local authority employment, in the light of the applicant’s qualifications and vocational training and irrespective of gender.

Equal rights and opportunities are observed in the training and promotion of entrants to Government and local authority service.

Positive action is permitted for the purpose of achieving balanced representation of women and men in Government and local authority service, taking account of the various categories of posts.

The chief administration of the civil service of Ukraine conducts a gender analysis of the personnel of central and local government, and also of those employed in each sector.

**10.** The Bill entitled “Amendments and additions to certain legislative acts of Ukraine (*concerning equal rights and opportunities for women and men in the electoral process*)” was submitted to the Verkhovna Rada for consideration on 13 December 2007.

The changes planned in this Bill affect the Equal Rights and Opportunities Act, the People’s Deputies (Election) Act, and the Act on elections to the Verkhovna Rada of the Crimean Autonomous Republic and to local councils, and elections of rural, village and municipal chairpersons.

In accordance with the Bill, the political parties and electoral blocs are making provision for women as well as men to feature on candidates’ lists not only when nominations are made for people’s deputies, but also in the nominations of candidates for membership of the Verkhovna Rada of the Autonomous Republic of Crimea and of local councils.

It will in any case be compulsory for both women and men candidates to be among every five candidates on electoral lists.

At the time of writing, this Bill has not yet been discussed by the Verkhovna Rada.

**11.** As of 9 October 2009, there are 365 women holding official posts in overseas offices of the Ministry for Foreign Affairs, representing 20 per cent of their total staff. Of these, 178 occupy diplomatic posts, 182 hold administrative or technical posts and five are service personnel.

## **Stereotypes**

12. Government-run media work to improve the social status of women in Ukrainian society. Generally speaking, it may be said that their role in creating gender democracy has grown considerably by comparison with previous years. Publications and radio and television broadcasts intended to promote the notions of equality, partnership and mutual respect between men and women are helping to eradicate stereotypical ideas about women's role in society. But this is not enough, in view of the persistence of television advertising with violent and sexist content and attitudes towards women.

The Ministry for the Family, Youth and Sport works with the central executive authorities and the provincial administrations to monitor the situation on the labour market and in the mass media, so as to prevent employers from placing notices and advertisements in either print or film mode which do not meet the requirements of the law and which are discriminatory towards either women or men.

13. No information available.

## **Violence against women**

14-15. All acts of violence, including gender-based violence, are prohibited and regarded as offences against the law, and are prosecuted as such.

Chapter II of the Criminal Code of Ukraine, "Criminal Offences against Life and Health", criminalizes offences against life (articles 115-120, 129), and against health (articles 121-127, 130, 133), as well as offences posing a threat to human life and health (articles 134-137). Chapters III and IV of the Criminal Code establish criminal responsibility for offences against the liberty, honour and dignity of a person (articles 146-151) and also for offences against a person's sexual freedom and sexual inviolability (articles 152-156).

As for rape, which is a punishable offence under article 152 of the Criminal Code, it remains a crime regardless of the relationship if any between the victim and the perpetrator, or whether they are civilly or legally married.

Article 1732 of the Ukrainian Administrative Offences Code criminalizes violence in the family, and also the failure by any person convicted of such an offence to comply with a protective court order or undergo a correctional programme.

It should be noted that according to article 67, paragraph (7) of the Criminal Code, the commission of an offence against a woman who, *to the knowledge of the culprit*, was pregnant is a circumstance aggravating punishment.

Criminal acts involving the intentional killing of a woman who, *to the knowledge of the culprit*, was pregnant; gross violations of labour law in regard to a pregnant woman or a mother with a child under 14 years of age; and the illegal injection into the body of a pregnant woman of narcotics, psychotropic substances or their analogues, are classified as separate offences and attract harsher penalties than those imposed for intentional killing, gross violations of labour law and the illegal injection of narcotics, psychotropic substances or their analogues, committed in other circumstances (articles 115, 172 and 314 of the Criminal Code).

**Violence against women** is governed by the Prevention of Domestic Violence Act, and especially its article 3, which specifies the authorities and institutions responsible for taking measures to prevent domestic violence.

1. The authorities and institutions responsible, within their mandates, are:
  - 1) A specially authorized executive authority for the prevention of domestic violence;
  - 2) District police inspectors and the criminal police for children's cases responsible to the Ministry of Internal Affairs;
  - 3) Guardianship and care authorities;
  - 4) Specialized institutions for victims of domestic violence: crisis centres for victims of domestic violence and members of their families facing a real threat of domestic violence (hereinafter called "crisis centres");
  - 5) Centres providing medico-social rehabilitation for victims of domestic violence.
2. Executive and local government authorities, enterprises, institutions and organizations of various kinds, as well as citizens' associations and individuals, can help to implement the measures for preventing domestic violence.

To implement paragraphs 32-36 of the national plan of action under the State programme for gender equality to 2010, provision has been made for:

- \* Conducting seminars, training courses and round-table meetings for district police inspectors and academy students, with the participation of instructors from higher education institutions of the Ministry of Internal Affairs, and providing basic training for police officers on preventing violence against women and men;
- \* Continuing the telephone "hotline" service and the confidential helpline for matters related to combating violence against women and men;
- \* Conducting information and educational campaigns on combating violence against women and men;
- \* Improving methods of investigating crimes associated with domestic violence, and methods of training for internal affairs personnel;
- \* Drafting, publishing and distributing brochures, posters and other kinds of literature, as well as video films, carrying messages against violence and gender-based discrimination.

The Ministry for the Family, Youth and Sports, as the body with special authority for matters relating to the prevention of domestic violence, has joined in a multi-year campaign to combat violence against women, initiated by the Secretary-General of the United Nations, Mr. Ban Ki-moon, on 25 February 2008.

In Ukraine this campaign, called "Stop violence!", was launched on 15 May 2009, and will continue until 25 November 2009 (the International Day for the Elimination of Violence against Women). The aims of the "Stop violence!" campaign are:

- to complete the legislative framework on combating violence;

- to encourage national and community leaders and individuals with an influence on public opinion to acknowledge publicly the seriousness of crimes of violence;
- to raise public awareness of the fact that violence is a breach of human rights;
- to inculcate in the public at large an attitude of intolerance towards violence;
- to work with victims of violence and with individuals guilty of domestic violence.

On 25 September 2008 the Act to amend and update certain legislative provisions on the prevention of domestic violence was adopted. It includes provision for work with individuals who are guilty of domestic violence, through a correctional programme. Non-participation in the programme constitutes an administrative offence (articles 173-2 of the Administrative Offences Code).

The Ministry, together with voluntary organizations, is carrying out a project in four pilot provinces to develop recommended methods for use in correctional programmes for individuals guilty of domestic violence.

The general public is kept informed as part of the Campaign, through short films on social issues shown on Ukrainian television channels.

The Ministry of Internal Affairs does a great deal of work to prevent and combat domestic violence. The number of people on police files for a domestic violence offence is increasing every year.

<i>Year</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>8 months of 2009</i>
<b>Total</b>	<b>84 155</b>	<b>85 178</b>	<b>87 831</b>	<b>85 085</b>	<b>90 563</b>

Most individuals who commit domestic violence are men (table 2). Statistical findings since 2005 show a steady decline in the numbers of women who have come to the attention of the police for committing acts of domestic violence, both in absolute figures and in percentages, although the number of people on police files in connection with incidents of domestic violence is increasing year by year. The figures below illustrate the trend:

Table 2

<i>Year</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>8 months of 2009</i>
Number of men	72 194	74 571	77 664	8 760	82 829
Number of women	10 638	9 284	9 098	8 760	7 335
Total numbers on police files for domestic violence	84 155	85 178	87 831	85 085	90 563

Every year the number of minors on police files for domestic violence (table 3) is also falling, both in absolute figures and in percentages.

Table 3

<i>Year</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>8 months of 2009</i>
Total of persons on police files for domestic violence	84 155	85 178	87 831	85 085	90 563
Number of children included in the above total	1 323	1 323	1 069	575	399

Every year, the number of cases of domestic violence handled by the courts increases, which is indicative of a positive trend (table 4).

Table 4

<i>Year</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>8 months of 2009</i>
Number of cases handled by the courts	80 176	82 784	88 296	90 556	67 194

Among the various administrative penalties imposed by the courts, fines are in an absolute majority. The policy of imposing a fine as the main type of administrative penalty in cases of domestic violence is largely negative and ineffective, because its impact is on the family as whole, not on the offender.

<i>Year</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>8 months of 2009</i>
Type of administrative penalty					
Fines	61 737	66 873	72 080	74 169	55 124
Administrative detention	10 615	9 334	9 718	10 342	9 231
Warnings	7 157	5 822	5 554	5 104	2 265
Corrective labour	349	375	412	350	115
Discharged	318	380	532	591	459
<b>Total</b>	<b>80 176</b>	<b>82 784</b>	<b>88 296</b>	<b>90 556</b>	<b>67 194</b>

On 25 September 2008 the Parliament of Ukraine voted to amend the Prevention of Domestic Violence Act. The amendments came into force on 1 January 2009. Article 11 of the Act, on “victim-like behaviour” was deleted, and so was the definition of “victim behaviour” in article 1.

#### **16. No information available.**

#### **Trafficking and exploitation of prostitution**

**17. The Ministry for the Family, Youth and Sports** coordinates the work of central and local executive bodies in implementing the State programme in this area.

**The Ministry of Internal Affairs, the Security Service and the State Frontier Service** are the central executive authorities, under the State programme, with responsibility for organizing the discovery, detection and investigation of crimes associated with trafficking in persons, and for tracing and putting out of action the organized criminal groups which engage in trafficking.



**The Ministry of Labour and Social Policy** is chiefly responsible, under the State programme, for organizing vocational training and retraining for unemployed people and placing them in work.

**The Ministry of Foreign Affairs** carries out preventive work and provides practical assistance for victims of trafficking when they return to their home countries.

**The Ministry of Education and Science, the Ministry of Justice, the Ministry of Culture and Tourism, and the State Committee for Television and Radio** provide information and education in this area. They also develop appropriate methodical approaches, conduct campaigns and highlight problem issues through the mass media.

To coordinate the efforts of the central executive authorities to combat people trafficking, in September 2007 an Inter-agency Council was established with responsibility for family matters, gender equality, demographic development and combating trafficking in persons (resolution No. 1087 of the Cabinet of Ministers of 5 September 2007 "On the consultative and advisory bodies on family matters, gender equality, demographic development and combating trafficking in persons"). Two thematic sessions were held in 2008.

In line with the responsibilities defined by the Cabinet of Ministers for the internal affairs authorities, one of the priority areas of work is combating trafficking in persons.

Consequently, the Ministry of Internal Affairs is continually pursuing organizational and practical measures to prevent, detect and put an end to these crimes.

In the first nine months of 2009, according to the findings of the internal affairs authorities, 261 crimes under article 149 of the Criminal Code (Trafficking in persons and other illegal agreements in respect of a human being) were detected, and 326 victims of trafficking were identified and returned to Ukraine, of whom 40 were minors. Eight organized groups engaged in this type of crime were put out of action.

Since trafficking in persons became a criminal offence in March 1998, a total of 2,605 crimes of this nature have been detected (2 in 1998, 11 in 1999, 42 in 2000, 90 in 2001, 169 in 2002, 289 in 2003, 269 in 2004, 415 in 2005, 376 in 2006, 359 in 2007, 322 in 2008 and 261 in the first nine months of 2009).

Since 2001, the known victims of trafficking total 2,904 Ukrainian citizens: 156 in 2001, 300 in 2002, 198 in 2003, 377 in 2004, 446 in 2005, 393 in 2006, 366 in 2007, 342 in 2008 and 326 in the first nine months of 2009.

These victims included 300 minors (22 in 2001, 14 in 2002, 40 in 2003, 15 in 2004, 39 in 2005, 40 in 2006, 55 in 2007, 37 in 2008 and 40 in the first nine months of 2009).

An analysis of the work done to identify the channels through which Ukrainian citizens are recruited and taken abroad for the purpose of exploitation indicates that the principal countries of destination of the victims of trafficking are currently the Russian Federation, Turkey, Poland, Israel, the Czech Republic, Spain, the United Arab Emirates, Italy, Greece, Lebanon and Germany.

To implement Resolution No. 410 of the Cabinet of Ministers of 7 March 2007, on the State programme to combat trafficking in persons in the period up to 2010, the Ministry of Internal Affairs has carried out a range of organizational and practical measures to enhance the effectiveness of work to prevent and detect the crimes associated with trafficking, to identify criminal groups and individuals committing these crimes, and also to provide assistance to victims of this type of illegal activity.

Efforts have focused mainly on creating conditions for combating trafficking in persons and the criminal activity associated with it, increasing the effectiveness of work to identify these crimes and the individuals committing them, and solving the problem of integrating the individuals who have fallen victim to trafficking.

The work of the Ministry has also been directed to improving the legal and regulatory system for combating trafficking in persons, supporting individuals who have fallen victim to trafficking, cooperating with rehabilitation centres which assist victims of trafficking and with community-based and international organizations, and drawing upon international experience to prevent and combat trafficking in persons and to protect the rights of persons who have suffered from this type of crime.

Representatives of the Ministry currently serve on a working group which has been specially established to draft a Bill on combating trafficking in persons and protecting victims.

The future law will regulate all aspects of combating trafficking in persons, including identifying victims and helping and supporting them, arrangements for cooperation, etc. The law must empower not only the law enforcement agencies, but other institutions as well, to identify those who have been trafficked, although the fact of being recognized as a victim should not necessarily involve becoming party to a criminal prosecution or a judicial process. All those who have been identified as victims of trafficking will be able to invoke this law.

The Ministry has a confidential telephone line to advise the public about travel and work abroad, to assist those who have fallen victim to trafficking and to make it easier to obtain information from people. Every Tuesday and Friday, from 4-8 p.m., any member of the public can ring the number 254-76-04 for advice and information, and can also give information about a crime which has been or is being committed.

In addition, as part of the information and awareness measures to improve the public's knowledge of the methods used by traffickers, the Ministry has conducted a wide-ranging information campaign, with the assistance of the Kyiv municipal administration, under the name of "Together, let's put a stop to people trafficking".

In the course of this campaign to combat international trafficking, step up preventive work, arrange appropriate protection for victims and provide them with the necessary legal aid, since June of this year about 100 advertisement hoardings (billboards) have been placed in the city of Kyiv bearing the slogan "Together, let's put a stop to people trafficking" and telling the public how to contact the Ministry's confidential telephone line, 254-76-04.

International non-governmental organizations play an important role in this area by helping to protect the rights and legal interests of individuals who have

fallen victim to international trafficking, and by supporting their reintegration and rehabilitation and providing them with financial, psychological and medical assistance.

The Ministry works closely with the International Organization for Migration (IOM) in Ukraine, and with the Organization for Security and Cooperation in Europe (OSCE), UNDP and the international women's human rights centre "La Strada Ukraine", among others.

With the assistance of IOM in Ukraine, rehabilitation centres for victims of international trafficking have been set up in five provincial centres (Kharkiv, Kyiv, Lviv, Odessa and Ternopil).

In these centres, people who have been identified as victims of trafficking can receive the assistance which Government agencies are unfortunately unable to provide. This consists primarily of reintegrating and rehabilitating the victims, providing material, medical and psychological assistance, offering refuge, resocialization, arranging for vocational training, help in finding a job, etc.

The organizations concerned pay special attention to medical care. They set up advice centres and refuges where victims of violence can receive first aid and be referred for treatment.

As a rule, these organizations are able to provide the pretrial investigation agencies with confirmation of the presence of a victim of trafficking in a rehabilitation centre and the nature of injuries sustained as a result of illegal actions, which can then be used as evidence of a crime.

Improved public awareness and public abhorrence of the crimes associated with trafficking in persons have come about as a result of the regular information given out by the Ministry through the mass media.

**18.** Figures from the Ministry of Internal Affairs provide an overview of the situation concerning trafficking in children. In 2005-2006 over 400 crimes were recorded falling under article 149 of the Criminal Code (Trafficking in human beings and other illegal transfer deals in respect of a human being). The number fell to 359 in the course of 2007, and 322 in 2008. A total of 342 victims of trafficking were identified and returned to Ukraine, of whom 37 were children. Eighteen organized groups engaged in trafficking were put out of action.

**19.** To solve the problems caused by trafficking, a Bill on combating trafficking in persons has been drafted by a working group.

The future law against trafficking will establish that Government policy on preventing trafficking will be implemented through:

Preventive measures (information and education, regulation of the migratory process, socio-economic initiatives, etc.);

Law enforcement measures (inter alia, by preventing and combating the crimes associated with trafficking in persons);

Assistance to victims of trafficking (inter alia through the rehabilitation and social integration of those who have fallen victim to trafficking, and by restoring their rights and compensating them, taking account of the special needs of particular groups of victims, such as children).

An important aspect of the work to combat trafficking is the educational side, which is one of the priorities of the Ministry for the Family, Youth and Sports.

In international seminars on combating trafficking in persons the Ministry, working jointly with IOM and the United States Embassy, has organized videoconferencing between representatives of Government institutions and voluntary organizations in Ukraine and Georgia, to discuss ways of combating this criminal activity and rehabilitating its victims.

The Ministry and its local sub-offices, together with the social services centres for families, children and young people, work to raise public awareness in Ukraine about the problem of trafficking in persons by conducting information campaigns (producing informational materials, placing publicity on social issues on national television and radio), and by giving lectures and conducting training sessions, seminars and “round tables”.

Ukraine’s national television company regularly informs viewers, through news bulletins and current affairs programmes, about the crimes associated with trafficking in persons and about illegal work abroad. These topics have been covered in the current affairs programme “Novosti” and in the topical programme “Audientsia”.

The national broadcasting stations World Service and Ukrainian Television and Radio (UTR) cover the issues of trafficking in persons in their current affairs programmes “Pulse”, “Pulse Weekly” and “Pulse Special Reports”.

The regional State-owned television and radio stations, in cooperation with the provincial offices of the Ministry for the Family, Youth and Sports, broadcast documentary films on social issues, and also produce their own.

A Ukraine-wide antimigration information campaign has been conducted on the Ukrainian railway system, with posters on the subject placed in railway carriages and information flyers issued along with rail tickets. Using the mass media, the Ukrainian security service has brought out 15 print publications, 13 radio reports and 41 Internet publications, and has distributed nine video films on television.

The administration of the State Frontier Service has produced 22 television features for the channels 1+1, First National, Inter and ICTV, and has published over 600 items in print and through the Internet.

In 2008, 270,000 Hrv were allocated to the State programme. Of this sum, 265,115 Hrv were spent, chiefly on educational, informational and international measures. Expenditure on the regional programmes comes from local sources. For 2008, the provision made from local budgets was 1,500,000 Hrv. It should however be noted that the short earmarking of resources in local budgets still requires improvement, and has to give priority to the needs of the region.

**20.** Intensive work is done with those in “at risk” groups, namely street children, children in care, people with low levels of education, migrants whose status is unregulated, the unemployed, and women and children who have experienced violence.

A very important mechanism for providing social services to victims of trafficking in persons is the network of social service centres for families, children and young people.

In Ukraine there is now a State Social Service for families, children and young people, and over 1,500 regional, municipal, district, rural and village social service centres (SSCs) for families, children and young people.

The staff working in these centres create databanks of families in crisis situations, including families in which parents have gone to work abroad. In 2008 the SSCs started keeping separate records of individuals who had been victims of trafficking and had applied for assistance, maintaining a register of these individuals.

**One of the most important aspects of combating trafficking in persons is assisting women and children who have suffered as a result of such trafficking. The reintegration centres for victims of trafficking play an important role in assisting them.**

There are now eight of these centres in Ukraine, operating with financial support from the International Organization for Migration (IOM), in Chernivtsi, Kherson, Lviv, Odessa (which has two centres), Volyn and Zhytomyr provinces, and in the city of Kyiv, where the centre provides both medical treatment and rehabilitation. Their work is aimed at providing legal protection to victims of trafficking, together with confidential medical services and social and psychological support. The reintegration programmes offer training and individual counselling to help victims of trafficking to find work, while providing practical assistance with housing and property.

**21.** Setting up an effective National Referral Mechanism for victims of trafficking in human beings is one of the obligations assumed by Ukraine under the OSCE Action Plan to Combat Trafficking in Human Beings, adopted in 2003.

In 2007-2008 a group of independent consultants, commissioned by the Ministry for the Family, Youth and Sports and with the support of the coordinator for OSCE projects in Ukraine, carried out a needs assessment of the National Referral Mechanism for victims of trafficking in human beings in Ukraine. On the basis of its findings, which were approved on 3 July 2008 by the Inter-Departmental Council for the family, gender equality, demographic development and combating trafficking in persons, the Ministry submitted a proposal to the coordinator for OSCE projects in Ukraine for a project to restructure the National Referral Mechanism. The project will develop interdepartmental cooperative arrangements in two pilot regions between organizations and institutions providing assistance to victims of trafficking, as the basis for the National Referral Mechanism. The project will cover:

- Reviewing and amending the legal and regulatory instruments relating to the work of the National Referral Mechanism;
- Approving appropriate legal and regulatory instruments and organizational arrangements in two pilot regions;
- Carrying out an evaluation of the further training needs of representatives of the institutions working in the National Referral Mechanism;

- Developing appropriate teaching tools, and approving further training programmes in the two pilot regions;
- Presenting the results at the national level.

The project is expected to yield the following outcomes:

- \* Developing a clearly defined network of rehabilitation and reintegration services for victims of trafficking in Ukraine;
- \* Drawing on the potential of the State institutions and non-governmental organizations, and optimizing the financial resources devoted to these purposes;
- \* Making it possible to obtain more precise data on the scale of the problem.

The two pilot regions selected for the project are Donetsk and Chernivtsi provinces.

**22.** An important area of work in combating trafficking is stepping up State monitoring of the activities of recruitment agencies licensed to engage Ukrainian citizens for work abroad.

As of 15 January 2009 there were 759 registered enterprises with a licence from the Ministry of Labour and Social Policy to recruit for work abroad. In the course of 2008, in order to check on compliance with the licence terms, the Ministry carried out 316 inspections of businesses, decided to cancel 43 licences and issued 115 orders to cease breaches of the licence requirements by a certain date. Forty-two licences were found to be invalid.

On 19 November 2008 the Cabinet of Ministers adopted Resolution No. 1013, approving criteria for appraising the risk involved in recruitment for work abroad, and fixing the intervals at which regular Government inspections should take place. The Resolution lays down clear criteria for assessing the risk of fraudulent behaviour by unscrupulous licensees towards individuals and of illegal conduct by unscrupulous foreign employers, and the risk of falling victim to traffickers.

### **Education**

**23. 24.** The national education system operates within a legal framework based on the Constitution of Ukraine and the Acts on education, on general secondary education, on preschool education, on out-of-school education, on vocational and technical education, on higher education, on protection of children, on equal opportunities for women and men, and on the National Educational Development Model.

Ukraine has a sophisticated and fully developed system of education, based on modern legislation. In quantitative and qualitative terms, it is well up to the level of developed countries, and can compete with other European systems.

The process of modernizing the education sector is continuing, based on securing equal access to a quality education along with a focus on the individual, democratic governance, competitiveness in world education and adaptation to the constantly changing needs of the individual and society.

The Constitution and laws of Ukraine contain no restrictions as regards education for girls and women.

The Ministry has no data about incidents of so-called “hidden” discrimination on grounds of gender, or about any active support for the idea of a differentiated approach to education for boys and girls.

Appropriate conditions exist in Ukraine for access to a quality general education for girls of school age. The principal task of the system of general education is to provide a high quality education and ensure that it meets the needs of the individual and society.

In the 2008-2009 school year over 2.6 million girls of school age (from 6 to 18 years) were enrolled in general education, representing about 52 per cent of the total number of school students.

Girls have equal access to education in schools of all types, including those providing opportunities for creative development to enable individuals to achieve their ambitions in a complex information society. Over 50 per cent of students in the new types of institutions (lyceums, gymnasia and collegiums) are girls.

The education system in Ukraine operates in difficult demographic conditions. In spite of the increase in the birth rate (in 2008 there were 38,000 more births than in 2007), the number of pupils is continuing to fall because of the low birth rate in previous years. Rural communities suffer most as a result. Because of the demographic situation, the Ministry of Education is taking steps to find new ways of making the best use of the network of rural general education schools, so as to ensure equal access to education. The chief prerequisite for a quality education in the countryside is having a network of schools providing proper education for children of school age.

To implement Decision No. 685-r of the Cabinet of Ministers, of 17 June 2009, on measures to solve the problems of socio-economic development in rural communities, the Ministry of Education and Science of the Crimean Autonomous Republic and the departments of education and science of the Kyiv and Sevastopol municipal administrations are working on plans to make optimal use of the network of schools in rural areas and to overhaul their equipment and resources.

Optimizing the educational network will make it possible to improve the quality of education and the economic efficiency of the schools, improve access to quality education, bring the educational network into line with the needs and characteristics of the region, and ensure diversity in the educational services offered in the schools. To tackle these issues, the Ministry of Education has recommended a number of ways of optimizing the network of general education schools, including:

- Creating new general education schools and reorganizing them into schools at other levels — I, I-II, I-III, etc. — or as general education schools with separate levels of instruction, “family schools”, all-day general education schools, specialist schools, lyceums, gymnasia, collegiums; or opening branches, departments and structural subdivisions of schools, changing their ownership structure, etc.;
- Eliminating general education schools (which have no future with a small number of pupils) by agreement with the community, and reassigning the pupils to other schools;
- Setting up education centres and distance learning systems (information resource centres with distance teaching based on provincial postgraduate

teacher training institutes, and on higher, vocational, general education and non-school education centres);

- Setting up educational circles between schools and between districts;
- Defining, within these educational circles, the key general education institutions (resource centres); strengthening the resource base of general education schools (building new premises, cafeterias and sports halls and overhauling existing ones, equipping school offices, purchasing buses and computer rooms and connecting them to the Internet, acquiring teaching supplies and literature, attracting additional sources of funding, etc.);
- Modernizing education management systems (ensuring democratic State/community management of education, increasing the role of parents and the community in these processes, introducing information technology into the management process, drawing upon the achievements of pedagogical and psychological science, etc.).

An important prerequisite for securing equal access to a quality education is independent assessment of the achievements of pupils in general education schools. This has become the biggest event and a strategic factor in Ukrainian education in recent years.

Among the activities provided for under the State programme for gender equality and being dealt with in the education system, particular importance attaches to work with children and young people in schools to draw attention to issues of gender equality and combat violence against men and women.

The question of gender and rights education is a very important one in general education schools.

Generally speaking, for pupils of school age advocacy of gender equality, healthy lifestyles, preventive and sex education takes place through the topics “Foundations of health”, “Protecting your health”, “Safety in everyday life”, and the subjects biology, “Healthy Living” and civics.

In primary school, the elements of knowledge about one’s rights are integrated into the basic curriculum. For example, the question of the rights of the child is taught by including it into the lessons on “Ukraine and me”, in the first to fourth grades.

In lower secondary school, rights education takes place through other subjects such as ethics (fifth to sixth grades), Ukrainian history, world history and geography. For example, in the sixth-grade ethics course there is a unit on the rights of the child.

At the upper secondary level (ninth and tenth grades), there is a compulsory course in “Fundamentals of law”, in which human rights are studied in more detail.

For a deeper knowledge of one’s rights through study in general education schools, there are also optional courses: “Practical law” (eighth grade), “We are citizens” (ninth grade), “Civic education” (ninth to eleventh grades), all of which study the rights of the child and how to protect them.

All these courses are backed by a full range of materials (curricula, textbooks and teaching tools).



Since 2007 an annual lesson on gender literacy has been introduced in general education schools, in order to combat gender prejudice and stereotyping among young people and adults, and help to secure equal rights and opportunities in Ukrainian society for both men and women. This initiative is supported by the Equal Opportunities and Women's Rights in Ukraine Programme of UNDP.

With a view to bringing children up on a basis of gender equality and overcoming gender stereotypes about the social roles of women and men in society, a "Gender alphabet" and a textbook for pupils in the ninth to twelfth grades entitled "We're different, we're equal" were produced in 2008, as a joint initiative of the Ministry of Education and Science and the Ministry for the Family, Youth and Sports, with the support of UNDP. These materials contain gender-sensitive texts and illustrations to meet the aims of gender education.

As a systematic endeavour to inculcate a policy of gender equality in Ukrainian society, since January 2009 the Ministry of Education, together with the Equal Opportunities and Women's Rights in Ukraine Programme of UNDP, has been conducting a new project to introduce gender approaches into the education sector. Expert groups are currently evaluating teaching standards and programmes for preschool, general secondary, and vocational technical and higher education for compliance with the principles of equal rights and opportunities for women and men. Recommendations will be made in the light of the project's findings.

The inculcation of gender equality into Ukrainian society is also one of the main issues for education in general schools. The Ministry has prepared and approved a programme called "Basic guidelines for the education of pupils in general schools". The section on "Guidelines for social education" covers issues of equal rights and opportunities for men and women.

During the time spent out of class with the pupils, various educational and information initiatives help to promote gender culture: educational sessions, debates, "round tables", drawing competitions, posters, seminars and training sessions, education through art campaigns, reading conferences and practical sessions on issues of gender equality and how to combat violence by men against women.

Together with the European Commission Delegation to Ukraine, drawing competitions for pupils in the junior grades on gender questions were held in 2007, 2008 and 2009. Over two thousand Ukrainian schoolchildren took part in the elimination rounds, and for two years the finalists included children from Ukraine. This year, 10-year-old Darina Shyt from Tal'ne in Cherkasy province was one of the winners. The drawing competition on the subject of gender bore witness to the creative talent of the competitors, the enthusiasm of the children, aged from 8 to 10 years, and their understanding of the concept of gender.

The question of securing equal rights and opportunities for men and women in Ukrainian society and eliminating all forms of discrimination and violence have also been raised during discussions about student self-government at regional and nationwide gatherings.

Significant advances have been made in the policy of equal opportunities in the system of vocational and technical education. Forty per cent of the students in vocational and technical colleges are girls.

The Ministry of Education and Science has drawn up and sent to the local executive authorities for application a set of regulatory materials on how they should observe equal opportunities and social justice towards students at vocational and technical colleges of various kinds, comprising:

- A letter of instruction on introducing a policy of equal opportunities and social justice into the educational process of schools and vocational and technical colleges in Ukraine;
- A regulation on the same subject;
- A regulation on the Coordinator for equal opportunities and social justice in schools and vocational and technical colleges in Ukraine.

A considerable amount of work is being done in the higher education system. In the 2008-2009 school year the network of higher education institutions comprised 881 institutions at all levels of accreditation. The total number of students was 2,873,000, of whom 54.4 per cent were women.

The work of the Ministry to improve higher education focuses on expanding access, including access by women, to higher education and improving the quality of educational services, implementing Government policy in the social, humanitarian, economic, legal, pedagogical and technical disciplines, and improving the network of higher education institutions.

Work is being done to change the structure of higher education in Ukraine, modernize education in line with European requirements, and accelerate the programme for making Ukraine's higher education system part of the Bologna process.

In order to bring about equal access to higher education, since 2008 the Ministry has introduced system-wide testing and new principles for entrance tests and endorsement at institutions of higher education. Expanded access to higher education is also achieved by supporting higher education institutions in introducing distance learning techniques.

In institutions of higher education, the study of gender policy issues forms part of the programmes and study curricula schedules of the humanitarian and socio-economic disciplines, particularly for subjects like psychology, cultural studies, law, philosophy, sociology, etc.

In the natural sciences cycle in institutions of higher education which train specialists in "law", the study of issues relating to gender policy is a required subject for the discipline "Theory of the State and of law".

As early as 1993, the Ministry of Education approved the first lecture series on women's issues, by L. Smolyar, and the lectures were given in the Odessa academy of food technology.

In 2003 a programme was drawn up for a basic course on "Fundamentals of gender theory" in which the gender approach was applied in a comprehensive and interdisciplinary way, so enabling the course to be flexibly adapted depending on the level of accreditation or the specialization and profile of the institution of higher education concerned. In 2004 a textbook called "Fundamentals of gender theory" was produced for higher education institutions giving this course.

In the course of preparation of the Government's report on "Gender education in Ukraine", a survey was conducted in higher education institutions on the existence of materials, staff and institutional resources for gender education, as an integral part of the higher education process.

A total of 158 higher education institutions in Ukraine at accreditation levels I to IV took part in the survey, representing 18 per cent of all such institutions in Ukraine.

In 115 institutions of higher education at different levels of accreditation (72.8 per cent), standard, elective and optional courses on gender are being developed and/or course materials at various levels on these issues have been produced.

In all, the number of higher education institutions in which gender courses are taught comprise 46.2 per cent (73) of all the institutions which took part in the survey. The institutions whose teaching staff have prepared teaching materials or textbooks, or conducted gender studies in monograph form or otherwise, or prepared course outlines or sets of lectures on particular gender issues, etc., represented 67.7 per cent of the total (105 units out of the total of institutions surveyed).

Courses on gender issues are taught at the National University of Kyiv-Mohyla Academy (14 courses, 12 of them optional); at the A.S. Makarenko Sumy State Pedagogical Institute (12 courses, of which one is compulsory and the status of three was not given); the Zaporizhia National University, under the Ministry of Education and Science of Ukraine (10 courses, half of which are standard courses); the Zhytomyr postgraduate teacher training institute (six courses, all optional); the Mykolaiv postgraduate teacher training institute (six courses, all optional) and the Zaporizhia medical college, an institution at accreditation levels I-II, at which six courses on gender issues, all optional, are taught.

It should also be noted that in almost all regions of Ukraine courses on gender issues are being developed and taught in at least one institution of higher education, which indicates the relevant educational potential of the regions.

The largest numbers at institutions of higher education in which gender courses are being developed and taught are in Zaporizhia (seven), Kyiv and Kharkiv provinces (six each), and in Dnipropetrovsk and Donetsk provinces (five each). Gender courses are taught at four institutions of higher education in the Crimean Autonomous Republic and in Luhansk province, and in three in each of Zakarpattia, Ivano-Frankivsk, Chernivtsi, Kirovohrad and Mykolaiv provinces.

Most of the institutions where instructors are currently preparing to teach courses of this kind are in Donetsk (12 institutions of higher education), Kharkiv and Dnipropetrovsk provinces (eight each), the Crimean Autonomous Republic, the city of Kyiv, Poltava and Luhansk provinces (seven each) and Zaporizhia province (six).

In addition, at institutions of higher education in nine regions and provinces of Ukraine there are 12 centres conducting educational and research work on gender issues: in the Crimean Autonomous Republic, in Vinnytsia, Zhytomyr, Zakarpattia, Luhansk, Sumy and Kharkiv provinces, and in the city of Kyiv.

Systematic work to develop a gender culture, overcome established stereotypes of women's and men's role in society and prevent gender violence is being done at

postgraduate teacher training institutes. The Kyiv provincial teacher training institute has introduced a teaching module on gender issues into in-service training courses for teachers, in which the programmes include a lecture on “Gender in the mirror of history and the prospects for developing gender studies in Ukraine”, a practical unit on “Gender aspects of individual self-development” and a training module on “The wheel of discrimination”.

At the Zakarpattia institute of postgraduate teacher training, issues of gender education are regularly covered during in-service training courses for teachers in general education schools in the province. The teaching laboratory on “Modern educational techniques” continues to operate, and it has a successful workshop on gender education issues. The topics “Psychological and pedagogical aspects of a gender approach in the management of general education schools” and “Basic guidelines for a gender approach to the management of a general education school” have been included in the curriculum for in-service training of school principals and deputy principals.

The postgraduate teacher training institute of Sevastopol municipal humanitarian university has held a meeting of the methods group of the psychologists practising in the city’s general education schools on the theme of “Gender aspects of a positive approach to stereotyping”. During the conduct of course preparation, teachers attended a special course on “Sex and gender”. At the school for young specialists, lessons have taken place on the subject of “Gender education for schoolchildren”. A database has been created for teachers introducing a programme of gender education for their pupils.

The Vassily Sukhomlin provincial institute of postgraduate teacher training in Kirovohrad has developed and introduced a series of lectures and practical sessions on the themes: “Preventing domestic violence”, “Eliminating all forms of discrimination against women”, and “Gender culture and overcoming gender stereotypes”.

Teachers attending in-service training at the Cherkasy provincial postgraduate teacher training institute follow a course of lectures on “The social adaptation of the individual”, at which gender issues are discussed. In May 2009 the institute developed a recommended methodology on “Particular features of gender education for children and adolescents”.

Teacher training in Rivne province includes a special course on “Gender education for teachers in today’s Ukraine” with modules on “The problem of a gender approach in education”, “The problem of inculcating gender tolerance among schoolchildren”, “The emergence of gender education in Ukraine and how it is taught in the modern general education school”, and “Innovative forms, methods and principles of gender education: theory and practice”.

In Chernihiv province, the curriculum for in-service teacher training includes a lecture on “Gender education: theory and practice”. During the 2008-2009 school year, it was attended by 1,802 people, 335 more than in the previous year. In the past three school years, 17 individual theses on gender issues have been produced by those attending in-service training courses. At the provincial postgraduate teacher training institute, a creative workshop is continuing, with the participation of school heads in the province, on “A gender approach to managing schools”.

The subject “Fundamentals of gender education” has been introduced into the curricula of the Zhytomyr provincial postgraduate teacher training institute.

Aware that the main challenge in gender education is to prevent negative outcomes in relations between the sexes, by making young people better informed about equality between men and women, the Ministry of Education has joined in the “Stop violence” campaign. The Ministry has prepared proposals for a draft plan of measures for the platform of action in the national “Stop violence” campaign.

**25. 26. 27.** Articles 21 and 24 of the Constitution of Ukraine and the universally recognized principles and rules of international law, as well as the international treaties to which Ukraine is a party, provide that men and women have equal rights and freedoms, and equal opportunities to exercise them. Human rights and freedoms are inalienable and inviolable. No privileges or restrictions are permissible on grounds of race, skin colour, political, religious or other convictions, sex, ethnic or social origin, property status, place of residence, language or other characteristics.

Equality of rights between women and men is secured by according women equal opportunities with men in socio-political and cultural life, in education and vocational training, and in work and wages; by special measures to protect women’s employment and health, and by establishing pension benefits; by creating conditions to enable women to combine work with motherhood; and by legal protection and material and moral support for mothers and children, including paid leave and other benefits for pregnant women and mothers.

Article 2, paragraph 1 of Ukraine’s Labour Code guarantees equal rights for citizens in employment, irrespective of their origin, social and property status, racial or national affiliation, sex, language, political views, religious convictions, trade union membership or membership of any other association of citizens, type and nature of work and place of residence.

Article 43 of Ukraine’s Constitution provides that the State shall create conditions for citizens to fully realize their right to labour, guarantee equal opportunities in the choice of profession and of types of labour activity, and implements programmes of vocational education, training and retraining of personnel according to the needs of society.

According to article 22 of the Labour Code, under the Constitution of Ukraine, when an employment contract is concluded, amended or brought to an end, no direct or indirect restriction of rights or creation of direct or indirect advantages is permitted on grounds of origin, social or property status, racial or national affiliation, sex, language, political views, religious convictions, membership of a trade union or any other association of citizens, type and nature of work or place of residence.

According to the international standards for recruitment, promotion, vocational training, regime and terms of employment and dismissal of all workers, including Government employees, employers must have regard to the legislative requirements concerning the entitlements and guarantees for women and men with family responsibilities.

Equality of rights between women and men is laid down in the Equal Rights and Opportunities Act, No. 2866 of 8 September 2005, which went into force on 1 January 2006.

The Bill amending the Employment Act (new version), No. 2173 of 5 March 2008, provides for:

- Equal opportunities for all citizens, regardless of origin, social and property status, racial or national affiliation, sex, age, political convictions and attitude to religion, to exercise the right to a free choice of work in accordance with their abilities and vocational training, and having regard to individual interests and social needs;
- Assistance in securing effective employment, preventing unemployment and creating new jobs and conditions for the development of entrepreneurship;
- Promoting freedom of choice of employment and assistance in choosing or changing career and type of work;
- Protection against unsubstantiated refusal to recruit and unlawful dismissal, and assistance in keeping a job;
- Cost-free assistance in choosing suitable work and finding a job placement in accordance with one's vocation, abilities, vocational training and education, with account taken of social needs, through all accessible means, including vocational guidance and retraining.

According to data from Ukraine's State Statistics Committee, the average employment rate among women aged 15-70 during the first half of 2009 was 54.2 per cent, and among women of working age it was 63.2 per cent (the corresponding figures for men are 61.6 per cent and 66 per cent respectively).

The employment and unemployment figures for men and women from 2001 to the first half of 2009 are attached (Table 1).

The average unemployment rate among women in the first half of 2009 was 7.3 per cent of the economically active population aged from 15 to 70, and among those of working age it was 8.2 per cent (the corresponding rates for men were 10.8 per cent and 11.3 per cent).

Women are more active than men in seeking work through the Government employment service. In the period from January to August 2009, the service was used by 880,600 women, of whom 227,100 found jobs through the service.

The Employment Act provides additional employment guarantees for particular categories of people who need social protection and are unable to compete on equal terms on the labour market. Among these categories are women with children under the age of six and single mothers with children under the age of 14 or children with disabilities. Guarantees are provided by setting quotas for jobs in enterprises, institutions and organizations. In 2009, 9,100 jobs were reserved for women in these categories.

To raise women's competitiveness on the labour market, in the period from January to August 2009 the Government employment service sent 57,000 women for vocational training. The jobs most favoured by women are those of accounts clerk, working to international standards and with modern computer programmes, cook, confectioner, hairdresser, sales assistant, etc.

Women who apply to the employment service are offered information and vocational guidance in their choice of work, having regard to the regional labour

market, and are invited to seminars. During these seminars special attention is paid to fostering the women's self-confidence and confidence in their strengths and their ability to look for a job independently, skill in self-preservation, etc. This brings positive results. Unemployed women regain confidence in their own strengths and motivation to work, especially when they have been looking for a job for a long time.

Women receive considerable assistance in choosing a job through the public initiatives conducted by the Government employment service: career fairs, open days at colleges, "round tables", presentation days and job auctions, competitions, etc.

To provide temporary work and financial support for unemployed citizens, the Government employment service and the local authorities organize community work. During the period from January to August 2009, 101,700 women took part in community work.

The guarantees and benefits provided under employment legislation for women with children aged under three (or under six), and for single mothers with children aged under 14 or children with disabilities, are also paid to fathers bringing up children without their mother (including cases where the mother is undergoing long-term in-patient medical treatment).

Monitoring and checking on compliance with employment legislation are conducted by special agencies and inspectors not dependent in any way on the employers. One such agency is the State Department for Monitoring Compliance with the Labour Legislation, which operates under its Statute adopted by the Cabinet of Ministers in Resolution No. 50 of 18 January 2003.

The Office of the Procurator General of Ukraine, and local procurators, have ultimate responsibility for ensuring that employment legislation is complied with and properly applied.

Trade unions and trade union confederations also exercise public control. Under article 41 of the Code of Administrative Offences, fines ranging from 30 to 100 tax-free minimum incomes are imposed on directors of enterprises, regardless of ownership structure, and on citizens engaging in business on their own account, who violate the rules of employment legislation.

**28. 29.** According to figures for 2008 from the State Statistics Committee, the total working population is 20,972,300, including 10,849,400 men and 10,122,600 women.

The average number of people occupying regular established posts in the Ministry of Health system is 1,050,066 (figure for 2008). Of these, 858,825 are women and 191,241 are men.

Pay for workers in the health sector is determined by the salary provisions in force (directive No. 308/519 of the Ministry of Labour and the Ministry of Health, of 5 October 2005, "On wages and salaries for workers in health facilities and social service institutions"). It depends on the post held, the length of time served in it, and whether the post calls for work in hazardous conditions, irrespective of the sex of the employee. Thus the legislation and regulations on pay and conditions of work meet the requirements of gender equality.

According to the statistical data, average pay in the health system (for 2008) for all employees was 1167.7 Hrv, and for women 1165.8 Hrv.

The health and safety protection rules in force for institutions and enterprises in the health system do not provide for any special conditions of work for women.

According to statistical data, on 1 January 2009 there were 196,198 doctors working in the Ukrainian health system: 77,266 men and 118,932 women. There were 430,090 middle-level medical personnel, of whom 26,856 were men and 403,234 were women.

The same conditions apply to men as to women in the entrance examinations for higher education. According to statistical data, the student body of medical faculties comprises:

Students in full-time attendance: 13,884 men, 33,242 women;

External students: 1,328 men, 10,784 women;

Evening students: 30 men, 120 women.

Graduates and young specialists studying in medical faculties comprise:

In full-time attendance: 158 men, 982 women;

External students: 47 men, 210 women.

Students in medical schools comprise:

In full-time attendance: 8,568 men, 58,704 women;

Evening students: 94 men, 2,487 women;

External students: 56 men, 1,181 women.

Among holders of initial and advanced doctorates of medicine engaging in scientific and technical work (researchers), there are:

In higher advanced educational institutions, 20 men and 9 women with advanced doctorates; 41 men and 72 women with initial doctorates;

In scientific research institutes, 77 men and 35 women with advanced doctorates, 137 men and 198 women with initial doctorates.

The Ukrainian Ministry of Health contributed to the drafting of a resolution for the Cabinet of Ministers "On the adoption of a special Government social programme for gender equality in Ukrainian society to the year 2010", drafted by the Ministry for the Family, Youth and Sports.

Under Ministry of Health directive No. 08.01-22/3138 of 7 December 2006, medical and pharmaceutical faculties are required to ensure that the subject of gender features in student competitions in science studies and in conferences of students and in conferences of students and young scientists.

Aspects of the gender question are taken into account when planning the work for dissertations undertaken by members of faculties and by those working for graduate and doctoral degrees. The question of equal rights and opportunities for women and men is regularly covered in lectures on sociology, cultural studies, law and social medicine.



Under Ministry of Health directive No. 687 of 27 November 2008 “On improving educational work in medical and pharmaceutical faculties at accreditation levels I-IV and in postgraduate educational institutions, scientific research establishments and health-care facilities”, a plan was approved for educational measures among students to develop the legal awareness of future health-care specialists, inculcate humanitarian values, teach that gender violence is not permissible, etc.

The Government programme “The reproductive health of the nation” for the period up to 2015 (approved by Resolution No. 1849 of the Cabinet of Ministers of 27 December 2006) provides for:

- Establishing conditions for safe motherhood;
- Improving the family planning system;
- Preserving the reproductive health of the population.

The findings gradually emerging from scientific investigations permit sequential study of the problems of family health and family planning, introduction of family counselling into the clinical practice of midwifery and gynaecological facilities, investigation of factors causing infertility, miscarriage and premature birth among patients with impaired reproductive function, improvement of existing assisted reproductive technologies and innovative work on new ones, introduction of comprehensive perinatal diagnostics to prevent birth defects among infants, improvement of perinatal indicators and reduction in the level of maternal morbidity and mortality; optimal care during pregnancy, childbirth and the postnatal period for patients with impaired reproductive function, and creation of clinical standards and protocols for the diagnosis and treatment of reproductive system problems.

A study is being made of the reproductive health of men and the factors which impact negatively on it, and standard tests and treatments are being developed.

The work of reproductive health centres in the regions is built around the principles of gender equality (clinics for treating infertility in both men and women; treatment for sexually transmitted infections and consultations with sexual health specialists). The frequency with which infertility is recorded varies considerably among the various territories of Ukraine.

Measures to prevent mother-to-child transmission of HIV and to provide medico-social support for HIV-infected people and children suffering from AIDS are conducted on a basis of gender equality.

In accordance with the principles of gender equality and in line with WHO recommendations, a joint directive, No. 740/1030/4154/321/614a, “On measures for preventing mother-to-child transmission of HIV and medical assistance and social support for HIV-infected children and their families” has been drawn up by the Ministry of Health, the Ministry of Education and Science, the Ministry for the Family, Youth and Sports, the Ministry of Labour and the State Penal Corrections Department.

With the support of the United Nations Children’s Fund (UNICEF), the Ministry of Health is continuing work on the “Youth-friendly clinic” project, with a view to encouraging a modern approach to the provision of health care to teenagers,

preserving their reproductive health and preparing them for responsible fatherhood while engendering a responsible attitude to sex and a healthy lifestyle.

In Ukraine's regions there are clinics offering medico-social services to children and teenagers according to the friendly approach principles recommended by the Ministry.

Ukraine has endorsed a number of international documents, including the resolution adopted at the United Nations International Conference on Population and Development, held in Cairo in 1994.

The Programme of Action of the Cairo Conference calls for both women and men to have the opportunity to decide freely the number and spacing of their children and to have the information to do so, as well as access to quality family planning methods, etc.

According to the MDGs (2006, Goal 5) a priority for countries which have adopted them is to achieve universal access to reproductive health.

With a view to the more active promotion of a healthy lifestyle so as to preserve reproductive health, the Ministry of Health has initiated:

- Press conferences on young people's reproductive health with leading specialists from the Ministry and with representatives of the ministries and agencies concerned and of community-based voluntary and international organizations;
- A series of media presentations by specialists on the topics of responsible fatherhood and family support, the prevention of reproductive system diseases, healthy lifestyles, family planning and safe motherhood;
- Round tables on the topics: "The welfare of the Ukrainian family is the country's strength", "Reproductive health", "Planning the Ukrainian family", "Safe motherhood", and "Responsible motherhood";
- Seminars and campaigns on reproductive health, safe motherhood and supporting the family.

The Ministry of Health has endorsed Act No. 862-VI of 14 January 2009, ratifying the European Convention on the Legal Status of Children Born out of Wedlock.

30. No information available.

#### **Minority women and vulnerable groups of women**

31. No information available.

#### **Amendment to article 20, paragraph 1**

32. No information available.

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