



Convention on the Rights of the Child

Distr.: General
3 March 2010
English
Original: Russian

Committee on the Rights of the Child

Consideration of reports submitted by States parties under article 44 of the Convention

**Third and fourth periodic reports of States parties due
in 2008**

Ukraine* **

[26 September 2008]

* In accordance with the information transmitted to States parties regarding the process of their reports, the present document was not formally edited before being sent to the United Nations translation services.

** Annexes are circulated in the language of submission and in English only.

Contents

	<i>Paragraphs</i>	<i>Page</i>
Introduction	1-3	5
I. General measures of implementation	4-32	5
A. Government policy and domestic legislation promoting the rights of the child enshrined in the Convention, and changes in domestic legislation in accordance with the principles and provisions of the Convention	4-10	5
B. Rights protection measures and their accessibility to children in case of violations	11-15	8
C. Mechanisms for coordinating national and local policies on children	16-21	9
D. Mechanism for monitoring implementation of the Convention	22	12
E. Measure taken for raising awareness of the principles and provisions of the Convention among adults and children at large; and dissemination of the report among the general public	23-26	12
F. Cooperation with public organizations, NGOs and children's and youth groups	27-32	13
II. Definition of the child (art. 1)	33-34	16
III. General principles	35-55	16
A. Information on children belonging to the most disadvantaged groups	35-47	16
1. Non-discrimination (art. 2)	35	16
2. Best interests of the child (art. 3)	36-38	17
3. Right to life, survival and development (art. 6)	39-42	18
4. Respect for the views of the child (art. 12)	43-47	20
B. Information on measures taken to protect children from xenophobia and other related forms of intolerance (art. 2)	48-49	22
C. Information on measures taken	50-54	23
1. Non-imposition of the death penalty on persons under 18 (art. 6)	50-51	23
2. Registration of, investigation into, and reporting on such cases	52-53	23
3. Survival of children of any age and risk minimization, to which this group may be especially subject (STDs and violence)	54	23
D. Measures taken to prevent and monitor the frequency of suicides among children	55	24
IV. Civil rights and freedoms	56-68	24
A. Name and nationality (art. 7)	56-58	24
B. Preservation of identity (art. 8)	59	26
C. Freedom of expression (art. 13)	60	26
D. Freedom of thought, conscience and religion (art. 14)	61	26
E. Freedom of association and peaceful assembly (art. 15)	62-63	26
F. Protection of privacy (art. 16)	64	27

Contents

	<i>Paragraphs</i>	<i>Page</i>
G. Access to appropriate information (art. 17)	65	28
H. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37a)	66-68	28
V. Family environment and alternative care	69-94	30
A. Parental guidance (art. 5)	69-76	30
B. Parental responsibilities (art. 18, paras. 1-2)	77-78	34
C. Separation from parents (art. 9)	79-80	35
D. Family reunification (art. 10)	81	37
E. Recovery of maintenance for the child (art. 27, para. 4)	82	37
F. Children deprived of their family environment (art. 20)	83-88	37
G. Adoption (art. 21)	89-91	42
H. Illicit transfer and non-return of children from abroad (art. 11)	92	43
I. Abuse and neglect (art. 19), particularly in relation to physical and mental recovery and social reintegration (art. 39)	93	44
J. Periodic review of placement (art. 25)	94	44
VI. Basic health and welfare	95-125	44
A. Survival and development (art. 6, para. 2)	95	44
B. Disabled children (art. 23)	96-103	44
C. Health and health services (art. 24)	104-112	49
D. Social security and childcare services and facilities (arts. 26 and 18, para 3)	113-123	55
E. Living standards (art. 27, paras. 1-3)	124-125	61
VII. Education, leisure and cultural activities	126-136	63
A. Education, including vocational training and guidance (art. 28)	126-130	63
B. Education objectives (art. 29) with respect to educational quality	131-132	66
C. Leisure time, recreation and cultural activities (art. 31)	133-136	67
VIII. Special protection measures	137-169	69
A. Children in emergency situations	137-140	69
1. Refugee children (art. 22)	137-139	69
2. Protection of children in armed conflict (art. 38), including physical and psychological recovery and social reintegration (art. 39)	140	71
B. Protection of children in conflict with the law	141-148	71
1. Administration of juvenile justice (art. 40)	141-143	71
2. Justice in respect of children deprived of their liberty, including any form of arrest, detention or imprisonment (art. 37, paras b-d)	144	72

Contents

	<i>Paragraphs</i>	<i>Page</i>
3. Juvenile justice, particularly the prohibition of capital punishment and life imprisonment (art. 37a)	145	73
4. Physical and mental rehabilitation and social reintegration (art. 39)	146-148	74
C. Protection of children under exploitation, including physical and mental rehabilitation and social reintegration (art. 39)	149-162	76
1. Protection against economic exploitation, including child labour (art. 32)	149-153	76
2. Drug abuse (art. 33)	154	78
3. Protection from sexual exploitation and sexual abuse (art. 34)	155-159	79
4. Protection against other forms of exploitation (art. 36)	160	81
5. Sale, trafficking and abduction (art. 35)	161-162	82
D. Protection for children belonging to a minority or an indigenous group (art. 30)	163-165	83
E. Protection of children who live or work in the street	166-169	84
IX. Measures taken in accordance with the recommendations made by the Committee on the rights of the child on the sale of children, child prostitution and child pornography	170-179	87
Annexes		
Annex I. Basic legal and regulatory instruments adopted in Ukraine for implementation of the Convention on the rights of the child		93
Annex II. Statistical information		104

Introduction

1. In Ukraine, the protection of children is a strategic national priority. In the period 2002-2006, the Government, guided by the principles of child protection and the rights of the child, took appropriate measures for defending those rights. During the above period, Government policy in the area of child protection was aimed at:

- Improving the legal and regulatory framework for protecting children, including the incorporation of international legal standards into domestic legislation;
- Reforming the State system for placing orphans and children without parental care;
- Strengthening social protection for low-income families with children;
- Developing the network of institutions and establishments working in the interests of children;
- Promoting interagency cooperation between Government authorities and public organizations dealing with problems affecting children;
- Improving Government oversight and action related to the protection of children from cruel treatment, violence and exploitation;
- Combating HIV/AIDS.

2. While preparing this report, the drafting team used analytical and statistical material provided by the Ministries of Justice, the Economy, Finance, and Foreign Affairs; the Ministry for Emergency Situations and for Matters related to Protection from the Effects of the Chernobyl Disaster; the Ministries of Labour and Social Policy, and Education and Science; the Ministry for the Family, Youth and Sport; the Ministries of Internal Affairs, Health, and Culture and Tourism; the Government Committee on Statistics, the judiciary, the Government Committee on Sentence Enforcement, the State Social Service for Families, Children and Young Persons, the Academy of Pedagogical Sciences and the State Institute for Family and Youth Development.

3. In preparing this report, account was taken of the observations of children who are members of children's advisory councils attached to local Government bodies in the cities of Shostka, Trostianets, Krolevets, Lebedyn and Bilopillia regarding the implementation of the Convention on the Rights of the Child in Ukraine. This report will be released as a separate publication in order to inform the general public about the implementation of the rights of the child in the country.

I. General measures of implementation

A. Government policy and domestic legislation promoting the rights of the child enshrined in the Convention, and amendments to domestic legislation in accordance with the principles and provisions of the Convention

4. In Ukraine, State bodies have been paying increased attention, at the political and legislative levels, to social problems related to children, and to children's rights. The Government continues to take steps to bring domestic law and practice into line with the principles and provisions of the Convention. In the period 2002-2006, the following international instruments for the protection of the rights of children entered into force in the country and were incorporated into domestic law.

- Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (ratified in April 2003);
- United Nations Convention against Transnational Organized Crime and its additional protocols (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) (ratification in February 2004);
- Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (ratification in June 2004);
- Council of Europe Convention on Action against Trafficking in Human Beings (signature in November 2005);
- European Convention on the Exercise of Children's Rights (signature on 15 May 2003, ratification on August 3, 2006) (with a declaration);
- Convention of 2 October 1973 on the Recognition and Enforcement of Decisions Relating to Maintenance Obligations (with a declaration and reservations);
- Convention on Contact concerning Children (signature on 15 May 2003, ratification on 20 September 2006) (with a declaration);
- Convention on the Recovery Abroad of Maintenance (ratification on 20 July 2006, entry into force on 19 October 2006);
- Convention on the Civil Aspects of International Child Abduction (signature on 11 January 2006, entry into force on 1 September 2006);
- Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children (signature on 14 September 2006) (with a declaration and reservations);
- Convention on Cybercrime (ratification in September 2005);
- Additional Protocol to the Convention on cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ratification in June 2006);
- Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms (ratification in March 2006, entry into force on 1 July 2006);
- European Social Charter (ratification in September 2006) (with declarations);
- European Convention on Nationality (ratification in December 2006, entry into force on 1 April 2007);

5. The entry into force of the above treaties confirms Ukraine's intention to comply with international legal instruments relating to children and the protection of human rights. The issue of the country's accession to the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption is still pending. Draft Acts on the ratification of that Convention and on amendments to existing domestic legislation in connection with such accession have been submitted to the Parliament for consideration several times but have not been adopted. As a result of the 13 March 2007 countrywide consultation "With affection and concern for children", in which the President of Ukraine participated, the Cabinet requested the Ministries of Family, Youth and Sport, of Justice, and of Foreign Affairs to support and promote, as a matter of priority, the adoption by Parliament of draft Acts on the said accession and on related amendments to certain Acts. The draft legislation in question is currently under consideration by the Parliament.

6. The domestic legislation amendments adopted in the period 2002-2006 with a view to ensuring children's rights in accordance with the Convention and other international legal instruments protecting the rights of children (see annex 1) are based on a rights-protection approach and mainly aim at improving existing or creating new mechanisms for implementing all legal and regulatory instruments related to the Convention. They deal with reforming the State system for placing orphans and children without parental care, developing a network of social institutions for children, protecting children against violent acts, and amplifying liability for child trafficking and sexual exploitation of children.

7. The following countrywide and sectoral programmes were implemented in the period 2002-2006 in order to improve health care, create favourable conditions for bearing and rearing children, ensure the social protection of children, combat HIV/AIDS and improve the quality of education:

- "Children of Ukraine" National Programme;
- "School Bus" programme;
- "Reproductive Health, 2001-2005" National Programme;
- "The Nation's Reproductive Health, 2006-2015" Government Programme;
- Government programme for children's homelessness prevention, 2003-2005;
- Government programme concerning children's homelessness and child neglect, 2006-2010;
- "The Nation's Health" comprehensive intersectoral programme, 2002-2011;
- Demographic development strategy through 2015;
- Government programme for the social adaptation for released detainees, 2004-2006;
- Paediatric Oncology Government Programme, 2006-2010;
- Government programme for children's rest and recuperation, for the period through 2008;
- National Programme for preventing HIV infection and for supporting and treating HIV/AIDS patients, 2004-2008;
- Programme for implementing Government policy against trafficking in drugs, psychotropic substances and precursors, 2003-2010;
- Intersectoral programme for the prevention of mother-to-child HIV/AIDS transmission and for medical and social assistance for children infected with HIV/AIDS;
- Non-school education development programme, 2002-2008;
- Information-and-Communication Technologies (ICTs) in Education and Science Programme, 2006-2008;
- Government Programme for Education Development, 2006-2010.

8. However, the inadequate level of available funding complicates the implementation of these programmes and impairs essential progress in small towns and villages, especially in respect of health-care infrastructure. Drawn up in 2006, the National Action Plan for the Implementation of the Convention on the Rights of the Child defines the Government's strategy for the protection of children and was prepared in the light of the recommendation formulated in paragraph 13 of the Concluding Observations of the Committee, namely that the National Plan of Action should be rights-based and cover all of the principles and provisions of the Convention.

9. Work on the document was carried out by an intersectoral panel of representatives of central executive bodies and NGOs, and the document's provisions were discussed with child leaders. The purpose of the National Action Plan is to ensure the operation of an optimal and comprehensive child-protection system and identify ways of resolving problems related to the Convention's effective implementation in the country, taking into account the Millennium Development Goals (MDGs); the strategy set forth in the outcome document of the General Assembly Special Session on Children, "A World Fit for Children"; and the aims of the Convention. The National Action Plan confirms Ukraine's intention and readiness to intensify efforts to improve the situation of children through an integrated approach to the implementation of the children's right to health, education, social protection, cultural and intellectual development, and participation in social life; to protect children from abuse; and to enhance the monitoring of the status of children in the country.

10. In June 2007, the Parliament adopted the National Action Plan for the Implementation of the Convention through 2016. However, as a result of early parliamentary elections, the Acts adopted during the given period were not signed by the President of Ukraine and consequently did not enter into force. The draft Act in question is currently under consideration by Parliament as a matter of urgency.

B. Rights protection measures and their accessibility to children in case of violations

11. In Ukraine, the protection of the rights of the child is, generally speaking, enshrined in the legislation and implemented in practice. Under article 10 of the Protection of Children Act, a child may personally have recourse to guardianship and trusteeship authorities, social centres for families, children and young persons, and other authorized bodies for the protection of his or her rights, freedoms and legitimate interests. Moreover, under article 152 of the Family Code, a child under 14 may apply directly to a court for the protection of his or her rights and interests. Under article 3 of the Protection of Children Act, the State guarantees all children equal access to free legal assistance necessary for ensuring the protection of their rights. Such assistance is provided through a network of children's affairs offices, social centres for families, children and young persons, and youth and sports units. Furthermore, a network of community liaison offices, hotlines, free legal counsel offices and similar facilities is available in the country. As of 1 July 2007, free legal assistance was provided by 716 community liaison offices, 1,153 local Government liaison offices and 1,715 mobile units, operating within judicial bodies. Judiciary and law-enforcement staff, and legal specialists of social centres for families, children and young persons, hold discussions and give lectures for general education pupils and students and provide counsel on, inter alia, children's rights and social legal assistance mechanisms.

12. Violations of the rights of children living or working in the street still constitute an acute problem in Ukraine. Although, recently, preventive work with children at risk and their parents has been intensified and the quality of services provided to them has improved, many street children continue to face various forms of physical and mental violence, and neglect. These children have limited access to appropriate educational, medical and social services and to the existing mechanisms of legal protection. Although Government oversight of compliance with children's property and housing rights has been stepped up, violations of those rights continue. One method of protecting the rights of children at risk consists in such general preventive operations by children's affairs offices, education authorities and police units for children, as, for instance, "Railway Station", "Street", "Adolescent" and "School class". Children identified during such operations receive social, medical and legal assistance and are encouraged by social establishments for children to resume their schooling.

13. In line with the recommendations of paragraph 40 of the Concluding Observations, the network of the country's social service establishments providing targeted and long-term assistance is gradually being expanded. As of the end of 2006, these establishments included 95 shelters for children, 28 socio-psychological centres for children's rehabilitation, 22 centres for social and psychological help, 9 social residences, 7 social centres for mothers and children, 529 mobile counselling units in rural, mountainous and remote areas and 682 family support services. Moreover, 72 hotlines operate at social centres for families, children and young persons, a countrywide round-the-clock hotline for children operates at the Ministry for the Family, Youth and Sport, and dozens of hotlines have been set up by social organizations as part of programmes against human trafficking.

14. In the event of child abuse or of a real risk of such abuse, every child and adult in the country may address internal affairs bodies, educational and health agencies and institutions, establishments for family and young persons' affairs, social centres for families, children and young persons, and units for children's affairs. (The procedure for the review of submissions and communications regarding child abuse or a real risk of such abuse was adopted in January 2004.) Moreover, children subjected to abuse or facing a real risk of such abuse may be identified through operations by children's affairs offices and criminal police units for children, medical examinations, and reports via hotlines. Upon receiving such a submission, all of these establishments and organizations provide medical, social and psychological support to the child concerned and, if necessary, remove the child from the environment where he or she was abused, or take steps to prevent a real risk of abuse of the child. Where there is evidence of criminal acts or a risk of such acts, the information is transmitted to law enforcement agencies.

15. Yet, despite significant improvements to the system of social and legal protection of children, issues related to the accessibility of remedies to children in the event of violations of their rights remain unresolved as a result of shortages in the number and actual staff children's affairs offices and social centres for families, children and young persons, particularly in small towns and villages, the inadequate number of procedures for providing social and legal support to children, and the children's insufficient awareness of their rights and the mechanisms for protecting the rights of children, especially those at risk. Ukraine also lacks an ombudsman for children, to protect their rights, although relevant draft legislation was submitted to the Parliament in 2008.

C. Mechanisms for coordinating national and local policies on children

16. The creation in March 2006 (in line with the recommendations of paragraphs 14 and 16 of the Concluding Observations) of the State Department for Adoption and for the Protection of the Rights of the Child, a Government body attached to the Ministry for the Family, Youth and Sport, evidences the priority accorded in Ukraine to children's protection. The new department performs the following functions:

- Implementing measures for protecting the rights, freedoms and interests of children and preventing child neglect and homelessness;
- Spreading the practice of submitting and developing proposals for improving legislation on adoption, custody, guardianship, placement in family-type children's homes and foster families, prevention of child neglect and homelessness, and protection of the rights, freedoms and interests of children;
- Surveying the protection of the rights, freedoms and interests of children, and monitoring adoption, guardianship, trusteeship, placement family-type children's homes and foster families, and maintenance and rearing of children in social protection institutions;

- Fulfilling Ukraine's obligations under the Convention and other international treaties signed by the country on the protection of children's rights, adoption, and guardianship; promoting cooperation between the central Government authorities and the United Nations Children's Fund (UNICEF); and monitoring the implementation of UNICEF-supported programmes in the country.

17. Established in 2000, the Interdepartmental Commission for the Protection of Children continues to work actively, providing coordination in addressing issues related to the sustenance and development of children. In the period 2002-2006, the Commission continued the development of children's affairs offices, competent for dealing with issues related to the implementation of Government policy on children's rights protection and prevention of child neglect and homelessness. The Commission authorized staff increased from 1,660 in 2003, to 2,343 in 2006 and 3,138 as of 1 January 2007. However, in the period 2002-2006, the actual staff of children's affairs offices amounted to only 56-63 per cent of the authorized level. In recent years, the scope of the competence of such units expanded significantly, allowing the staff to address the matter of sending children at risk to special institutions for children or educational establishments; to ensure the placement of orphans and children without parental care in family-type children's homes or foster families, the placement of such children under guardianship or trusteeship, or their adoption; to cooperate with parents, guardians or trustees in order to remove the causes and conditions that led to the violation of a child's rights, neglect and delinquency; and to raise the issue of disciplinary action or prosecution in the case of officials and parents who allowed children's rights to be violated.

18. Social centres for families, children and young persons and the social service agencies operated by the Ministry for the Family, Youth and Sport play a significant role in providing social protection and social assistance to children. Their number has steadily grown, from 667 in 2002 to 1,247 in 2006, and so has the number of interventions, which increased from 1.4 million in 2002 to nearly 5.6 million in 2005. In response to the recommendations of paragraph 18 of the Concluding Observations, budget allocations for implementing the Convention being further increased. A sharp increase in the social component of the 2005-2006 budget allowed a substantial rise of the level of social spending. For instance, as a percentage of GDP, expenditures have increased to 3.7 per cent (from 3.3 per cent in 2002) for health care, to 19.6 per cent (from 14.6 per cent in 2002) for social protection and social assistance to and to 6.4 per cent (from 5.4 per cent in 2002) for education. Expenditures on the social protection of families, children and young persons have increased in recent years. In 2005, funding for the "Children of Ukraine" National Programme increased by 1.7 times compared to 2002 (see annex II, table 1). The financing of direct social services to the population proceeds primarily through local budgets, whose share in expenditures amounts to 70 and 80 per cent in the education and health sector, respectively, and to approximately one half of social-protection and welfare expenditures. In other words, the Government assigns a basic role to local budgets with respect to the financing of social services. However, this mandate to provide social services is not appropriately implemented and consequently fails to ensure compliance with the relevant standards. Funding is based on the individual regions' actual financial capacity.

19. In 2002-2006, the Government stepped up poverty reduction strategy implementation efforts. The Government's basic aim has been to improve the quality of life for families, children and young persons, starting with pregnancy, childbirth and early childhood. The Government also seeks to help the most vulnerable population categories, especially single mothers, low-income families, and families with many children, disabled parents or disabled children, by gradually raising the level of social guarantees to the minimum subsistence income. The largest such rise occurred in 2006. In particular, the rates of assistance increased in connection with the following forms of support under the State Assistance to Families with Children Act:

- Pregnancy and child allowances;
- Childbirth lump-sum benefit;
- Childcare benefit up to the age of 3;
- Single mother's benefit;
- Allowance for children under guardianship or trusteeship.

20. In April 2005, the childbirth lump-sum benefit increased from Hryvnia (UAH) 764 (US\$151) to UAH 8,500 (US\$1,500). Since January 2008, the amount of this benefit has been UAH 12,240 (US\$2,425) for the first child. Social protection for poor families is provided in accordance with the provisions of the Low-income Family Social Assistance Act. The eligibility criterion for this benefit is family income in relation to the minimum subsistence income. At the present time, given its limited financial resources, the Government is unable to provide government social guarantees commensurate with actual minimum subsistence requirements. Consequently, the level has been set with a view to providing a minimum subsistence income. In 2006, the minimum subsistence income amounted to UAH 110 (US\$22) for employable persons, UAH 155 (US\$30.50) for persons unable to work (children and pensioners), and UAH 165 (US\$32) for disabled persons. Persons disabled from childhood and disabled children receive social benefits. In order to ensure the social protection of orphans and children without parental care, social benefits were introduced in 2006 for:

- Orphans and children without parental care, who are placed in family-type children's homes and foster families (Cabinet decision No. 956 of 12 July 2006). The amount of this benefit is equal to two minimum subsistence incomes for children of the age concerned.
- On a temporary basis, children whose parents refuse to pay alimony or are unable to maintain them. (Cabinet decision No. 189 of 22 February 2006). The amount of this benefit is equal to 30 per cent of the minimum subsistence income for children of the age concerned.

21. Poverty reduction measures include a housing subsidies programme. Total budget allocations for the provision of public assistance increase every year. The overall budgetary provisions for assistance to families with children, low-income families, persons disabled from childhood and disabled children amounts to UAH 3 billion (see annex II, tables 1 and 2). The average monthly number of beneficiaries concerned also increases every year. In 2006, over three million low-income families and individuals in need received monthly assistance from the State. These increases have been possible as a result of the country's economic growth. However, the effect of direct increase in social benefits through the redistribution of existing financial flows is only temporary. Moreover, most social standards and guarantees do not currently ensure a minimum subsistence income. The current social protection system can hardly be called effective. To date, there are families with children, whose level of poverty exceeds the national average poverty indicator by a factor of 1.3 and the highest incidence of poverty occurs among and families

with many children or children under the age of 3. Thus, despite some positive changes in the volume and structure of social spending, wage increases and increased funding for education, medicine and social institutions, the financing of measures aimed at improving the situation of children remains inadequate. It has not been possible to determine the amount and share of State budget resources appropriated for children through public and private institutions or organizations in order to assess the effectiveness of such allocations and their impact on the accessibility, quality and effectiveness of services for children in various sectors (paragraph 18 of the Concluding Observations). Yet certain positive developments have taken place in recent years in this area. In January 2007, the Cabinet adopted the Procedure for preparing and implementing targeted Government programmes, which contains various provisions for the obligatory use of indicators to evaluate programme implementation and assess a programme's financial, material, technical and human-resources requirements. The "Introduction of the DevInfo System" programme, implemented since 2007 with UNICEF support, contributes to the development of an effective system for monitoring and evaluating the Government's child protection policy and its impact on the status of children. The programme in question helps to implement the recommendations formulated in paragraph 20 of the Concluding Observations on Ukraine's second periodic report and in paragraph 14 of the Concluding Observations on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

D. Mechanism for monitoring the implementation of the Convention

22. The implementation of the Convention in Ukraine is monitored on the basis of statistical data and on research. Government reports on the status of children in the country constitute a monitoring tool and contain recommendations for improving Government policy on the protection of children.

E. Measures taken for raising awareness of the principles and provisions of the Convention among adults and children at large; and dissemination of the report among the general public

23. In the period 2002-2006, action was taken to disseminate information about the Convention and to train specialists working with and for children (according to paragraph 22 of the Concluding Observations). The Convention is studied in grade 5-9 electives entitled "Rights of the Child", "Play by the Rules", "Practical Law" and "Civic Education" and in the ninth-grade required course "Fundamentals of Law". A Ukrainian language version of the Convention continues to be produced for free distribution among professionals working with children and general education school libraries. In 2005 alone, 20,000 such copies were distributed. with the assistance of UNICEF.

24. National and regional media widely publicize certain provisions of the Convention. The National Television Company, on the first national channel and partly on channel UT-2, produces its own children's broadcasts, whose weekly duration totals approximately 10 hours and which include "Journey to Childhood", "Evening Fairy Tale", "Child Line", "Stars! On Stage!" and "Teenagers' and Young Persons' Studio 5". Innovative programmes produced along with traditional-type broadcasts include for instance the "Let's act together" talk show for young persons (in Vinnitsa town), the "Us against Violence" television campaign, "" and the ""Youth against Violence' Rock Club" broadcast (in Cherkasy province). As part of charity activities, information campaigns are conducted and posters, booklets and information cards are distributed with regard to provisions of the Convention. Representatives of Government agencies, local government bodies and NGOs

working for children, and the children themselves, participate in the work of press clubs, in press conferences and in live television and radio broadcasts on issues related to the protection of the rights of the child. The State authorities engage in considerable efforts to raise awareness of the fundamental rights, freedoms and obligations of children. In the period 2002-2007, experts of the judiciary expressed themselves through the media more than 2,600 times on issues related to children's rights; and of the more than 23,000 teaching aids produced in the period 2000-2007, many related to the protection of the rights of the child.

25. In the period 2002-2006, Prison Department staff conducted 159 training events on children's rights, including provisions of the Convention, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines). These events were attended by more than 2,000 Prison Department staff members. The British Council in Ukraine and the State Department for Sentence Enforcement prepared a handbook on the rights of minors in custody (international standards) for use in classes attended by trainees and staff of special educational facilities. As part of the project, four training seminars were also held for the staff of special educational institutions, with the participation of researchers from Queen's University Belfast (Northern Ireland), on international standards in the area of rights of the child. In the period 2002-2006, the local UNICEF office set up, within special educational institutions, information centres on the rights of the child. These centres are furnished with legal literature and video material by UNICEF and other organizations and serve as a venue for practical exercises with institution trainees and staff.

26. However, the available number of copies of the Convention (especially in versions adapted for children) and the adults' awareness of the Convention's provisions are inadequate. The Judges' Academy provides training in order to upgrade the qualifications of judges and court officials in relation to the role of the courts in protecting the rights of the child. In that connection, the typical training programme in the period 2005-2006 included the subjects of "Court practice regarding adoption", "Particularities of judicial proceedings in cases involving offences by minors: Implementation of juvenile justice", "Implementation of juvenile justice: Applying educational coercive measures to minors", and "Particularities of drawing up court records regarding cases involving children". In 2006, 22 such training events (21 in 2005) were attended by 484 persons (402 in 2006). Issues related to the protection of children's rights and, in particular, the provisions of the Convention, are examined as part of training of qualifications upgrading for education and health professionals and the staff of children's affairs offices and social centres for families, children and young persons.

F. Cooperation with public organizations, NGOs and children's and youth groups

27. One of the manifestations of the development of civil society in Ukraine is cooperation between the Government and the local offices of international organizations, NGOs and business entities on the implementation of the Convention (in line with paragraph 24 of the Concluding Observations). UNICEF, still Ukraine's main strategic partner in international activities for children, steadily shows its readiness for cooperation backed by tangible measures through increased funding and the expansion of a network of partner organizations. Activities carried out with UNICEF funds include, inter alia, immunization of the country's children; such practical measures as the launching of large-scale iodination of salt in order to reduce diseases caused by iodine deficiency; support for

the balanced development of infants and young persons; medical care for children having suffered the effects of the Chernobyl disaster; measures for transforming the residential State care system for children and creating family-type children's homes; and prevention of drug addiction and HIV/AIDS infection among adolescents.

28. The Government and the local UNICEF office constantly seek the most effective ways of cooperating on issues of current concern to the country. Special attention is paid to the establishment of legal mechanisms for protecting the rights and legitimate interests of children (juvenile justice), the protection of children from violence and cruel treatment, the participation of children in the formulation of national and local strategies affecting children, the development of systems for monitoring children's rights, and the strengthening of partnerships with the media in the interests of children. UNICEF supported the establishment, in 2005, of the nationwide Coalition of NGOs for Children, which actively operates in the area of children's rights. This network currently includes more than 50 NGOs dealing with the rights of the child, and its authority has been strengthened through the conduct of hundreds of national and local activities under the regional campaign, "Do not overlook a single child". With the help of UNICEF, the Coalition has developed a training module on the rights of the child, which fully complies with international standards, and has formed a network of certified trainers on the rights of the child, who are present in practically all regions of the country. In order to enhance the capacity of public organizations to conduct advocacy and awareness-raising campaigns in the interests of children, UNICEF has provided training to civil society representatives and supported the creation, for them, of a Web communications resource entitled "Effective Communications".

29. Supported by UNICEF, the Government promotes the practice of systematically involving children and NGO leaders in implementing the Convention. Active representatives of children participated in the formulation of the National Action Plan for the Implementation of the Convention. In the Lviv and Sumy provinces, ten local authorities, with UNICEF support, have set up children's advisory groups, a measure enabling children to influence all local government decisions relating to children and young persons. In order to prevent early social orphanhood and promote the principles of responsible parenthood, the Ministry for the Family, Youth and Sport actively cooperates, within Ukraine, with the charity organization "Hope and Housing for Children" (on the project "Development of a methodological basis for promoting the prevention of child abandonment in mother and child centres and maternity units"). Partnership-based cooperation with the International Labour Organization's International Programme on the Elimination of Child Labour (ILO-IPEC) is continuing with a view to eliminating the worst forms of child labour. The Government cooperates with End Child Prostitution, Child Pornography and Trafficking in Children for Sexual Purposes (ECPAT) International and the International Women's Rights Centre "La Strada - Ukraine" on the implementation of programmes for the prevention of the commercial sexual exploitation of children, with the International HIV/AIDS Alliance in Ukraine and other organizations.

30. In the period 2002-2006, corporate efforts regarding charitable and social projects were intensified. According to a survey on the "Social responsibility of business", in the area of social support by the country's enterprises, assistance to children continues to rank first (with 21.5 per cent), health care assistance second (with 20 per cent), and help for the disabled, elderly and disadvantaged third (with 19 per cent). In recent years, there has been a clear trend towards the involvement of large companies in long-term, rather than one-off, social projects. Most of the projects in question are aimed at health care for children and concern maternity units, cardiology centres for children, and children's hospitals, diagnostic centres and emergency attention units. Projects for the provision of hospitals and clinics with modern medical equipment and facilities account for 80-85 per cent of those projects and are exemplified by the comprehensive national social projects

implemented by the Ukraine 3000 International Charitable Fund (Ukraine 3000 ICF), which, although not itself a business entity, has succeeded in involving a significant number of Ukrainian companies in implementing its social and medical initiatives, including the following:

- Children’s Hospital of the Future Programme (activity period: December 2005-2009). Inter alia, the Donbass Industrial Union Corporation, the Interpipe Corporation, the Finance and Credit Bank, the AvtoKrAZ Bank, the Arterium Pharmaceutical Corporation, the Transbank joint stock bank, the Zaporizhstal joint stock company, and the Donetskstal Metallurgical Works closed joint stock company participated in the implementation of the programme, aimed at creating a country-wide Mother and Child Health Centre.
- “Childhood Joy - Freedom of Movement” Programme (activity period: December 2005-2009). Jointly implemented by the Medical Rehabilitation Centre for Children with Organic Nervous-system Lesions of the Ministry of Health, Kiev, and the International Rehabilitation Clinic, Truskavets, this programme is aimed at providing Ukrainian rehabilitation centres with modern medical equipment, informing the parents of disabled children on legal and social issues, and improving the quality of rehabilitation services for low-income family children with the lesions in question. In January 2006, TNK (transnational corporation)-BP, Ukraine, joined the programme and agreed to contribute US\$3.2 million (US\$800,000 annually for four years) to its funding.
- “From Hospital to Hospital” Programme (activity period: May 2005-2010). Under this programme, which unifies the initiatives of various business entities in different areas of the country, 23 Ukrainian hospitals network with children’s hospitals in Canada, Europe, Japan and the United States in order to share the latest technologies, scientific information, equipment and medical expertise in diagnosis and treatment.

31. Programmes that provide for independent acquisition and transfer of the most modern equipment for child health facilities for early diagnosis of diseases in children are carried out by Johnson & Johnson; McDonald’s, Ukraine; Procter & Gamble; and TNK-BP. In 2006, the “Development of Ukraine” Charity Foundation, established by System Capital Management (SCM) under the programme “The Nation’s Health”, launched the project “Implementation of the ‘directly observed treatment short course (DOTS) - plus’ strategy, 2006-2010”, aimed at the detection, diagnosis and treatment of drug-resistant tuberculosis in the Donetsk province. One of the Victor Pinchuk “Cradles of Hope” Foundation’s projects aims to reduce infant mortality, in partnership with the Children of Chernobyl Relief and Development Fund (Ukraine-USA). The project was launched in Chernigov on 1 June 2006 and, in that year, project expenditures amounted to US\$500,000. Construction of modern care centres for newborns has started as part of the project. The Victor Pinchuk Foundation also supports the umbrella project launched by the Elena Franchuk ANTI/AIDS Foundation and the Clinton Foundation HIV/AIDS Initiative in order to reduce the rate of new HIV/AIDS infections and ensure treatment and support for Ukrainians living with HIV/AIDS.

32. With a view to the further development of charitable activities, particularly assistance for the social protection of disabled children, orphans and children without parental care, and support for families with many children and other categories of socially vulnerable groups, the “Warming a Child with Love” National Welfare Relief Board was established in December 2007 as an advisory body attached to the President of Ukraine. Actually, the main approaches to formulating and implementing children’s rights as defined by international and domestic law have lately changed significantly in Ukraine. Generally speaking, the declaratory character of national legislation on children is changing as, among

many other factors, the attention paid by the Government to the interests of children increases, monitoring procedures and accountability regarding compliance with existing legislation on child protection are strengthened, and mechanisms for the social and legal protection of children are enhanced. At the same time, the effects of the transformation period, incomplete economic reforms and political instability in the country adversely affect the protection of children.

II. Definition of the child

33. Under article 1 of the Child Protection Act and article 6 of the Family Code, a child is a person up to age 18, when majority is attained. A young child is a child under 14. Children aged 14-18 are adolescents. Under Civil Code articles 34 and 35, a person who has reached 18 years of age enjoys full civil capacity. Registration of the marriage of an adolescent immediately provides the adolescent with full civil capacity. Should such marriage be terminated before majority is reached, or annulled on grounds not related to unlawful conduct on the adolescent's part, he or she retains full civil capacity. Full civil capacity may be obtained by a child who has reached the age of 16 and works under an employment contract or wishes to engage in an entrepreneurial activity, and by an adolescent parent. Full civil capacity acquired by an individual, extends to all civil rights and obligations. According to the Government Committee on Statistics, the number of children living in Ukraine at year start has developed as follows:

- 2002: 10,306,976 children, accounting for 21.4 per cent of the population;
- 2003: 9,878,630 children, accounting for 20.7 per cent of the population;
- 2004: 9,503,315 children, accounting for 20.0 per cent of the population;
- 2005: 9,129,178 children, accounting for 19.4 per cent of the population;
- 2006: 8,801,969 children, accounting for 18.8 per cent of the population.

34. The breakdown of the number of children by gender, age and place of residence is shown in annex II, tables 3 and 4.

III. General principles

A. Information on children belonging to the most disadvantaged groups

1. Non-discrimination (article 2)

35. Ukraine's legislation is built on the principle of non-discrimination. In accordance with the Constitution, the legislation and regulatory provisions, all children in Ukraine, regardless of race, colour, gender, language, religion, political or other views, national, ethnic or social origin, property and health status, birth (including the birth of their parents or of persons in loco parentis) or any other circumstances, have equal rights and freedoms. Criminal liability is incurred, under Criminal Code article 161, for violations of the equality of civil rights on the basis of race, ethnicity or religion, particularly deliberate acts aimed at inciting ethnic, racial or religious enmity and hatred, tarnishing national honour and dignity or encouraging contempt for the feelings of citizens in relation to their religious beliefs; and the direct or indirect restriction of rights or the establishment of direct or indirect privileges on grounds of race, colour, political, religious or other views, gender, ethnic and social origin, property status, place of residence, language or other traits; and, under Criminal Code article 132, for the disclosure by a medical officer or other official of information on

HIV/AIDS tests or test results known to him or her through the exercise of his or her official or professional duties. The only remaining discriminatory provision of domestic legislation concerns the minimum marriage age for boys and girls.

2. Best interests of the child (article 3)

36. The principle of the best interests of the child is basic to Government policy on the protection of children and the regulation of family relations. According to article 4 of the Child Protection Act, the country's system of measures for the protection of children includes:

- Improving the legislation on the legal and social protection of children in accordance with the relevant international legal standards;
- Ensuring appropriate conditions for the children's health, education, upbringing, physical, mental, social, spiritual and intellectual development, socio-psychological adaptation and activities; and a childhood spent in a family setting and in peace, dignity, mutual respect, freedom and equality;
- Implementing a Government policy aimed at carrying out targeted child-protection programmes; providing children with advantages, privileges and social guarantees linked to education, training, and preparation for employment; and promoting research on current problems related to childhood;
- Establishing the accountability of legal entities and individuals (officials and citizens) for violations of the rights and legitimate interests of the child or for prejudice caused to children.

37. The Ministry for the Family, Youth and Sport, to which the State Department for Adoption and for the Protection of the Rights of the Child is subordinated, implements Government policy on child protection, draws up and carries out targeted national programmes for the social protection and advancement of children and coordinates the related activities of the central and local authorities. In accordance with their mandates, laid down by law, the local executive authorities and local government bodies are responsible for:

- Implementing Government policy on child protection and drawing up and carrying out sectoral and regional programmes for children; and addressing other related issues;
- Developing a network of educational, health, social protection institutions, healthcare centres and non-school education institutions focusing on the organization of recreation, rest and health improvement for children; and upgrading the material and technical infrastructure of such units;
- Addressing issues related to guardianship and trusteeship and creating appropriate conditions, in accordance with the law, for rearing children who, as a result of their parents' death, illness or forfeiture of parental rights or other causes, have been left without parental care; and protecting the personal and property rights and interests of children;
- Organizing nutrition free of charge for primary school grade 1-4 pupils, orphans, and children from single-parent and large families in vocational schools;

- Organizing travel privileges in urban transport (to the exclusion of taxis) and public long-distance buses (to the exclusion of taxis) in rural areas for general education pupils and students, orphans, and children from single-parent and large families attending vocational schools;
- Addressing issues regarding the provision of benefits and public assistance to children and families with children in accordance with the law;
- Monitoring compliance with the rule of law and ethical standards concerning children in gambling halls, computer clubs, video rental shops, discotheques and other entertainment establishments and public places;
- In line with their powers under the law, implementing other measures for the protection of children.

38. However, as a result of the limited financial resources in local budgets, local government bodies in some regions of the country do not fully provide free nutrition to grade 1-4 pupils or travel privileges for schoolchildren, especially with private carriers.

3. Right to life, survival and development (article 6)

39. Under article 6 of the Child Protection Act, upon being born alive and found to be capable of surviving according to World Health Organization (WHO) standards, every child has the right to life. The State guarantees a child's right to health care, and quality medical attention free of charge in State and community health establishments; and promotes the creation of a safe environment for the children's life, healthy development, proper nutrition and development of healthy living habits. To that end, the Government takes measures for:

- Reducing infant and child mortality;
- Ensuring the provision of necessary medical care for all children;
- Combating disease and malnutrition, inter alia through ensuring children's access to adequate quantities of quality food and clean drinking water;
- Creating safe and healthy working conditions;
- Providing mothers with appropriate prenatal and postnatal health-care services;
- Providing all social groups, particularly parents and children, with information on children's health and nutrition, the benefits of breastfeeding, hygiene, appropriate sanitary living conditions for children, and accident prevention;
- Enhancing the provision of information and services in relation to family planning and reproductive health;
- Ensuring children's access to medicines and food on preferential terms in accordance with the law;
- Disseminating healthy lifestyles.

40. Maternal and child health care is provided through, inter alia, the organization of a wide network of clinics for women, medico-genetic and other centres, maternity hospitals, sanatoriums and rest homes for pregnant women and mothers, and nurseries, kindergartens and other children's institutions; the provision of pregnancy and childbirth leave paid by social security and of breastfeeding pauses at work; the systematic payment of childbirth and sick-child care benefits; the prohibition of women's employment on difficult and unhealthy production tasks; the obligatory transfer of pregnant women to light work at the same average wage; improved and healthier working and everyday-life conditions; the

elimination of adverse environmental factors; and the provision of Government and public assistance to families.

41. Health care establishments provide all women with appropriate medical attention during pregnancy, in-patient medical support at childbirth, and ensure medical treatment and preventive care for mothers and newborn children. The child's right to life is ensured in the framework of criminal law through increased liability for acts prejudicial to a child's life and health. Under the Criminal Code, that the victim of an offence is a young child (article 67 (6)) or a woman known to be pregnant (article 67 (7)) constitutes an aggravating circumstance calling for a harsher punishment. Moreover, an offence against a young child or an adolescent is specifically provided for by the Criminal Code, for instance under article 115 (2) (b), "Premeditated murder"; article 130 (3), "Infection with HIV or any other incurable contagious disease"; article 133 (2), "Infection with venereal disease"; article 136 (2), "Failure to provide help to a person in danger of death"; article 140 (2), "Improper fulfilment of professional duties by physicians or pharmacists"; article 141, "Violation of the rights of a patient"; article 142 (2), "Illegal conduct of experiments on persons"; article 144 (2), "Forced donation of organs"; article 146 (2), "Illegal confinement or abduction"; article 147 (2), "Hostage-taking"; article 149, paragraphs (2) and (3), "Trafficking in human beings or other illegal deals involving persons"; article 152, paragraphs (3) and (4), "Rape"; article 153, paragraphs (2) and (3), "Forcible gratification of sexual desire in an unnatural manner"; article 156 (2), "Debauchery of minors"; article 172 (2), "Serious violation of labour legislation"; article 181 (2), "Prejudice to the health of others under the pretext of preaching religious beliefs or performing religious rites"; article 300, paragraphs (2) and (3), "Import, production or distribution of works promoting a culture of violence and cruelty"; article 301, paragraphs (2) and (3), "Import, production, sale and distribution of pornographic material"; article 302 (3), "Establishment or maintenance of brothels, and pimping"; article 303, paragraphs (3) and (4), "Pimping or inducement into prostitution"; article 307, paragraphs (2) and (3), "Illegal manufacture, acquisition, storage, transport, transfer or sale of narcotic drugs, psychotropic substances or similar products"; article 309 (3), "Illegal manufacture, acquisition, storage, transport or transfer of narcotic drugs, psychotropic substances or similar products without the intent to sell them"; article 314 (3), "Illegal introduction of narcotic drugs, psychotropic substances or similar products into the organism"; article 315 (2), "Inducement to the use of narcotic drugs, psychotropic substances or similar products"; and article 317 (2), "Organization or maintenance of the illicit use, manufacture or preparation of narcotic drugs, psychotropic substances or similar products".

42. Separately, the Criminal Code provides for liability for crimes against minors in article 117, "Premeditated murder of a newborn by the mother"; article 137, "Inappropriate fulfilment of obligations regarding the protection of the life and health of children"; article 148, "Substitution of a child"; article 150, "Exploitation of children"; article 155, "Sexual relations with a person who has not reached sexual maturity"; article 156, "Corruption of minors"; article 164, "Delinquency in paying child support"; article 304, "Inducement of minors to participate in criminal activities"; and article 323, "Inducement of minors to use narcotic drugs". Strengthened Government monitoring of compliance with children's rights has led to an increase in the number of criminal proceedings initiated for offences committed against children (see annex II, table 6). In 2006, offences were committed against 13,189 children in Ukraine (see figure 1, and annex II, table 5).

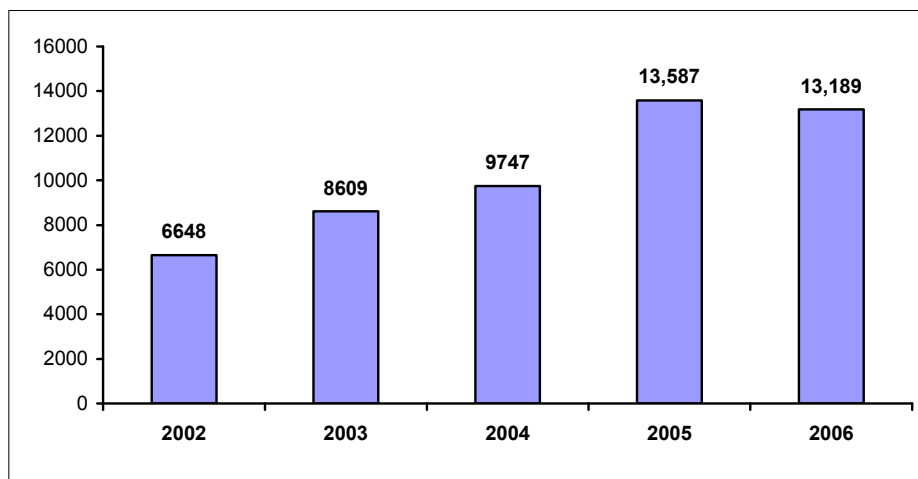


Figure 1. Development of the number of children victims of offences, 2002-2006

(Source: Ministry of Internal Affairs)

4. Respect for the views of the child (article 12)

43. Under article 9 of the Child Protection Act, every child has the right to express freely his or her personal opinion, form his or her own views, develop his or her own social activities and receive information appropriate to his or her age. Under domestic law, every child has the right to address statements and requests regarding respect for his or her rights and interests, and complaints regarding their violation, to Government authorities, local government bodies, enterprises, institutions, organizations and the media. Moreover, the law contains the following provisions, which relate to the right of a child to be heard on issues affecting his or her life and development:

- Parents may not change the surname of a child who has attained the age of 7 without his or her consent (article 148 of the Family Code).
- Where the father changes his first name, the patronymic of a child who has attained the age of 14, may be changed only with the child's consent (article 149 of the Family Code).
- The residence of a child who has reached the age of 10 is determined by common agreement between the parents and the child. If the parents live separately, the place of residence of a child who is at least 14 years old is determined by the child (article 160 of the Family Code).
- In adoption cases, the child's consent is required, if he or she has reached an age and level of development at which the child can express such consent (article 218 of the Family Code). In deciding with regard to an adoption, the court takes into account the child's views (article 224 (1) (f), of the Family Code). If the child's consent has not been obtained, the adoption may be set aside (article 236 (1), of the Family Code). The requirement for the child's consent to adoption, if he or she has reached an age and level of development at which the child can express such consent, entered into force in February 2006 and reveals respect for the views of the child, inasmuch as the consent concerns not only adoption, but also the specific adoptive parents as persons. Previously, consent was required for the adoption of a child who has reached the age of 10.

- For a change in the surname, name or patronymic of a child through adoption, and for setting aside an adoption, the consent of the child is required, if he or she has reached an age and level of development at which the child can express such consent (articles 231 and 239 of the Family Code).
- Where an intercountry adoption is invalidated with respect to a child who has attained the age of 14, his or her place of residence is determined with his or her consent (article 237 of the Family Code).
- The wish of the child must be taken into account in designating a guardian or tutor (article 244 of the Family Code).
- The child's consent is required for placement with a foster family or in a family-type children's home (article 253 of the Family Code).

44. In the period 2002-2006, Ukraine actively introduced, with the direct participation of children, community-based initiatives for children's protection. The holding of public consultations in the form of round tables with the participation of children required specific training for adult leaders of community organizations and representatives of Government institutions. General education has been the first step in establishing contacts between the Government and public organizations. That work was initiated by public organizations and supported by the Ministry for the Family, Youth and Sport, the Ministry of Health and the local UNICEF office. Public events with the participation of children also required special lessons for children, in the form of training, seminars, meetings with experts, debates and preparation of proposals for holding public consultations. Public discussion has focused on various topics formulated by children and adults, such as, for instance, "The problem of the summer health-improvement for children and ways of solving it", "The effectiveness of mechanisms for child participation in decision-making", "The development of measures for preventing sexually transmitted diseases (STDs), and the problem of HIV/AIDS" and "Rules for the consideration of submissions by children concerning cases of cruel treatment".

45. Public consultations involving children were held at the local and national levels. Urban and rural children provided information about the status of child protection in their areas and proposed changes to the current situation. Children, active members of the NGO "Centre for the Development of Democracy" represented the youth of Ukraine at regional meetings in preparation for the 2001 Special Session on Children in Europe and attended the United Nations Special Session on Children. They also spoke at an international conference on HIV/AIDS in Thailand. The national forum "A Government Listening to Children", held since 2005 to discuss the main findings and next steps in implementing Government policy on the protection of children, is attended by members of the national Government, local government leaders, and children.

46. The Ukrainian Children's Parliament began its activities in 2001. In the course of its years of activity, many measures for protecting the rights and interests of children and young persons have been implemented at the national, regional and local levels. Such action has mainly consisted in countrywide campaigns drawing the attention of children and young persons to the need to understand and protect their rights and freedoms, through thematic essay competitions (for instance, in the framework of such projects as "All wars are against children", "The children's parliamentary movement and the youth media - implementation of the Convention on the Rights of the Child", and "Youth against violence, for a tolerant society") and special events and activities. Secondly, the measures in question have aimed at the participation of a large number of pupils in the decision-making processes at the local and national levels through national-level meetings of young persons, discussion meetings with representatives of Government agencies, and the work of regional Children's Parliaments. Thirdly, the aim has been the provision of information

and legal assistance to children and young persons through thematic conferences, round tables, seminars and training in schools and children's homes (for instance, the "Children for Children" campaign in Kiev) and through informational and reference publications and websites.

47. Fruitful cooperation has taken place with Government authorities, various international organizations and numerous NGOs defending the interests of children and young persons. A systematic and independent thematic opinion poll and questionnaire survey were carried out among children, young persons and adults on current problems related to the protection of rights and freedoms. School government and children's advisory council activities are a means for realizing the right to free expression of personal opinion. However, children's participation in decision-making is still insufficient and constitutes the exception rather than the rule.

B. Information on measures taken to protect children from xenophobia and other related forms of intolerance (article 2)

48. Under article 24 of the Constitution, citizens have equal constitutional rights and freedoms and are equal before the law; and there may be no privileges or restrictions based on race, colour of skin, political, religious and other beliefs, sex, ethnic or social origin, property status, place of residence, or linguistic or other characteristics. As already noted, article 161 of the Criminal Code establishes criminal liability for deliberate acts aimed at inciting ethnic, racial or religious enmity and hatred, tarnishing national honour and dignity or encouraging contempt for the feelings of citizens in relation to their religious beliefs; and the direct or indirect restriction of rights or the establishment of direct or indirect privileges on grounds of race, colour, political, religious or other views, gender, ethnic and social origin, property status, place of residence, language or other traits. In practice, however, courts rarely apply this article because conviction under its provisions requires proof of the offender's intention, which is not always possible to demonstrate. At the same time there is an urgent need to adopt amendments to expand liability for acts of extremism, xenophobia, anti-Semitism and racial or religious intolerance, particularly in relation to the rising incidence of racist attacks. A draft Act prepared to introduce such changes in domestic legislation is pending before the parliamentary committee on legal policy and law enforcement. In order to prevent the spread of xenophobic, racist and anti-Semitic information through computer systems, Ukraine signed in April 2005 the Additional Protocol to the Convention on cybercrime, concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems.

49. In recent years, efforts of Government bodies and NGOs to combat the spread of xenophobia and racism have intensified. The President created a separate unit in the State Security Service to detect and suppress activities aimed at inciting racial and ethnic hatred. The Ministry of Internal Affairs established an interdepartmental working group on combating xenophobia and racism and approved measures to combat racism and xenophobia for the period up to 2009. NGOs, particularly human rights organizations, monitor extremism, xenophobia, anti-Semitism and racial and religious intolerance and provide training and courses for the staff of law enforcement agencies and educational establishments.

C. Information on measures taken

1. Non-imposition of the death penalty on persons under 18 (article 6)

50. Ukraine has abolished the death penalty. On 22 February 2000, Parliament adopted the Act amending the Criminal Code, the Criminal Procedure Code and the Correctional Code, and excluding capital punishment from the Criminal Code (in its 1960 version). Through Act No. 1484-III of 22 February 2000, Ukraine ratified Protocol No. 6 to the Convention on the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty and through Act No. 318-IV of 28 November 2002 Ukraine ratified Protocol No. 13 to the Convention on the Protection of Human Rights and Fundamental Freedoms concerning the abolition of the death penalty in all circumstances. Under article 18 of the Criminal Code, a criminal offender is a person with legal capacity, who has committed a crime at an age at which, according to the same code, criminal liability is possible. Under article 22 of the Criminal Code, persons who have reached the age of 16 before the commission of a criminal offence shall be criminally liable. Those who committed crimes between the ages of 14 and 16 are criminally liable only if they have committed violent or property crimes, an exhaustive list of which is set out in paragraph 2 of the above article 22.

51. Under Criminal Code article 102 (1), persons having committed a crime before the age of 18 may receive a prison sentence ranging from 6 months to 10 years, save for cases, stipulated in article 102 (3) (e), when, for a particularly grave crime connected with loss of life, a juvenile may be sentenced to imprisonment for up to 15 years.

2. Registration of, investigation into, and reporting on deaths of children

52. As noted in previous reports, the Government Committee on Statistics collects data on child mortality as a result of diseases and accidents (see annex II, table 7). All accidents involving children are investigated by the Ministry of Internal Affairs and the procurator's office in order to establish the causes and circumstances and to identify any persons concerned. A study of infant mortality showed that, in the period 2002-2006, the number of children's deaths declined from year to year. However, the number of deaths of infants under one year of age has increased every year since 2003. The recorded rate poses a reliability problem, corroborated by the findings of an evaluation conducted by WHO experts in 2003, according to which Ukraine's actual mortality rate among children under 5 was 20.0 per 10,000 live births, compared to 13.0 per 10,000 live births according to official statistics. The same problem is confirmed by the ratio between the stillbirth rate and early neonatal mortality, which, according to WHO, should be 1.0:1.0. In 2006, that ratio was 1.3 and, in some provinces with the lowest early neonatal mortality, twice as high. In 2006, the infant mortality rate was 9.8 per 1000 live births. That increase was due to deaths of newborns and reveals a problem in the organization of medical care.

53. Child mortality resulting from external causes remains rather high. According to statistics, every fourth child has died as a result of external causes. In 2006, such victims included almost twice as many boys died as girls (1,452 and 764, respectively), without any significant differences in relation to their place of residence, as their number was broken down into 1,167 urban and 1,049 rural children.

3. Survival of children regardless of age, and minimization of risks to which children may be particularly exposed (STDs and violence)

54. In 2004, through amendments to article 281 of the Civil Code, artificial termination of pregnancy between weeks 12 and 22 was forbidden, save for circumstances stipulated by law (certain types of diseases or other health problems). A significant step in protecting

children's health was the adoption in 2006 of a decision to register children who at birth weighed at least 500 gr in accordance with new perinatal period criteria as from 1 January 2007. Thus, there is a legally recognized right to life, registration and citizenship of all born children regardless of the duration of pregnancy and birth weight, in line with articles 6 and 7 of the Convention. The introduction of WHO criteria on the definition of the perinatal period and the infant's ability to live will help to improve the organization of the country's maternity and neonatal services and to align the medical care of newborns with European standards. According to WHO experts and the experience of post-Soviet countries, the use of the said criteria is expected to lead to an increase in the infant mortality indicator by at least 30 per cent and subsequently to a significant decrease. In 2006, 2,829 newborns, accounting for 0.62 per cent of all births, weighed 500-1500 gr (including 1,304 newborns weighing 500-999 gr), and 4,665 newborns, accounting for 1.02 per cent of all births, weighed 1500-1900 gr.

D. Measures taken to prevent and monitor the frequency of suicides among children

55. The Ministry of Health monitoring the frequency of suicides of children (the term "deliberate (self-harm)" has been used, under external causes of death, since 2006, in connection with the transition to the International Classification of Diseases (ICD 9)). In 2006, 148 children under the age of 17 died as a result of deliberate self-harm (compared to 196 in 2005). The mortality rate from suicide is higher among rural children and among boys (see annex II, table 7). In order to prevent suicide, practical assistance is provided to children at risk, and social and psychological support is extended by socio-psychological units in educational establishments, social centres for families, children and young persons, psychologists of social institutions for children, and psychologists working through hotlines.

IV. Civil rights and freedoms

A. Name and nationality (article 7)

56. In 2004, the entry into force of the Family Code made it obligatory for parents to have the birth of a child entered in the population registry immediately, and at any rate within one month from the date of birth. Failure to do so constitutes grounds for the imposition of a fine equal to one to three tax-exempt minimum incomes. Earlier, birth should be registered within three months from the date of birth. Table 1 shows the development of the number of children registered between 1 January 2002 and 1 January 2006 is given in.

Table 1
Number of registered children

	<i>Childbirths registered</i>	<i>Of which: stillbirths</i>
2002	392 524	1 839
2003	410 764	1 968
2004	428 965	1 983
2005	428 345	2 240
2006	462 685	2 314

(Source: Ministry of Justice)

57. The basis for a child's obtaining Ukrainian citizenship is birth within the national territory, provided that at least one of the parents, at the time of birth, was:

- A Ukrainian citizen;
- An alien legally residing in Ukrainian territory (if he or she did not obtain citizenship at birth or through a parent);
- A stateless person legally residing in Ukrainian territory;
- A person having been granted refugee status or asylum (if he or she did not obtain citizenship at birth or through a parent);

A child born within the national territory to stateless persons legally residing in that territory obtains Ukrainian citizenship (unless he or she has acquired the citizenship of another country by birth).

58. In addition, children obtain Ukrainian citizenship as the result of guardianship, trusteeship, adoption, establishment of paternity and acquisition of citizenship by one or both parents. A newborn found in Ukraine, both of whose parents are unknown, is a Ukrainian citizen. A child's Ukrainian citizenship may be renounced, if the child and at least one parent leave for permanent residence abroad and at least one parent gives up Ukrainian citizenship, at the parents' request. Where a child has acquired Ukrainian citizenship at birth and, at the time of birth, at least one of his or her parents was a foreigner or a stateless person, such citizenship may be renounced at the request of either parent, regardless of the child's place of residence. A change in the citizenship of a child aged 15-18 is possible only with his or her consent. Under article 283 of the Family Code, a child adopted by foreigners retains Ukrainian citizenship up to age 18. However, according to the legislation of some countries, inter alia the United States and Canada, an adopted child acquires the citizenship of that country upon entry into the adoptive parents' country of residence. In other words, the child is actually a Ukrainian citizen and, at the same time, a citizen of that country. This creates certain problems for the Ukrainian Government in monitoring compliance with the rights of adopted children living abroad, because Ukrainian legislation does not provide for dual citizenship.

B. Preservation of identity (article 8)

59. Under article 295 of the Civil Code a child who has reached the age of 16 may, at his or her own discretion, change his or her surname or first name. A child who has reached the age of 14 may change his or her surname or first name with the consent of the parents or of one parent, if the second parent has died, is missing or has been declared dead or with limited or without legal capacity, or has been deprived of parental rights regarding the child; if information on the father or mother has been excluded from the child's birth record; or if information on the husband as the child's father has been entered in that record on the basis of a statement by the mother. The surname and first name of a child who has attained the age of 14 and is under guardianship may be changed with the consent of the foster parent. A child who has attained the age of 14 may change his or her patronymic, if the father changes his own first name or information on the father has been excluded from the child's birth certificate. As already noted, for a change to the citizenship of a child aged 15-18, the child's consent is required. However, one provision in the law, allowing adoptive parents to conceal the fact of adoption until and after the child reaches majority, does not meet the requirements of the Convention on the preservation of identity.

C. Freedom of expression (article 13)

60. Under article 171 of the Family Code, a child has the right to be listened to by the parents, other family members and officials on issues regarding his or her person or the family. A child able to express his or her views must be heard in resolving disputes between the parents or other persons on the child's upbringing or residence, including the termination or restoration of parental rights or the management of the child's property. Where the child's best interests so require, a court may rule against the child's wish.

D. Freedom of thought, conscience and religion (article 14)

61. Under article 35 of the Constitution, everyone has the right to freedom of personal philosophy and religion. This right includes the freedom to profess or not to profess any religion, to perform alone or collectively and without constraint religious rites and ceremonial rituals, and to conduct religious activities. Under article 3 of the Freedom of Conscience and Religious Organizations Act, no one may establish obligatory beliefs and world views. No coercion is allowed in connection with a citizen's choice of attitude towards religion and beliefs, rejection of religion or participation or non-participation in religious services, rites and ceremonies. Parents or persons in loco parentis may, by mutual agreement, educate their children according to their beliefs and attitudes towards religion. Freedom to profess one's religion or beliefs is subject only to such limitations as are required by public safety and policy and for the protection of the life, health, morals and rights and freedoms of others pursuant to the law and Ukraine's international obligations.

E. Freedom of association and peaceful assembly (article 15)

62. Under article 1 of the Act on youth and children's public organizations, children may join independent children's and youth organizations. Children's public organizations are associations of citizens aged 6-18, whose aim is to carry out activities, compatible with the law and their social role as full members of society, with a view to the realization and protection of their rights and freedoms, the promotion of their creative abilities and the pursuit of their interests. Children aged 14-18 may also be members of youth organizations, which consist of citizens aged 14- 35. Creating a children's organization

along political and religious lines is prohibited. Legislation also prohibits children's participation in political rallies and demonstrations. There are over 15,000 registered children's organizations in the country. Moreover, pupil or student government organizations are set up and operate in general education schools (but because the law does not require them to register, their number is unknown). The Government supports the development of public organizations, including children's. There are procedures for providing children's public organizations with financial support in implementing their social programmes (such funding is included each year in the State budget with regard to national-level organizations, and in local budgets with regard to regional organizations), for their preferential tax-treatment as non-profit organizations, and for information and methodological support by the Government. In recent years, various progressive forms and methods of cooperation between Government units and public organizations have made the formation and development of children's organizations an effective democratic resource of the State. With a view to an efficient allocation of State budget funds in support of children's and youth organizations, the Cabinet adopted on 25 July 2002 tender procedures for proposed programmes developed by public organizations concerning children, young persons, women and families. Every year, the Government determines the orientation of cooperation in accordance with policy priorities. As a rule, those priorities are, inter alia, patriotic education, promotion of healthy lifestyles, informal education and environmental awareness. The delegation of powers to children's public associations for the implementation of Government programmes by means of adequate funding has expanded through 2006 at the national level (see table 2) and in all regions. Funds allocated at the local level vary depending on the financial capacity of the regions and the decisions of local councils.

Table 2

Funding for public children's organizations having won tenders for implementing programmes at the national level

(Source: Ministry for the Family, Youth and Sport)

	2003	2004	2005	2006
Number of organizations	6	3	7	7
Total contributions	UAH 419 000 (US\$83 800)	UAH 347 000 (US\$68 713)	UAH 500 000 (US\$100 000)	UAH 573 000 (US\$106 337)

63. Factors that hinder development of cooperation in children's public institutions with public authorities include:

- The children's organizations inadequate institutional development, which prevents them from delegating authority on strategic thrusts of child policy
- The local government leaders' and local council deputies' inadequate understanding of the importance of delegating authority to public organizations.

F. Protection of privacy (article 16)

64. Under article 7 of the Family Code, family relations are regulated taking into consideration the family members' right to privacy, personal freedom and the inadmissibility of wilful interference in family life. Family relations must reflect as much

as possible the interests of the child and any disabled family member. Every family member is entitled to legal protection. The disclosure or publication without the consent of a child's legal representative of any information about the child, which may harm him or her, is prohibited. Under the law, officials and workers who take steps to prevent domestic violence or to protect the rights of the child or the family may not disclose information regarding personal and family life and made known to them in the course of the performance of their duties.

G. Access to appropriate information (article 17)

65. In Ukraine, this right includes freedom to seek, receive, use, distribute and store information in oral, written or other forms, through art, literature, the media, communications equipment (inter alia, computer and telephone networks) or other means chosen by the child. It provides access to information and materials from various national and international sources, especially those that promote healthy physical and mental development and social, spiritual and moral well-being. The right of access to relevant information is fulfilled through an extensive network of libraries, Internet access points and children's media. According to Ministry of Culture and Tourism information, 52 libraries for children and young persons and about 20,000 general public libraries operated in the country in 2006. The immediate challenge, however, is to update the book collections of children's libraries. In comparison with 2002, the number of print media and the volume of television and radio broadcasts have increased (see annex II, table 29). However, the volume of specialized programmes for children, adolescents and young persons accounts for about 8 per cent of all television programmes and 5 per cent of all radio programmes, while the respective rates for educational broadcasts exceed, respectively, 5 and 4 per cent. Although the total number of Internet users accounts for approximately 15 per cent of the population, sociological surveys show that 26 per cent of children aged 14-18 use Internet services.

H. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (article 37a)

66. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment is enshrined in the law. Violation of this right incurs criminal liability. In April 2008, in accordance with the Act amending the Criminal Code and of Criminal Procedure Code in relation with the humanization of criminal liability, amendments were made to article Criminal Code 127, which stipulates liability for torture, in order to bring the definition of "torture" in line with article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment. The Criminal Code article in question is worded as follows:

"Article 127. Torture

"1. Torture - namely the deliberate infliction of severe physical pain or physical or mental suffering by battery, torment or other acts of violence to coerce the victim or another person to commit acts contrary to their will, including statements or admissions by him or her or another person; to punish him or her or the other person for acts committed by him or her or that person or for the commission of which he or she or that person is suspected; and to intimidate or discriminate against him or her or other persons - shall be punishable with imprisonment for 3-5 years.

2. Where committed repeatedly or by prior agreement by a group of persons or by a civil servant using his or her official position, the same acts shall be punishable with imprisonment for 5-10 years.”

67. Moreover, the Criminal Code specifically establishes criminal liability for deliberate grievous bodily harm (article 121), deliberate moderate bodily harm (article 122), deliberate minor bodily harm (article 125), battery and torture (article 126), abuse of authority or office (article 364), excess of authority or official power (article 365), coercion, through illegal acts, by the person conducting an inquiry or pre-trial investigation, into testifying during questioning, combined with the use of violence or bullying (article 373 (2)). In parallel, the law prohibits any form of exploitation of a child by his or her parents. Under article 150 of the Family Code, parents may not subject their children to physical or demeaning forms of punishment. However, cases of violation of the dignity of children still occur in general education schools, in family relations and in contacts with law enforcement officials. According to the findings of a survey entitled “Health and behavioural trends among school age children in Ukraine”, 40-60 per cent of pupils or students aged 11-16 suffered injuries or were ill treated by school mates at least once every two months. ¹In the period 2002-2006, Government agencies paid greater attention to the problem of domestic violence and to measures for eradicating it. Statistics on domestic violence cases, including cases involving children, are being compiled since 2005. The families concerned are registered, the perpetrators face administrative penalties or incur criminal liability, and assistance is provided to the victims. In 2006, according to the Ministry for the Family, Youth and Sport, over 90,000 domestic violence cases were reported, and more than 4,000 families, raising approximately 9,000 children, received social support. Efforts launched in the same year included a large-scale information campaign against child abuse and domestic violence; training for specialists working in children’s affairs units, social centres for families, children and young persons, and establishments for family and youth; and development of rehabilitation programmes for work with domestic violence victims.

68. The system of measures for preventing domestic violence includes the prosecution of persons responsible for engaging in violence. Committing domestic violence or failing to comply with a protective order carry a fine or correctional labour, and if that is not enough, administrative arrest. Where it has the characteristics of an offence, domestic violence may incur criminal liability. However, only a small proportion of acts of violence against children become known and are investigated and few offenders are brought to justice. According to the survey mentioned in the previous paragraph, approximately 6 per cent of the children said their parents, when in their view the children misbehave, often punish them immediately and without explaining why. In order to implement the recommendations contained in paragraph 42 of the Concluding Observations on the need to assess the nature and extent of ill-treatment of children, the State Institute for Family and Youth Development conducted in 2003 a study entitled “Child abuse in Ukraine”, whose findings provided benchmarks for further work on preventing child abuse and providing social services to victims of violence.

¹ “Health and behavioural trends among school-age children” (in the framework of the WHO project “Health Behaviour of School-Aged Children (HBSC)”). State Institute for Family Development and Youth and “A. Yaremenko” Ukrainian Institute of Social Studies (May 2006). A total of 6,535 sixth-, eighth- and tenth-grade pupils or students and technical- and vocational-school course I students (in a nine-year educational system) were queried, covering all regions. Margin of error: 2 per cent or less.

V. Family environment and alternative care

A. Parental guidance (article 5)

69. In accordance with the law, the Government protects the rights of the mother and father, financially and morally encouraging and supporting them. Parents, above other persons, have the primary right to rearing and personally taking care of their own children. For instance, a children's home is organized, if necessary, in penal colonies with female inmates. This is currently the case in two penal colonies. Save for those serving prison terms exceeding five years for premeditated serious or very serious crimes, imprisoned mothers may place their children, up to the age of three, in such homes, which provide the conditions necessary for a normal life and the development of children. Female prisoners may spend their time off work with their children without restrictions. Under article 242 of the Civil Code, parents (or adoptive parents) are the legal representatives of their children. They may request a court, Government authorities, local government bodies and public organizations to ensure the protection of the rights and interests of their children, including disabled children, as their legal representatives, without special authorization. However, lack of proper parental care is still widespread in the country, as a result of a combination of socio-economic, moral and psychological causes, namely, inter alia, poverty, drug and alcohol addiction, unemployment, migration, and death or illness of a family member. Under the Administrative Offences Code, parents or persons in loco parentis may be held administratively liable for the following reasons:

- Failure to fulfil statutory responsibilities regarding the conditions necessary by for the life, education and rearing of their under age children (article 184);
- Inducement of a minor to become drunk (article 180);
- Domestic violence, namely the deliberate commission of any physical, psychological or economic act which may harm another person's physical or mental health (article 173(2)).

70. A court may deprive one or both parents of parental rights, if they:

- Fail to take their child from a maternity or other health unit, without a valid reason, and to exercise their parental responsibility over a period of six months;
- Fail to fulfil their child-rearing obligations;
- Abuse a child;
- Are chronic alcoholics or drug addicts;
- Resort to any type of child exploitation or force their child into begging or vagrancy;
- Are convicted of committing a premeditated crime against a child.

A child's right to due parental care is ensured by a system of State monitoring. The conditions of rearing and maintenance of children in the family are monitored by the guardianship and trusteeship bodies. In recent years, such monitoring has been significantly strengthened and, as a result, the number of parents incurring administrative or criminal liability and deprived of parental rights has increased. In the period 2002-2006, the number of parents having faced administrative penalties developed as follows:

- 2002: 17,725
- 2003: 19,489
- 2004: 23,400

- 2005: 23,788
- 2006: 28,235

According to the Ministry of Internal Affairs, in the period 2002-2006 the number of criminal cases for malicious non-compliance with child-rearing obligations increase by a factor of nearly six, as follows:

- 2002: 127
- 2003: 338
- 2004: 709
- 2005: 749
- 2006: 746

71. According to the Justice Department, the number of successful court actions for deprivation of parental rights more than doubled in the period 2002-2006 (figure 2). As a result, a growing number of orphans and children are deprived of parental custody. Government monitoring of the conditions of care and upbringing of children in families and the use of such penalties against parents as termination of parental rights (in most cases, parental rights are forfeited by parents on whom social work fails to produce the desired results) were strengthened in the period 2004-2006 with a view to ensuring oversight over children not under parental care or living in residential institutions or with relatives. Parental rights may be restored, if the grounds for their removal cease to exist.

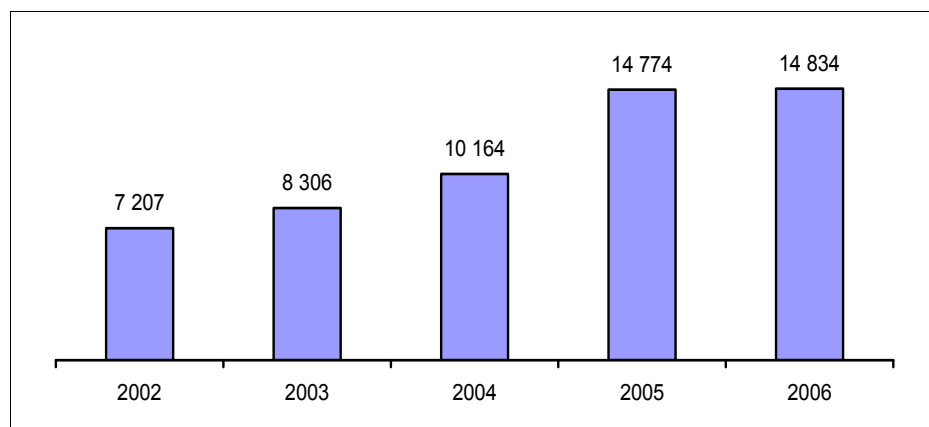


Figure 2. Development of the number of successful court actions for deprivation of parental rights

72. The Government not only takes punitive measures against parents who do not fulfil their duties, but also assists them in meeting their child-rearing obligations. Social work with children and young persons is carried out in public, commercial, educational, training, cultural and rehabilitation institutions. Support is provided to families with children and to children by social service centres for families, children and young persons and by their specialized units, educational institutions, public organizations, charitable foundations and institutions providing services for children. Under the Social Services Act, adopted in 2003, any person at risk is entitled to social services of the following types:

- Social welfare services, namely, inter alia, provision of foodstuffs, light and heavy equipment, warm meals, transportation, labour-saving tools, welfare support, requests for house calls by physicians, and purchase and delivery of medicines;

- Psychological services, namely counselling on mental health issues and on improving relations with the social environment, psychological diagnosis or examination of personal socio-psychological characteristics with a view to psychological treatment or psycho-social rehabilitation, and methodological advice;
- Social pedagogy services, namely identification and support in relation to various interests and needs of persons at risk, organization of individual educational, training and correctional procedures, leisure, sports, technical and artistic activities, and involvement in the work of various institutions, NGOs and other interested parties;
- Health-related social services, namely advice on preventing the outbreak and development of any organic disorders, health preservation, support and protection, conduct of preventive and therapeutic activities, and occupational therapy;
- Socio-economic services, namely satisfaction of the material interests and needs of persons at risk, in the form of assistance in cash or kind or of a grant;
- Legal services, namely counselling with respect to the legislation in force, protecting the rights and interests of persons at risk, assisting in coercive measures and judicial procedures in respect of offenders harming such persons (inter alia, preparation of legal documents, legal assistance, and defence of the rights and interests of the victims);
- Employment services, namely search for a suitable job, employment-related assistance and social support for employed workers;
- Vocational rehabilitation services for persons with disabilities, namely comprehensive medical, psychological and informational measures conducive to the exercise of the right to vocational guidance and training, education and employment;
- Reference services, namely provision of directory-type information useful in resolving risk situations.

73. In the period 2002-2006, social centres for families, children and young persons provided social services to various categories of clients at risk and needing support, mainly children and families with children. The system of social service centres for children, families and young persons includes family social support units, which provide services to:

- Families with children, which, through their own means and capacities, are unable to overcome such risk situations as parents' or children's disability, forced migration, alcohol or drug addiction or imprisonment of a family member, HIV/AIDS infection, domestic violence, homelessness, orphanhood, disrespectful and problematic attitudes in the family, or unemployment of a family member registered with the public employment service;
- Families facing the risk that a child of the family may be placed in an institution for orphans and children deprived of parental care;
- Unmarried under age mothers or fathers who need support;
- Families with members having previously lived in residential institutions;
- Mothers intending to abandon their newborns;
- Orphans and children without parental care, residential establishment leavers, and their guardians or trustees;
- Adoptive families and family-type children's homes.

74. To target assistance to families with children, the Government Social Service for families, children and young persons created in 2006 a single database of families at risk. In 2006, there were 113,681 such households, rearing 182,388 children (see table 3). The most common risk situations are parents' or children's disability (affecting 31,044 families), disrespectful and problematic attitudes in the family (affecting 20,980 families), drug or alcohol addiction of a family member (affecting 20,636 families) and unemployment of one or more family members (affecting 18,607 families). Such families receive social services and social support. In 2006, the social support units of social services for families, children and young persons assisted 23,069 families at risk, 3,512 orphans and children without parental care, 724 adoptive families and 223 family-type children's homes (see table 3).

Table 3

Number of families receiving year-long social support and percentage of families removed from the welfare list because of positive results

(Source: Ministry for the Family, Youth and Sport)

<i>Number of families receiving year-long support</i>	<i>Percentage of families removed from the welfare list</i>
14 122	32
26 467	42
23 069	45

75. In recent years, cooperation among various agencies and organizations providing social support to families at risk has increased. The Rules for cooperation between social assistance providers and families at risk (adopted through General Decree No. 1093/388/452/221/556/596/106 of the Ministries for the Family, Youth and Sport, and of Health, Education and Science, Labour and Social Policy, Transport and Communications, Internal Affairs and the State Department for Sentence enforcement of 14 June 2006) promotes support for the members of child-rearing families at risk in resolving essential problems that they are unable to overcome through their own means and capacities; the prevention of new difficult situations; and the independent handling of life's challenges by the persons concerned in the future.

76. Public and charitable organizations also provide social services for children. Under the Social Services Act, NGOs intending to provide social services on a professional basis must obtain a license. The licensing mechanism, however, has not yet been developed. Moreover, social assistance to parents for the care and upbringing of their children is not yet sufficiently effective, mainly as a result of a lack of:

- Methods for extending social assistance to families at risk, adapted to Ukrainian mentality and law;
- Preparation of young persons for responsible parenthood;
- A mechanism for licensing NGOs to provide social services.

B. Parental responsibilities (article 18, paragraphs (1) and (2))

77. The parents' rights and obligations begin with the birth of the child, as attested by the public registry office in accordance with the Family Code. The mother and father have equal obligations towards the child, regardless of whether they are married to each other. According to article 11 of the Child Protection Act, defending the interests of their child is a basic concern and obligation of the parents. The law provides for the following parental obligations with respect to children's upbringing and development:

- Raising the child to respect the rights and freedoms of others and to love his family, people and country;
- Attending to the child's health and physical, intellectual and moral development;
- Ensuring that the child finishes general secondary education and preparing him or her for independent life;
- Respecting the child;
- Desisting from any form of exploitation of the child;
- Desisting from subjecting the child to physical punishment or any degrading penalties.

The Government helps parents to rear their children through a network of various institutions for children, such as, inter alia, pre-school establishments, non-school education units, health-improvement facilities, and cultural centres. In the period 2002-2006, the number of pre-school institutions steadily decreased, while the percentage of children attending them increased (see annex II, tables 20 and 21). In 2006, the number of children in kindergarten exceeded capacity by 18,000. The overall percentage of children attending pre-school institutions increased from 48 per cent in 2002 to 54 per cent in 2006.

78. Despite economic problems, Ukraine has managed to maintain a network of non-school education units, consisting, in 2006, of 1,473 such units (centres, facilities for young technicians, tourists and ecologists, and children's creativity houses and homes) and 661 children's and young person's sports schools, which provide informal education to 1,544,880 children, accounting for 31.3 per cent of all school-age children (compared to 1,472 non-school education units, 655 children's and young person's sports schools, and 29.5 per cent of all school-age children in 2005) (figure 3).

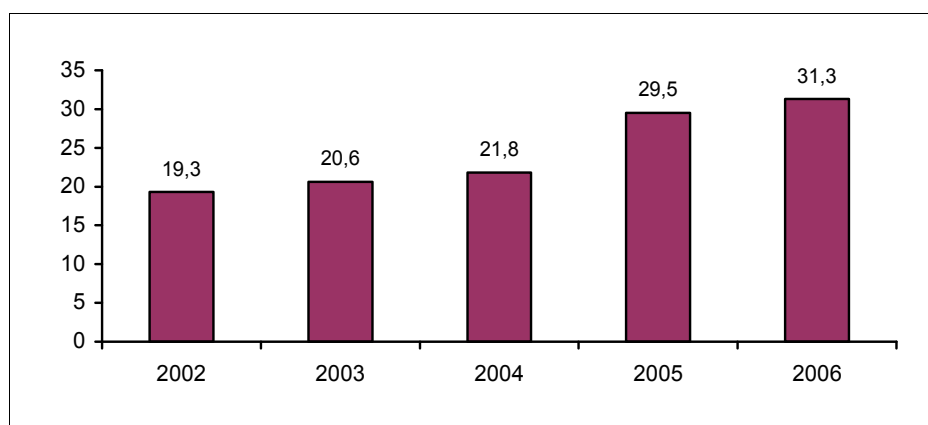


Figure 3. Percentage of children enrolled in informal education

The counties system of children's health-improvement facilities (camps), whose number increased up to 2004 and somewhat decreased in the period 2005-2006 (figure 4), were attended, in 2006, by 940,273 children, broken down as follows:

- Children affected by the Chernobyl accident: 103,921
- Orphans and children without parental care: 91,148
- Children with disabilities: 23,036
- Children from low-income, large and single-parent families: 513,917
- Children aged 15 or older: 208,251

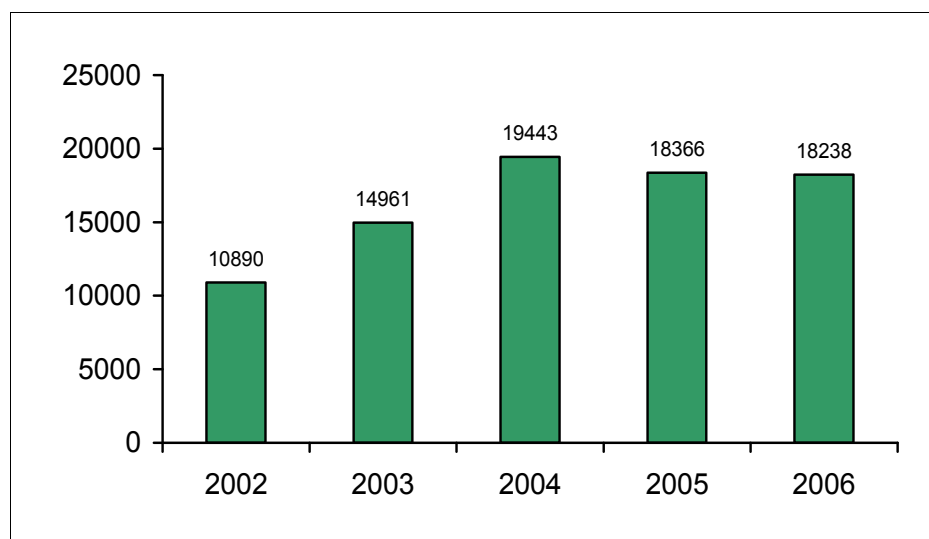


Figure 4. Number of children attending summer health-improvement facilities (camps) per year

The number of children attending health-improvement facilities decreased by 68,725 children in comparison to its 2005 level (1,008,998). Through 15,000 school psychologists and social workers, a psychological support service assists families in bringing up their children in general education schools. One of the main activities of school psychologists is outreach work aimed at improving the psychological situation within the family.

C. Separation from parents (article 9)

79. According to the 2001 National Census, of the almost 97 per cent of all children in Ukraine living in a family, more than 77 per cent lived in a full family, with father and mother, 14.7 per cent lived in single-parent families (of whom 93 per cent lived with the mother and 7 per cent with the father), and 5 per cent without parents but with other relatives. In 2005 and 2006, single-parent households accounted for, respectively, 18.9 and 20.9 per cent of the total number of households with children. Accordingly, almost one out of five children in Ukraine is currently living without one or both parents. A frequent cause of a child's separation from one parent is the parents' divorce. The divorce rate in particularly high Ukraine (figure 5). As a rule, after a divorce children stay with the mother. According to the 2001 National Census, more than 90 per cent of children of divorced parents did so. A child living separately from one or both of his or her parents has the right to maintain regular personal relations and direct contact with them. If the parent

with whom a child lives prevents the other parent from communicating with that child and participating in its upbringing, the second parent may request the court to remove such hindrances. The court determines the manner of participation of either parent in the upbringing of the child and the place and time of communication, taking into consideration the child's age and health, the parents' conduct and other relevant factors. In some cases, where the interests of the child so require, the court may condition contact with the child on the presence of a third person.

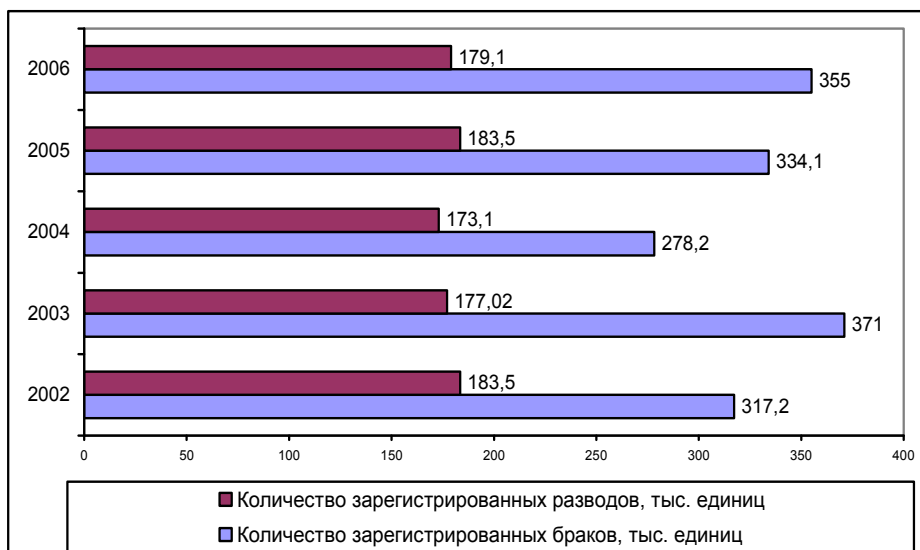


Figure 5. Number of marriages and divorces, 2002-2006

The number of women giving birth out of wedlock or within an unregistered marriage is increasing. Statistically, children born through unregistered marriages are considered born out of wedlock. Figure 6 shows the proportion of children born to women not registered as being married. The proportion of such children increased from 14 per cent in 2002 to 14.1 per cent in 2006.

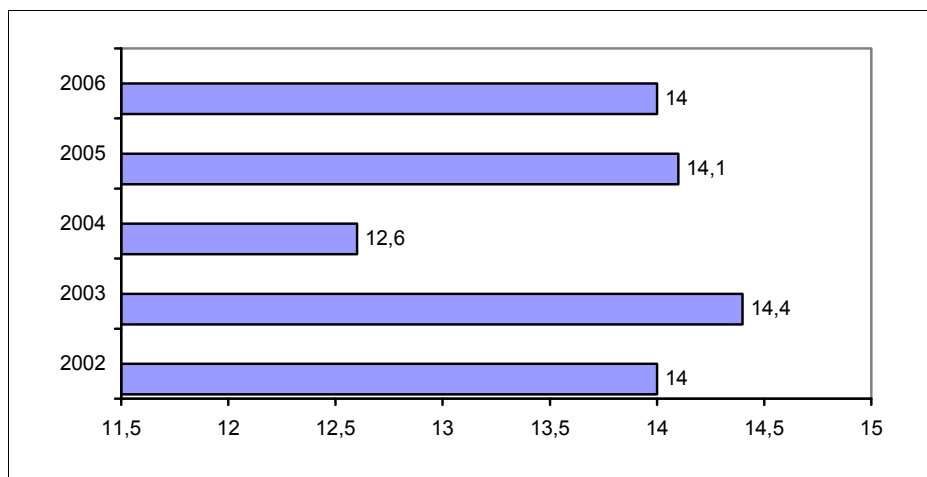


Figure 6. Children born to women not registered as married as a percentage of the total number of children born in the same year

80. In recent years, considerable efforts have been made to place orphans and children without parental care in family-type settings. A significant component of this work consists in seeking to reunite children with their biological parents. Unfortunately, no effort is currently made to return children from foster families or family-type children's homes to their own families. A child in Ukraine is entitled to information about his or her absent parents, if such information is not harmful to the child's mental or physical health. Adopted children are an exception in that regard because of the secrecy of adoption under Ukrainian law. According to the findings of the first national survey on adoptive parents, which was carried out in 2006, only 18 per cent of the children concerned had information about their biological parents. No information is available on whether children living without one or both parents know about their absent parent or parents.

D. Family reunification (article 10)

81. Ukrainian law does not restrict personal relations or contact between a child with his or her parents, if they reside abroad. Parents residing abroad have the same right to communicate with their children as other parents, unless that right is restricted by a court decision. For purposes of family reunification, a child and his or her parents may enter or leave Ukraine freely according to the rules established by the laws of the State concerned. In March 2008, Ukraine ratified, with reservations and declarations, the European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and Restoration of Custody of Children.

E. Recovery of maintenance for the child (article 27, paragraph 4)

82. Ukrainian law provides for measures to ensure the maintenance of a child by the parents or other persons responsible for the child, both within the country and abroad. In particular, it provides for recovery of maintenance for the child, if the parents are separated or have been deprived of parental rights, or if the child has been removed from the family without deprivation of parental rights. However, the recovery of maintenance from parents deprived of parental rights is problematic inasmuch as the law currently in force provides for no effective mechanism for holding them accountable. If parents refuse to pay maintenance for, or are unable to maintain, the child, or if their place of residence is unknown, the Government provides temporary assistance equal to 30 per cent of the subsistence minimum for a child of the age concerned. Such assistance was introduced in January 2006.

F. Children deprived of their family environment (article 20)

83. Under article 52 of the Constitution, the Government ensures the education of orphans and children without parental care. Under article 25 of the Child Protection Act, children lacking parental protection as a result of their parents' death, illness or forfeiture of parental rights are entitled to special protection and assistance by the Government. Article 1 of the Child Protection Act provides the legal definition of the social categories of orphans and children without parental care, whose total number has increased by almost 5,000 since 2003, reaching approximately 103,000 in 2006 (see figure 7). This increase is due to economic instability, labour migration, the breakdown of the family, unemployment, poverty and lack of effective mechanisms to support families. As already noted, the number of orphans and children without parental care has increased in recent years, partly as a result of improved work on the determination of the situation of children with a view to extending Government protection to the children concerned.

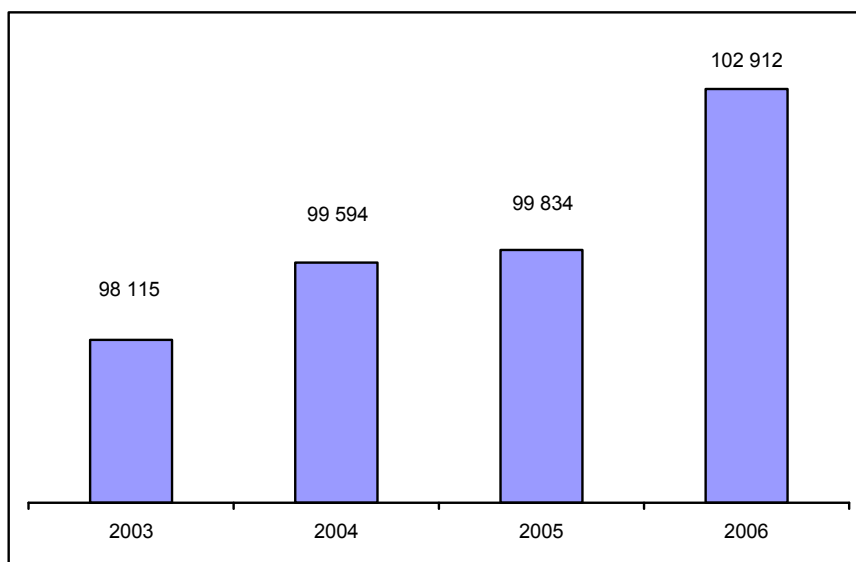


Figure 7. Development of the total number of orphans and children deprived of parental care

84. Government policy on the social protection of orphans and children without parental care is based on the following main principles:

- Creation of conditions for the exercise of the right of every child to be raised in a family;
- Education and child support based on the principle of the family;
- Promotion of adoption and creation of a system encouraging and supporting adoption;
- Giving of priority to placement;
- Protection of the property, housing and other rights and interests of the children concerned;
- Creation of appropriate conditions for children's physical, intellectual and moral development and for their preparation for independent life;
- Protection of the right to healthy development;
- Provision of legal social-welfare guarantees;
- Creation of appropriate conditions for providing psychological, medical and educational support;
- Development of a social-adaptation system;
- Freedom of choice in selecting an area of professional activity that best meets the needs and wishes of the children concerned and labour market demand;
- Adequate logistical support regardless of its structure and content for children and provision of tangible assistance and support to businesses, institutions, organizations, banking institutions and cultural, educational, social, sporting organizations.

Orphans and children without parental care are entitled to Government support and to all material and financial resources required for the satisfaction of their vital needs and for the creation of appropriate conditions for engaging in normal life-sustaining activities in accordance with State social standards. Such children must be placed for adoption, guardianship or trusteeship or reared with full State support in foster families, infants' or children's homes, residential schools or family-type children's homes.

85. In 2006, a mechanism based on a new principle was introduced, aimed at guaranteeing the financing of the education, development and maintenance of orphans and children without parental care regardless of the settings, in which they live and are reared: whether they are brought up in a family or an institution, "the money goes to the child". The new approach is designed to replace the current system of financing institutions and families. Under legal provisions adopted in 2005, orphans and children without parental care children are raised, as a matter of priority, by adoptive families, guardians, foster families parents and in family-type children's homes and State institutions. Institutions for orphans and children without parental care answer to the Ministries of Education and Science, Health, and Labour and Social Policy (figure 8). The total number of children in the various such institutions is on the decrease but, because of the declining number of children in the country, the percentage of children brought up in residential schools is increasing (figure 9).

The breakdown of residential institutions for children by region and the respective numbers of children are shown in annex II, tables 10 and 11. One of the approaches to improving the social situation of orphans and children without parental care is the reform of the system of the institutions designed for their care. A Blueprint for a Government Programme for reforming the system of such institutions was approved in 2006.

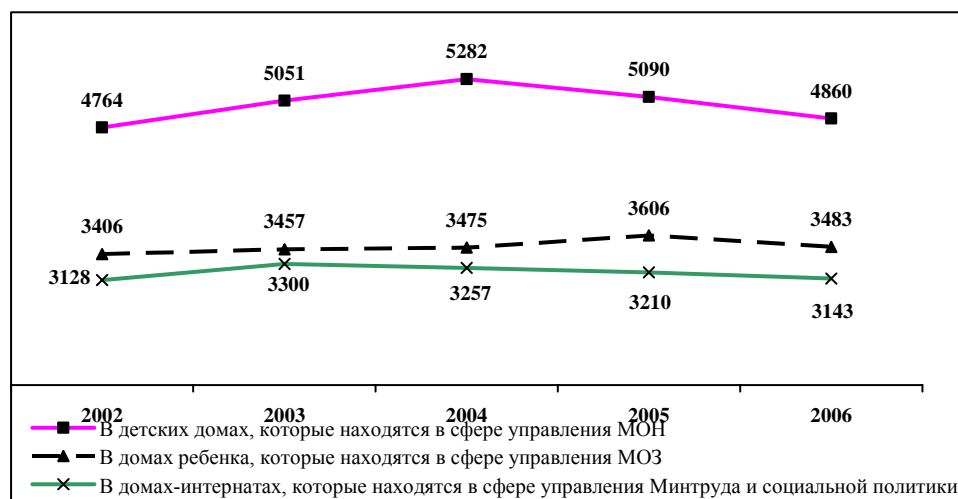


Figure 8. Breakdown of orphans and children without parental care by place of residence (at the end of each year)

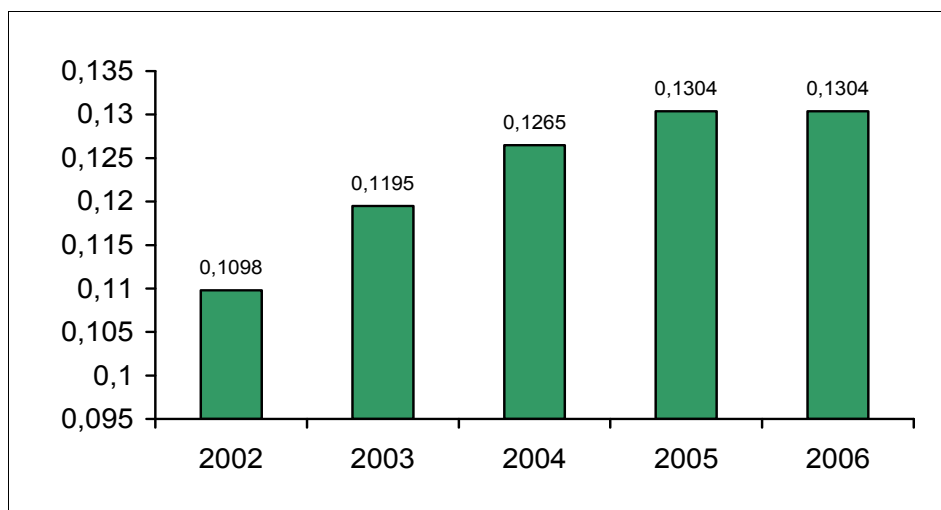


Figure 9. Number of children brought up in residential institutions as a percentage of the total number of children

86. The Government programme for reforming the system of institutions for orphans and children without parental care aims at:

- Facilitating the realization of State guarantees and constitutional rights for every child;
- In regional communities, realization of the right to education at or near the place of origin;
- Promoting the physical, intellectual and moral development of all children and ensuring that they receive an adequate education and acquire skills for an independent life.
- Encouraging the development of bringing up children in family-type settings;
- Preventing child neglect, abuse and homelessness, and juvenile delinquency;
- Protecting the children's right to communicate with their parents and other relatives and development of every child's abilities;
- Bringing up siblings in the same institution;
- Ensuring that children receive welfare services of a psychological, pedagogical, medical, socio-economic, legal and informational character on an individual basis;
- Providing education in modern family-type institutions, and containing the spread of orphanhood;
- Enhancing the responsibility of local authorities and local government bodies with regard to the social protection of children.

According to the Blueprint, the system of institutions for orphans and children without parental care is to be reformed by transferring children to new-type institutions set up by local authorities at the children's place of origin, taking into consideration the children's age and social status. Pupils, whose number should not exceed 50 per establishment, will attend general education schools. Living, development and education conditions are based on every child's individual needs and life experience.

87. The reform measures are to be introduced progressively, taking into account all factors, inter alia public opinion and financial and material resources. Given the recommendation contained in paragraph 48 of the Concluding Observations, the Government has significantly intensified its efforts to develop alternative forms of care within the system of social welfare. In 2006, the number of orphans and children without parental care placed with foster families or in family-type children's homes increased significantly (table 4) as a result of the Government's results-oriented policy (adoption of a set of laws and regulations), financial support for families ensuring the upbringing of orphans and children without parental care, an effective awareness campaign among the population, and the increased interest and personal involvement of the President of Ukraine in furthering the reform of the guardianship and trusteeship system.

Table 4

Orphans and children without parental care brought up in families

(Source: Ministry for the Family, Youth and Sport - End-of-year data)

	2002	2003	2004	2005	2006
Number of foster families	45	70	131	180	744
Number of children brought up in foster families	64	129	240	288	1 152
Number of family-type children's homes	112	112	127	149	234
Number of children brought up in family-type children's homes	1 132	1 134	1 214	1 025	1 462
Number of orphans and children without parental care under guardianship or trusteeship	65 414	66 493	65 264	64 353	64 192

The launching of the residential institutions reform constitutes a positive response to the Committee's recommendation (in paragraph 48 (e) of the Concluding Observations) to take all necessary measures to improve conditions in institutions in accordance with article 3 (3) of the Convention.

88. Accordingly, the recommendation contained in paragraph 48 (a) of the Committee's Concluding Observations ("establishing or strengthening at the national, regional and local levels the mechanism in charge of alternative care within the system of social welfare") has been successfully implemented. Regarding the recommendation contained in paragraph 48 (c) of the same document ("taking effective measures to increase and strengthen foster care, family-type foster homes and other family-based alternative care and correspondingly decrease institutional care as a form of alternative care"), such a mechanism not only has been created and approved, but also operates effectively. Specialists of the social centres for families, children and young persons ensure the residential institution leavers' adaptation to, and preparation for, independent life, and provide them with social support once they finish their schooling. As a rule, the specialists help on obtaining documents, finding housing and employment, or further study arrangements (in line with paragraph 48 (h) of the Concluding Observations). NGOs also carry out programmes aimed at preparing residential institution leavers for independent living.

G. Adoption (article 21)

89. Under domestic legislation, adoption is the most appropriate and advantageous form of placement. Under article 207 of the Family Code, a child is adopted into a family in accordance with the law of his or her home country. A child who is a citizen of Ukraine may be adopted by a foreigner, if he or she has been on the central register for at least one year. Exceptions are possible if the foster parent is a relative of the child or if the child suffers from a disease included in a special list of ailments. A competent consular office answering to the Ministry of Foreign Affairs keeps a record of children adopted by foreign nationals and monitors compliance with their rights. During the first three years of adoption and every three years thereafter, foreign adoptive parents report to the Ministry of Foreign Affairs on the adopted child's health and physical and mental development. His or her relations in the family must be checked by a Ukrainian consular office or diplomatic mission in the child's host country, and such an office or mission may also communicate with the child, through calls on the adoptive family, aimed at protecting the child's rights.

90. As at 10 July 2007, 17,170 adopted Ukrainian children were registered with Ukrainian consulates abroad, including 6,602 in the United States, 4,635 in Italy, 2,720 in Spain, 940 in France, 808 in Israel, 606 in Germany and 261 in Canada. According to consular records, the number of Ukrainian children adopted by foreigners has increased at an average annual rate of approximately 2,000, namely by 2,870 in 2002, 2,219 in 2003, 2,044 in 2004, 2,131 in 2005 and 1,097 in 2006. Despite the priority given to the adoption of orphans and children without parental care, the number of children adopted remains insufficient (figure 10). However, the decreasing trend, observed since 2000, in the annual number of domestic adoptions ceased in 2006. The decrease in intercountry adoptions in 2006 is related to the transfer of the processing of such adoptions from the Ministry of Education and Science to the Ministry for the Family, Youth and Sport. According to sociological surveys, almost one out of five families is ready to consider adopting an orphan or a child left without parental care in view of the support provided by the Government for families with such children. Against that backdrop, Government authorities have in recent years sought to develop and adopt new legal regulations on public support for families adopting an orphan or child left without parental care, namely the extension of a lump-sum benefit, a monthly allowance for the adopted child, and a leave for social reasons in order to facilitate the adaptation of the child to the family. In accordance with domestic law, these regulations entered into force on 1 January 2009. Support for domestic adoption is one of the Government's strategic tasks. The declaration of 2008 as Year of support for domestic adoption and other forms of family-type care for orphans and children without parental care reflects the Government's clear policy of realizing the right of the child to be reared in a family.

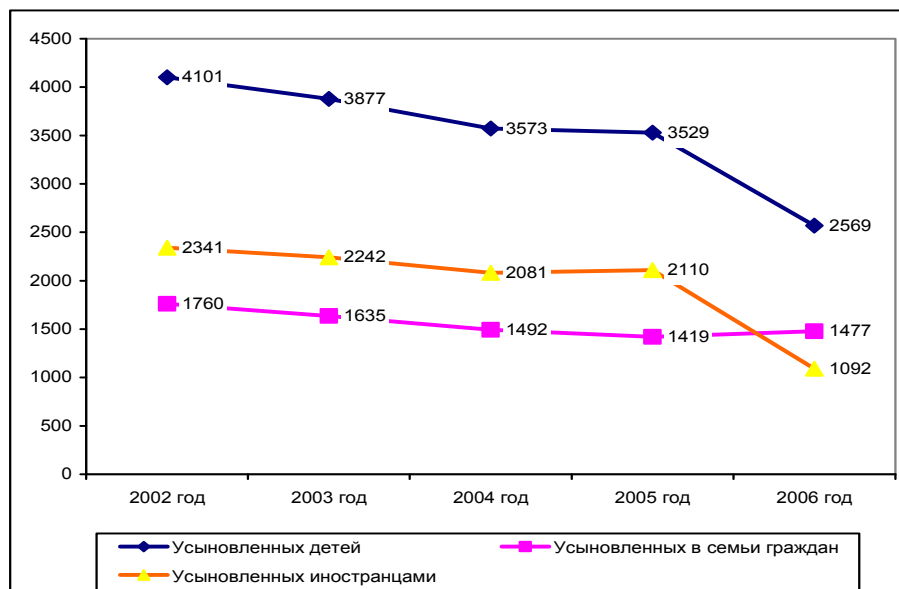


Figure 10. Orphans and children without parental care, adopted in the period 2002-2006

91. However, although the preparation of the mechanism for domestic and intercountry adoption took years, the law presents a number of gaps regarding the procedures preceding actual adoption. Thus, inter alia, the issue of re-registering or resuming the adoption procedure for children for whom an adoption has been denied remains unresolved; the procedure for updating information on a child registered for adoption is incomplete; and the issue of the diagnostic examination of children to registered for adoption is still open. Accordingly, an urgent revision of the relevant regulations. The question of Ukraine's accession to the Hague Convention on the Protection of Children and Cooperation with Respect to Inter-Country Adoption is still pending. In December 2006, the Government submitted to the Parliament for the third time a draft Act on the ratification of that convention but, as in previous years, did not win the required number of votes. In the period 2007-2008, the Government and the President of Ukraine repeatedly stated the need to ratify the convention. A new draft Act to that effect is being prepared for submission to Parliament by the President of Ukraine.

H. Illicit transfer and non-return of children from abroad (article 11)

92. According to article 32 of the Child Protection Act, the Government must take measures, in accordance with the procedure established by domestic law and the relevant international treaties, in order to combat the illicit transfer, export and non-return of children from abroad and child abduction, trafficking and smuggling. In 2006, Ukraine acceded to the Convention on the Civil Aspects of International Child Abduction of 1980, and the Cabinet adopted rules for the implementation of that convention. Paragraph 1 of the rules establishes a mechanism for cooperation between Government organs in resolving, according to the convention, issues related to the return to or from Ukraine of a child illegally exported, transferred or held by any person, and to the enforcement of the right of access to the child, if the acts in question violate another person's right to guardianship or trusteeship of the child and do not entail criminal elements.

I. Abuse and neglect (article 19), particularly in relation to physical and mental recovery and social reintegration (article 39)

93. In the period 2002-2006, efforts to protect children from all forms of physical and psychological violence and abuse, negligent and coarse treatment, including measures aimed at physical and psychological recovery and social reintegration, were stepped up. In order to provide social protection for children at risk who require temporary placement and socio-psychological rehabilitation, a network of institutions providing temporary accommodation to such children, whose number increases every year, has been established. Over 150 specialized institutions, establishments and units operate in the country, including public organizations assisting domestic violence victims, including children. Social centres for families, children and young persons provide social services aimed at the social reintegration of children. In 2006, these centres assisted 28,071 orphans and children without parental care (compared to 19,912 in 2005 and 15,665 in 2004).

J. Periodic review of placement (article 25)

94. There are mechanisms for the periodic assessment of children's placements. In 2006, 96.6 per cent of all children underwent annual check-ups. Since 1996, annual diagnostic checks have been conducted in educational institutions with the participation of drug addiction physicians in order to identify pupils or students prone to the consumption of narcotic drugs and psychotropic substances. The health status of HIV-positive children is evaluated in medical establishments. Local authorities organize the registration of children of pre-school and school-age children and supervise the implementation of legal requirements with respect to their schooling. Offices for children's affairs monitor the welfare of orphans and children without parental care who are reared in foster families or family-type children's homes. Once a year, the local unit for children's affairs prepares a report on the status of education, maintenance and development of children placed in family-type settings, based on information obtained from the relevant social workers working with the families, pre-school education pedagogues, school teachers, district paediatricians and local police inspectors. Foster parents must be informed of the contents of the reports, which are verified by the head of the appropriate office for children's affairs.

VI. Basic health and welfare**A. Survival and development (article 6, paragraph 2)**

95. See chapter III above.

B. Children with disabilities (article 23)

96. With regard to disabled children and children with special developmental needs, the Government, in accordance with the law:

- Promotes the creation of necessary living conditions on an equal footing with other citizens;
- Seeks to provide possibilities for a rewarding life and for development, taking into consideration the individual aptitudes and interests of the children concerned;
- Guarantees the availability of appropriate financial assistance;

- Entitles either parent or a person in loco parentis to:
- Reduced working hours at the enterprise, establishment or organization employing them, regardless of its form of ownership;
- Additional paid leave of up to five days;
- Leave without pay, and other benefits.

Disabled children and children with special developmental needs are provided with free specialized medical, defectological and psychological assistance, including prostheses, in appropriate Government and municipal health care units; are enabled to receive basic, vocational and higher education, including at home; and are offered disability correction means free of charge. In order to ensure their unimpeded access to social infrastructure, the Disabled Persons' Basic Social Protection Act imposes requirements for their protection on residential planning and development, urban planning, creation of housing districts, formulation of project decisions, construction and reconstruction of houses, other buildings and complexes, and the design of public transport facilities and vehicles.

97. Children with locomotory system impairments confirmed by a medical expert report confirming their right to use an automobile (with manual control if necessary) and who are at least 5 years old are provided are provided with motor vehicles on advantageous terms. The right to drive such a vehicle is exercised by an adult family member (or close relative), who has a driving license, of the disabled person. Disabled children without parental care who have lived in Government or community establishments for children are provided with housing upon majority. Since 2005, the disability indicator is calculated for children up to age 18, in accordance with international standards. Approximately 20,000 children per year are registered for disability status. In 2006, the disability indicator was 22.3 per 10,000 children aged up to 18. At the end of 2006, 168,128 children were registered as disabled. In the last five years, the disability indicator has increased by 16.6 per cent but in 2006 the number of persons registered for the first time with a disability decreased by 5 per cent compared to 2005 (table 5).

Table 5
**Number of disabled children in Ukraine
(per 10,000 persons)***

<i>Type of disability</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>
Partial disability	19.1	19.4	20.0	23.4	22.3
Total disability	163.1	168.9	170.4	177.6	190.1

* 16 year-olds up to 2004 and 18 year-olds as from 2005.

In 2006, the per cent breakdown of the number of disabled children by age group was as follows:

- Under 3 years of age: 6.7 per cent;
- 3-6 years : 14.2 per cent;
- 7-13 years: 42.7 per cent;
- 14-17 years: 36.4 per cent.

Child disability linked to individual disease categories shows a downward trend (table 6).

98. Pursuant to the recommendation, formulated by the Committee in paragraph 54 (a) of the Concluding Observations, to undertake studies to determine the causes of, and ways to prevent, disabilities in children, the State Institute for Family and Youth Development carried out a study in 2006 on the social adaptation of mentally retarded persons and the protection of their rights. The most common cause of childhood disability consists of congenital developmental defects, indicating problems related to perinatal and medical genetics. Accordingly, the Government introduced (under article 30 of the Family Code) voluntary free medical examinations of prospective spouses. More than UAH 5 million is spent every year on the purchase of diagnostic equipment to that purpose. The second category of disabling diseases consists of nervous system ailments, with an incidence of 38.2 per 10,000 inhabitants, including 21.6 of infantile cerebral paralysis cases, due for the most part to childbirth complications. Steps are therefore taken to restructure obstetric and neonatal services, and these efforts have already begun to yield positive results. Thus, over the past five years, the rate of foetal distress (intrauterine hypoxia and birth asphyxia) has decreased by almost 40 per cent, birth injuries by 50 per cent, foetal malnutrition by 38 per cent and congenital defects by about 20 per cent.

Table 6
**Breakdown of the frequency of children's disabilities by cause
(per 10,000 members of the population concerned)***

<i>Causes of disability</i>	2002	2003	2004	2005	2006
Various infectious and parasitic diseases	0.5	0.7	1.0	1.3	1.8
Diseases caused by HIV/AIDS	0.1	0.2	-	0.6	0.9
Neoplasm	4.9	5.3	5.3	5.7	6.0
Blood and blood-forming organ diseases	1.9	2.0	2.0	2.0	2.1
Endocrine system diseases	8.2	9.0	9.4	10.5	11.5
Mental and behaviour disorders	26.6	27.1	27.1	29.5	30.8
Nervous system diseases	37.0	37.2	36.7	36.2	38.2
Eye and related diseases	12.2	12.1	11.5	11.9	12.6
Ear and hearing process disorders	11.8	12.2	12.4	12.8	13.8
Circulatory system diseases	1.6	1.5	1.5	1.6	1.7
Respiratory system diseases	8.1	7.9	7.2	7.0	7.0
Digestive system diseases	2.0	1.9	1.8	1.9	2.0
Skin and subcutaneous tissue diseases	0.9	0.9	0.9	0.9	0.9
Musculoskeletal system diseases	7.6	7.7	7.5	8.3	9.0
Urogenital system diseases	3.1	3.2	3.1	3.2	3.5
Congenital anomalies	34.1	36.8	39.4	40.6	45.5
Injuries and intoxications	3.0	3.2	3.4	3.9	4.4

* 16 year-olds up to 2004 and 18 year-olds as from 2005.

99. During the past five years, the frequency of tuberculosis among children with disabilities has doubled (increasing, per 10,000 children, from 0.3 in 2002 to 0.6 in 2006), in connection with HIV/AIDS infections, which have increased by a factor of 9, namely from 0.1 in 2002 to 0.9 in 2006. Of the total number of children with disabilities, nearly 90 per cent live and are observed in treatment and prevention establishments of the Ministry of Health, 0.6 per cent in children's homes of the same ministry, 5.9 per cent in children's homes or residential of the Ministry of Education and Science, 2.7 per cent in children's homes and residential schools of the Ministry of Labour and Social Policy and 0.7 per cent treatment and prevention establishments of other ministries and departments. The priority of the social protection of the rights of children with physical disabilities, psychological disorders and mental retardation is rehabilitation. In 2006, Ukraine's system of labour and social policy included 292 rehabilitation establishments, which provided rehabilitation services to 49,400 disabled persons, including children, and comprised:

- 212 centres or units for early social rehabilitation of disabled children, including the State Complex for Early Social Rehabilitation of Disabled Children. There are 1 national, 5 provincial, and 35 urban or regional centres, and 170 units in rural centres of social services for retirees and unemployable persons without a family. These establishments serviced 17,000 disabled children.
- 14 centres or units for the vocational rehabilitation of disabled persons, including the Ukrainian Centre for the Vocational Rehabilitation of Disabled Persons. There are 5 interregional, 2 provincial, and 2 urban or regional centres, and 2 units. These establishments serviced 14,000 persons, helping 485 persons to find employment.
- 66 units for the social, medical and vocational rehabilitation of disabled persons, which offered rehabilitation courses to 31,000 persons.

100. Specialists in social centres for families, children and young persons provide socio-psychological rehabilitation for children and young persons with functional limitations. In 2006, 26 per cent of all disabled children received individual attention in such centres, including 32,432 children and 14,447 young persons with functional handicaps (compared to 28,467 children and 11,994 young persons in 2005). Children and young persons with functional limitations benefit from 150,047 individual legal, informational and psychological consultations, most of which were aimed at solving problems related to health and interpersonal relations (51,560 and 32,529, respectively). Despite considerable work in the area of social services for children with special developmental needs and their families, the overall proportion of children who receive services remains low, especially among rural children. In response to the recommendation, formulated by the Committee in paragraph 54 of the Concluding Observations, to encourage the integration of children with disabilities into the regular educational system and their inclusion into society, inter alia by providing special training to teachers and by making schools more accessible, it should be noted that there are 170 pre-school sanatorium-type educational establishments, 186 special pre-school establishments and 1,575 composite pre-school educational establishments for approximately 5,000 children with disabilities or special needs. Education in these institutions is carried out through individual programmes and techniques that are also used to work with children in family-type settings. For disabled children whose health condition complicates their education and training in general education schools, there are special general education institutions: schools (residential schools), training and educational facilities, educational and rehabilitation centres and special classes in general education schools. For disabled children who are in need of guardianship and nursing care, education authorities, with the consent of the parents or persons in loco parentis, provide appropriate programmes in general education and special general education establishments, including

home study. Social-pedagogical support for families raising children with special developmental needs covers 74,500 pre-school children and is expanding.

101. In 2006, 54,100 children in need of rehabilitation regarding their physical or mental development received general education. They attended 396 special residential schools, 336 special general-education residential schools and 60 sanatorium-type residential schools. Of the children with special developmental needs who received general education, 13,400 were disabled children. The vast majority of special general educational establishments (save for schools for mentally retarded children) provide full general secondary education for children with special developmental needs. The network of special full-day educational institutions is expanding while the total number of residential schools for children with disabilities is declining. Statistics show an average annual decrease of 1,500 among children attending such schools, from 60,000 to only 54,100 between school years 2001-2002 and 2005-2006. According to current data, up to 70,000 children with special development needs attend general education schools where the learning process focuses on normally developing children.

102. In 2006, 351 vocational and technical schools of the Ministry of Education and Science were attended by 4,400 pupils with limited physical- or mental-development possibilities (1 per cent of the total cohort) in 27 occupational areas. Between school years 2003-2004 and 2004-2005, the number of students with physical limitations attending accreditation-level I-II educational institutions increased from 4,472 to 5,194 handicapped students in higher educational institutions. During the 2004-2005 academic year, 3,940 such students attended accreditation-level III-IV higher education institutions. The staff ensuring the education and vocational rehabilitation of disabled persons is trained in accordance with higher education sector standards in the area of “pedagogical training”, specialized fields of “defectology”, “social pedagogy” and “practical psychology”; and in the area of “physical education and sport”, specialized fields of “physical training” and “physical rehabilitation”.

103. The extent of Government requirements for the training of such specialists in accreditation-level III-IV higher education institutions is gradually increasing. Table 7 shows Government requirements for the training of specialists at bachelor’s level in 2006.

Table 7

Government requirements for the training of specialists at bachelor’s level, 2006

<i>Number of higher education institutions</i>	<i>Specialization</i>	<i>Number of trainees</i>		
		<i>Total</i>	<i>Day courses</i>	<i>Correspondence courses</i>
14	Physical rehabilitation	446	198	248
29	Social pedagogy	723	554	169
11	Defectology	475	291	184
21	Practical psychology	441	376	65
Total		1 885	1 419	466

However, there are problems in the country regarding the access of persons with limited capacities to social services, whose reorganization is extremely slow. There is even no public transport adapted to the needs of persons with disabilities. The National Action Plan for the Implementation of the Convention on the Rights of the Child provides for substantial reforms and improvements, by 2016, with regard to the relevant standards. In particular, of the total number of persons with disabilities, 80 per cent are expected to have access to clubs, 90 per cent to libraries and 90 per cent to museums.

C. Health and health services (article 24)

104. Ukraine has an extensive network of medical institutions for children. Medical care for children is provided in 29 provincial children's hospitals, 57 independent children's polyclinics, 99 municipal children's hospitals, 477 central regional hospitals, 138 regional hospitals, 648 medical district hospitals, 3,191 rural mobile medical units, 15,354 medical and obstetric stations, 140 children's sanatoriums and two sanatoriums for parents with children. More than 30,000 immunization units operate in State medical prevention and treatment institutions. In the period 2002-2006, the annual immunization coverage of the total number of children by specific vaccination units against infections averaged 95-97 per cent. There are 12,463 obstetricians-gynaecologists in the country, or 5.0 per 10,000 women. Those qualified to provide in-patient medical attention account for 78.8 per cent. Approximately 20.5 per cent of them have a high, 36.8 per cent a first-level and 11.3 per cent a second-level qualification. In order to improve the system of care for pregnant women in all regions, a set of measures aimed at enhancing the provision of obstetric care have been adopted. Some of the improvements introduced thanks to the new and effective characterization of health care institutions through the "child-friendly health facility" are, inter alia, the establishment of family birth rooms, the placement of the mother and the child in the same room and the creation of responsible fatherhood schools. Of the country's health care establishments, 71 have won the "child-friendly health facility" label.

105. As a result of measures taken in the period 2002-2006, the number of deliveries with complications decreased from 263,389 in 2004 to 231,593 in 2005 and to 221,069 in 2006. The process of gradually equipping maternity and child health institutions is continuing. Generally speaking, however, the level of availability of up-to-date medical equipment is inadequate. Steps are taken to address the problem of sterility. In 2006, UAH 5,300,000 were allocated under the State budget for the free treatment of women clearly diagnosed as sterile; and, since early 2006, more than 1,180 such women have received the treatment in question. The protection of the health of mothers and children have contributed to a decrease in maternal mortality. Maternal deaths at childbirth and during the postnatal period numbered 85 in 2002, 71 in 2003, 56 in 2004, 75 in 2005 and 53 in 2006. However, despite this positive trend, the number of women who die during childbirth and the post-partum period remains high. A significant proportion (0.19 per cent) of women are not observed in maternity units during the prenatal stage in order to ensure antenatal protection of the foetus, prevention of childbirth complications, and preparation of the family for the birth as a means of reducing such complications and positively affecting the health of the newborn (table 8).

106. The number of women not observed by a physician during pregnancy decreases every year. This evidences, to some extent, the effectiveness of having made the duration of hospitalization for pregnancy dependent on the woman's record of preparedness, and raising public awareness of the significance of responsible fatherhood and planned parenthood. In 2006, the number of children not born in a health centre decreased by a factor of 3 compared to its 2004 level (table 9).

Table 8
Proportion of pregnant women not examined in gynaecological units during the prenatal period and placed under observation in the postnatal period

	2002	2003	2004	2005	2006
Number	1 651	1 775	1 470	1 147	865
Per 100 women whose pregnancy ended in abortion or childbirth	0.43	0.44	0.36	0.27	0.19

Analysis of the health status of children at birth indicates positive changes, namely a 30 per cent decrease in morbidity among newborns in maternity units during the period 2001-2006, as a result the introduction of perinatal technologies, primarily leading to a decline in complicated childbirths from 70 per cent in 2002 to 48 per cent in 2006 and to improvement in the health of pregnant women (figure 11).

Table 9
Development of the number of births in medical facilities

	2002	2003	2004	2005	2006
Percentage of children born in medical facilities	98.2	98.3	96.9	96.9	99.1
Number of children not born in a hospital	6 954	6 779	13 301	13 384	4 314

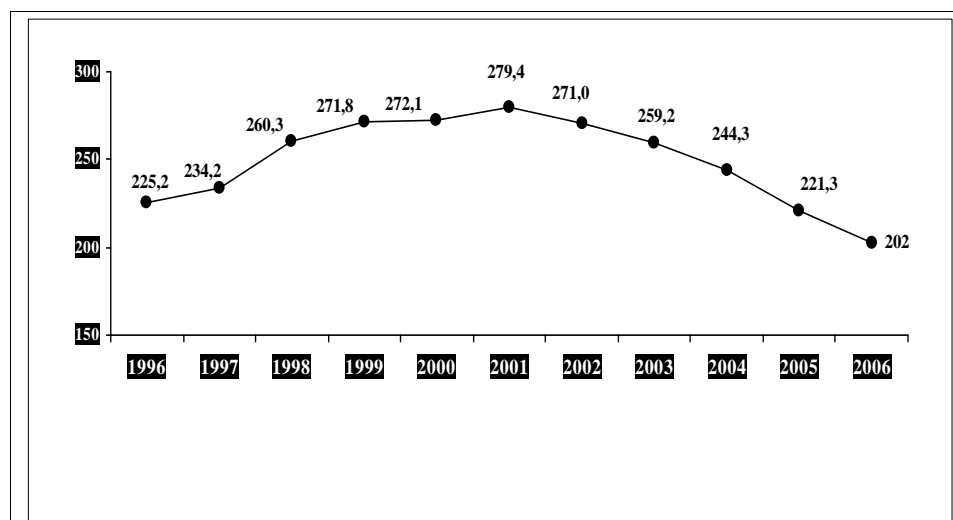


Figure 11. Morbidity among newborns in maternity hospitals, 1996-2006

107. The improvement in the health of newborns has affected morbidity among infants up to 1 year of age, which declined by almost 10 per cent during the period under review (from 2,016.9 per 1,000 such infants in 2001 to 1,786.1 per 1,000 such infants in 2006). Morbidity among children under 1 year of age is declining at a lower than morbidity among newborns, possibly because, after release from a maternity unit, child care becomes the responsibility of the family depends and the quality of such care then depends on the parents' level of preparedness. Ukraine is actively implementing measures aimed at promoting breastfeeding. However, in 2006, compared to the 2002 level, the proportion of children exclusively breastfed decreased among infants aged up to 3 months, while it increased among infants aged up to 6 months (table 10).

Table 10
Percentage of infants reaching 1 year of age who were exclusively breastfed

	2002	2003	2004	2005	2006
Up to the age of 3 months	46.2	45.6	45.1	38.6	35.0
Up to the age of 6 months	41.4	40.7	42.8	45.5	46.4

The Breastfeeding Support Programme, 2006-2010, adopted in 2006, is expected to increase the number of children breastfed up to the age of 6 months by 60 per cent. The HIV/AIDS situation among children is becoming worse every year. In recent years, the number of children infected or ill with, or dead from, HIV/AIDS has been rapidly increasing (see table 11).

Table 11
Number of children infected or ill with, or dead from, HIV/AIDS
(as at 1 January of each year)

	<i>Number of officially registered new HIV infection cases in children</i>	<i>Number of new AIDS cases in children</i>	<i>Number of children who died from AIDS</i>
2002	1 379	47	23
2003	1 844	68	38
2004	2 293	96	33
2005	2 516	143	36
2006	2 834	123	32

108. At the end of 2006, there were 3,998 HIV-infected pregnant women. The number of pregnant women who attended a course on the prevention of vertical HIV transmission was 1,934 in 2004, 2,255 in 2005 and 2,629 in 2006. The rate of mother to child HIV transmission in 2006 was 7.1 per cent (compared to 7.7 per cent in 2005) according to the Ministry of Health but 12 per cent according to the International Charity Foundation (ICF) "International HIV/AIDS Alliance in Ukraine". The vertical mother to child HIV transmission rate is particularly high in the country. The experience of developed countries shows that, through the use of intensive antiretroviral therapy, the frequency of births of HIV-infected children may be kept below 1 per cent. Although there exist in the world

technologies for an accurate diagnosis within a few months, yet, in Ukraine, children born to HIV-infected mothers are considered to be HIV-infected up to the age of 18 months, when a definitive diagnosis is made. During that period, the lack of funds for acquiring the technology for an early diagnosis of HIV-positive children keeps the families concerned extremely anxious. For a significant number of children born to HIV-positive mothers, late HIV-status determination leads to orphanhood and rearing in special children's homes rather than in their own, foster or adoptive families or with guardians. In 2006, 732 children, accounting for 53.4 per cent of the children diagnosed with HIV-infection, received antiretroviral therapy. However, despite access to treatment, 17 children, including 12 less than 18 months old, died from AIDS in 2006. In response to the Committee's recommendation, contained in paragraph 59 of the Concluding Observations, to increase efforts for preventing HIV/AIDS, proactive measures are being taken to prevent vertical HIV transmission. The system for preventing perinatal transmission of HIV to newborns in Ukraine is integrated into the organization of medical support for children and mothers. Conditions are currently in place for a significant reduction in the risk of vertical HIV-infection transmission, namely health facilities fully equipped with testing and rapid-test systems for diagnosing HIV in pregnant women and newborns; a sufficient volume of drugs for pharmaceutical prevention; appropriate breast-milk substitutes for the newborns; and medical care standards. In 2006, the amount of UAH 3,225,000 was allocated to HIV/AIDS detection among pregnant women.

109. Through a comprehensive approach to preventing mother to child HIV transmission, the vertical transmission rate in 2006 was reduced to 7.1 per cent, 0.8 per cent below the 2005 a level (7.7 per cent) (figure 12).

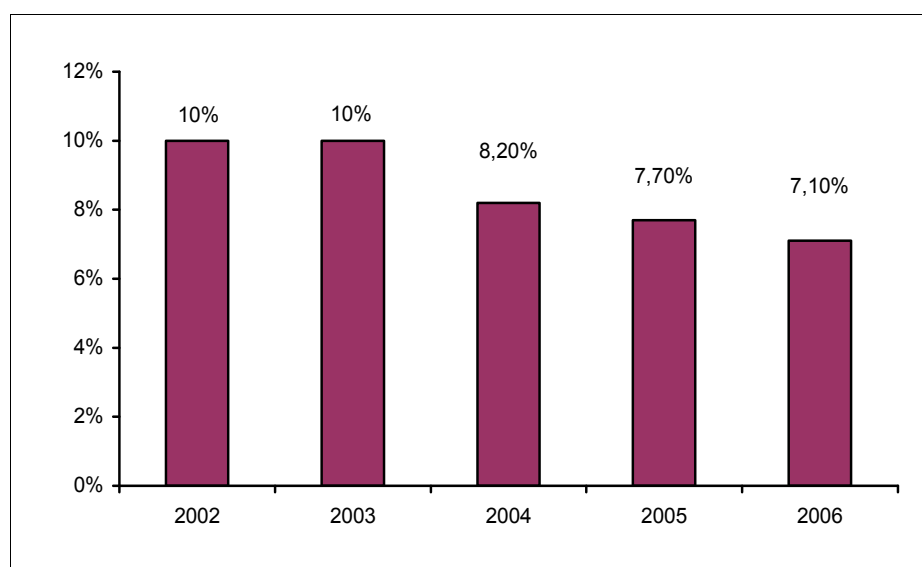


Figure 12. Development of the vertical HIV transmission indicator, 2002-2006

Governmental, non-Governmental and international organizations are working extensively to prevent HIV infections. As a Member State of the United Nations, Ukraine signed in 2001 the United Nations Declaration of Commitment on HIV/AIDS, pledging to implement by 2005 national strategies permitting a reduction in the spread of the epidemic, including by allowing access to means of HIV transmission prevention and of any necessary treatment for AIDS. A number of measures aimed at preventing HIV/AIDS among children and youth have been introduced. An elective entitled "School against AIDS" has

been included in the curriculum for students attending general education grades 8-11. According to data for 2006, 55 per cent of teachers in the country's general education schools have received training in education issues related to HIV/AIDS. Prevention programmes have covered 66.5 per cent of the pupils or students attending general and technical and vocational education establishments and accreditation-level I-IV higher education institutions. The Ministry for the Family, Youth and Sport and public organizations organize annually thousands of information and awareness-raising activities designed to discourage antisocial behaviour among young persons, identify and prevent any negative influence on the health of young persons, overcome discrimination and stigmatization, promote a tolerant attitude towards persons living with HIV/AIDS, draw public attention to their problems and strengthen the prevention of negative phenomena among young persons. In 2006, for the first time in Ukraine, the Ministries of Education and Science, Health, and Internal Affairs, ILO, the Ukrainian Drug-Abuse Therapy Association and the local UNICEF office signed a memorandum of understanding regarding the introduction of a nationwide anti-alcoholism and anti-drug training programme for students, parents and the staff of educational institutions. On 1 June 2006, the International Day of the Child, began the global "Unite for Children, Unite against AIDS" campaign, launched by the United Nations in October 2005.

110. Despite the measures taken to prevent the spread of the HIV/AIDS epidemic in Ukraine, the situation remains extremely serious in view of persistently high rates at which the epidemic is spreading in the country. The outbreak of HIV-infection beyond the risk groups of the population has led to increasing numbers of HIV-positive pregnant women and children. In order to improve diagnosis and treatment of children with HIV/AIDS, the Centre for Treatment of Children with HIV/AIDS and their parents was opened, with out-patient and in-patient units. Moreover, there are five rehabilitation centres for HIV-infected children and young persons, of which three operate in Odessa, Lugansk and Kharkov, and two in Kiev. Obstacles to combating HIV/AIDS include, inter alia, insufficient public funding and the Ukrainians', including their children's, low cultural awareness of health issues. So far, fund- and resource- mobilization to fight the epidemic has not kept pace with its development. A family planning service has been functioning in Ukraine for more than 10 years. Outreach activities of the service in cooperation with local educational institutions help to develop more responsible sexual behaviour among adolescents and young persons, a sense of responsible fatherhood, and personal interest in protecting one's health on a life-long basis. The positive trend of reducing the incidence of STDs among children reflects of the correctness of the national strategy chosen for implementing preventive measures through Government programmes, particularly through organized awareness-raising efforts and the population's enhanced access to medical care as part of the successful inter-agency implementation of family planning programme, 1995-2000, and the National Reproductive Health Programme, 2001-2005. In the last five years alone, the morbidity among children under of 14 has decreased by almost 30 per cent for syphilis, by 40 per cent for gonorrhoea and by 40 per cent for chlamydial infection. In the period 2002-2006, the incidence of syphilis and gonorrhoea among children aged 15-17 declined by, respectively, 55 and 45 per cent. The number of recorded chlamydia infections still shows a negative trend, which signifies an annual increase in infections among adolescents soon to become parents, of the order of 17 per cent (see annex II, tables 13 and 14).

111. The positive trend towards fewer abortions among under age girls confirms the effectiveness of the Government's strategy and of the activities of the family planning service. The incidence of abortion has declined by a factor of 1.6 among girls under 14 and 1.5 among girls aged 15-17 (table 12). The number and rates of births by under age girls shows a negative trend (table 13). In the period 2005-2006, the creation of a network of Youth Friendly Clinics aimed at introducing modern approaches to health and social care for children and adolescents was launched by the Ministry of Health through a pilot project,

supported by the local UNICEF office, in nine regions, namely in the cities of Kiev and Sevastopol and in the provinces of Donetsk, Odessa, Poltava, Chernigov, Lviv, Zaporozh and Khmelnytsky. Youth Friendly Clinics are structural units of health facilities, which provide medical and social assistance to children and young persons using a “friendly approach” recommended by WHO and UNICEF. Currently, 45 such clinics operate within a legal and regulatory framework necessary for their development, the relevant training of health and social workers has begun, and social health service standards have been approved for children and young persons in the area of HIV/AIDS. In 2006, the National Monitoring Methods and Organization Centre began to function within the Ukrainian Specialized Children’s Hospital (“OKHMATDET”, acronym for “mother and child care”) in order to support, monitor and coordinate the Child-friendly Health Facility and Youth-Friendly Clinics activities. Work continues on developing quality criteria for Youth Friendly Clinics and the need to implement appropriate procedures for certification of establishments and units Youth Friendly Clinics is under discussion. Staff training and qualifications upgrading for work in such establishments and the provision of health care supplies (inter alia, testing systems and condoms) constitute an urgent problem. In 2006, the development of the Youth Friendly Clinics network in accordance with the National Reproductive Health Programme and of services provided through that network is part of the minimum preventive services package (Roadmap / National Report on improving universal access to prevention, treatment, care and support in relation to HIV/AIDS up to 2010).

112. A number of measures are carried out in order to reduce harm from alcohol, tobacco, drugs and other addicting substances. According to the findings of sociological research, a significant percentage of pupils and students begin to smoke, consume alcohol and acquire such habits at an early age. Based on the survey “Health and behavioural trends among school-age children”, smokers of both genders account for 7 per cent of 11 year-olds; 15 per cent of 13 year-olds; 26 per cent of 15 year-olds; 33-50 per cent of 16 year-olds; 50 per cent of technical- and vocational-school course I pupils; and 33 per cent of higher education course I students. The first attempts to use alcohol and tobacco usually occur at 11 years of age or earlier. In recent years, the number of children drinking beer daily or on a weekly basis exceeded, among 15-year-olds, 50 per cent for boys and 30 per cent for girls and amounted, among 13-year-olds, 30 per cent for boys and 15 per cent for girls, and, among 11-year-olds, 15 per cent for boys and 10 per cent for girls. To a large extent, these negative trends are connected with the ineffectiveness of existing restrictions on the advertising of cigarettes and alcohol, especially light alcoholic drinks and beer. Retail establishments frequently violate the ban on the sale of cigarettes and alcohol to children. Considerable attention is paid in the country to the creation of a system for the rehabilitation of young drug addicts. In order to strengthen activities aimed at their rehabilitation and adaptation, “Your Victory” rehabilitation centres have been set up with a view to carrying out, inter alia, prevention activities among adolescents. In 2006, there were 34 such units. One effective way of addressing problems related to the health of minors has been to include in the general education curriculum a basic course on “Health Fundamentals”, as part of wellness education for children. A course on “Wellness Fundamentals” has been a component of the curriculum of general education schools since 1994. The “Health Fundamentals” course was introduced in grades 1-9 in conjunction with physical education classes in 2001 and in grade 5 of the 12-year general education system in 2005, as the initial stage of wellness education in the main component of general intermediate education. These courses provide information on health and the pupils learn to simulate their future life, thereby acquiring aptitudes and skills for healthy living.

Table 12
Development of the number of abortions among under age girls

	2002	2003	2004	2005	2006
Number of pregnant minors who interrupted pregnancy	19 004	18 412	17 131	14 864	14 343
Abortions among minors	8 284	7 615	6 623	5 272	4 850
- Through age 14 (number of cases)	170	161	139	119	106
- Per 1 000 girls aged 10 through 14	0.10	0.10	0.09	0.09	0.08
- At ages 15-17	8 114	7 454	6 484	5 153	4 744
- Per 1 000 girls aged 15 through 17	7.03	6.60	5.88	4.93	4.77

Table 13
Number of under age girls who gave birth

	2002	2003	2004	2005	2006
Number of births to minors	10 720	10 797	10 508	9 592	9 493
- Through age 14 (number of cases)	106	105	92	83	102
- Per 1,000 girls aged 10 through 14	0.06	0.07	0.06	0.06	0.08
- At ages 15-17	10 614	10 692	10 416	9 509	9 391
- Per 1,000 girls aged 15 through 17	9.20	9.47	9.45	9.11	9.45

D. Social security and childcare services and facilities (articles 26 and 18 (3))

113. Social assistance of the following types is provided in Ukraine in support of mothers and children:

- One-time assistance at birth;
- State assistance in connection with pregnancy and childbirths;
- Child care assistance up to the age of three years.

One-time assistance at birth is extended to the mother, if she has applied for the benefit not later than six months before the date of birth. The purpose of the benefit is to create appropriate conditions for full child care and rearing. The first part of the benefit, nine times the minimum subsistence income, is paid out in cash at birth. The balance, 13.6 times the minimum subsistence income, is paid in cash within 12 months from the month of birth. The benefit is terminated, if the recipient loses parental rights, refuses to support or rear the child, misuses the funds or fails to provide appropriate conditions for full child care and rearing, or is held in a detention facility by a court decision, and in other circumstances provided for by law.

114. If a child is placed in an institution with full State care, payments are made (resumed) to labour and social protection agencies by transferring money to an account opened for the child at an authorized bank. Between 2003 and 2006, the amount of the benefit increased by a factor of almost 28 for the insured and of almost 43 for the uninsured (table 14). As already noted, as from 1 January 2008, the amount of the benefit for the first child is UAH 12,240 (US\$2,425).

Table 14
Amount of one-time assistance at birth

	2003	From 1 January 2004	From 1 July 2004	From 1 January 2005	2006
Insured	UAH 320 (US\$64)	UAH 684 (US\$135.60)	UAH 725 (US\$143.60)	UAH 8 497.6 (US\$1 499.50)	UAH 8 500 (US\$1 500)
Uninsured	UAH 200 (US\$39.60)	UAH 360 (US\$71.30)	UAH 724.46 (US\$143)	UAH 8 497.6 (US\$1 499.50)	UAH 8 500 (US\$1 500)

State support in connection with pregnancy and childbirths is provided to all women, regardless of whether they are insured under the obligatory social insurance system. If insured, they receive the benefit through their place of work from the Social Insurance Fund as assistance for temporary inability to work. The women receive the benefit over the entire period of leave, namely during 70 calendar days before childbirth and 56 calendar days after delivery (or 70 calendar days in the case of complicated or multiple birth). For women in categories 1-4 of persons affected by the Chernobyl disaster, assistance is paid for 180 calendar days of leave (90 days before and 90 days after childbirth). The amount of the benefit is assessed and paid in full, regardless of the number of vacation days actually used before the birth, at 100 per cent of the average monthly income and wages (inter alia, stipends, cash allowances and unemployment benefits) of the women concerned. For the uninsured, the benefit is equal to 25 per cent of the minimum subsistence income established by law, on a monthly basis, for a person able to work.

115. Persons having taken charge of an infant within two months from the date of his or her birth receive the benefit from the date of establishment of the guardianship and for 56 calendar days (70 calendar days for the simultaneous adoption or guardianship of two or more children and 90 calendar days for women in categories 1-4 of persons affected by the Chernobyl disaster). Between 2002 and 2006, the average amount of the pregnancy and childbirth benefit and the average monthly number of its recipients increased significantly (figures 13 and 14), namely, respectively, by UAH 149.23 (almost US\$30) and 11,141 persons.

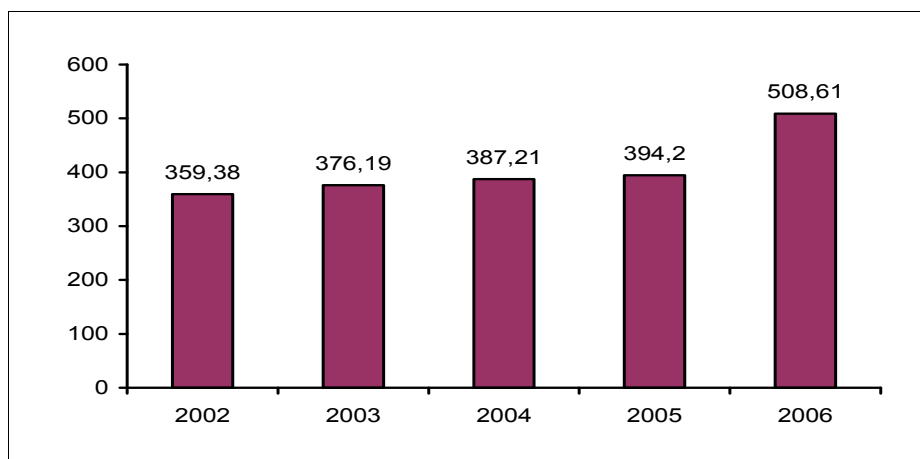


Figure 13. Average amount of assistance for the entire period of pregnancy
(UAH per person)

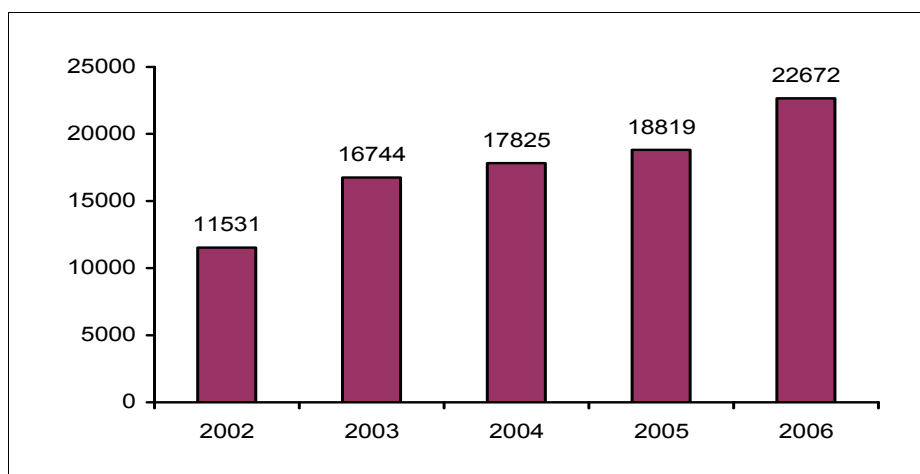


Figure 14. Average monthly number of pregnancy and childbirth benefit recipients

The State social security system pays a child care allowance up to age 3 of the child. Persons insured under the obligatory social insurance system receive the benefit through their place of work from the Social Insurance Fund as assistance for temporary inability to work.

116. Uninsured persons who actually take care of children under 3 receive child care assistance up to age 3 of the child from the labour and social welfare authorities under the State budget. In the case of birth, adoption or guardianship of two or more children, the benefit is granted for every child. Figure 15 shows the development of the average monthly number of children under 3, for whom the benefit is provided. The amount of the benefit depends on the level of social insurance, the minimum subsistence income for children up to age 6, and average aggregate monthly family income. Figure 16 shows the development of such assistance on an annual basis.

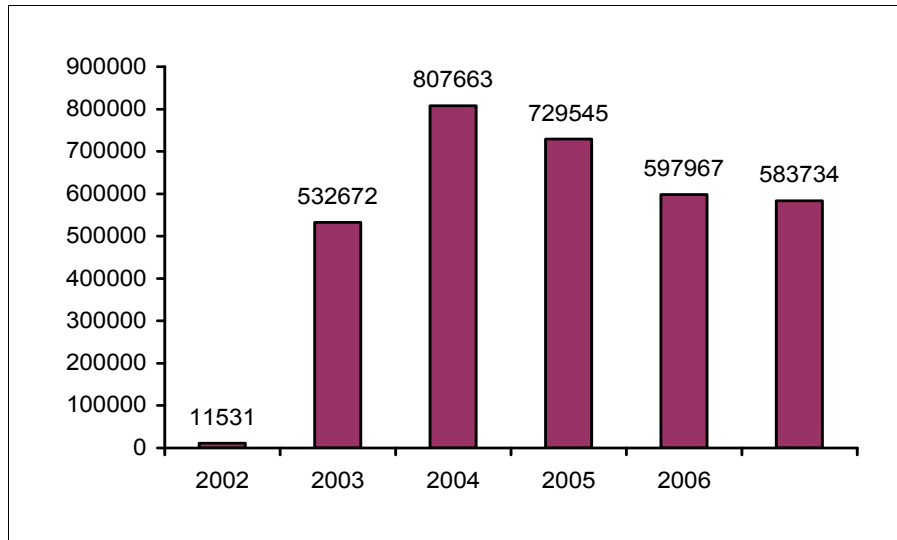


Figure 15. Average monthly number of children under 3, for whom the child care benefit is provided, 2002-2006

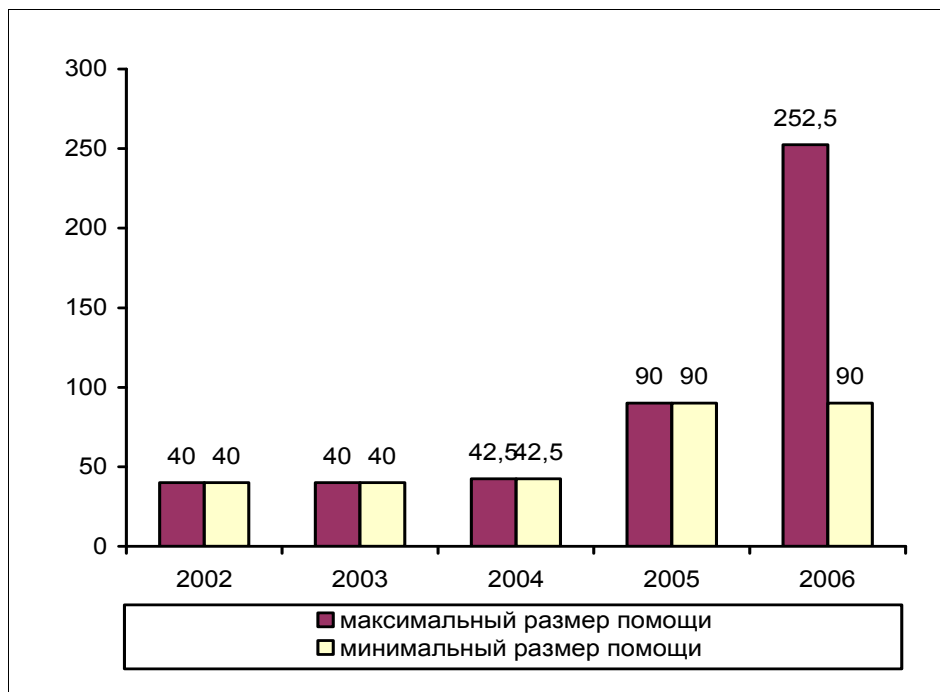


Figure 16. Amount of the child care benefit for children under 3, 2002-2006

117. Various types of social assistance are available for different categories of children. Children without parental care because of their parents' death, illness or forfeiture of parental rights or for other reasons are entitled to special protection and support by the State. State support for orphans and children without parental care, families rearing such children and young persons in these categories concerns financial assistance, health improvement, benefits while attending technical and vocational and higher educational institutions, job placement, and housing up to graduation or attainment of majority. In case

of loss of the breadwinner, orphans are entitled to a pension regardless of whether they were his or her dependents. Such benefits apply to families whose breadwinners are missing. For children who have lost both parents or their single parent, the pension for each child must be equal to at least twice the amount of the social pension. For families with children who have lost both parents, the pension is calculated on the basis of the total wage-income of both parents. Social pensions are paid to the children and are equal to 100 per cent of the minimum pension for the applicable age in the event of the loss of the breadwinner.

118. Children fully dependent on the State receive 50 per cent of the pension stipulated. The full amount of pension for loss of the breadwinner is paid to orphans who have lost both parents and are fully dependent on the State. Orphans who are in residential schools are under full State care. The cash-equivalent cost of full State care for children is determined for ages 0-3, 3-7, 7-10, 10-14 and 14-18 and for orphans and children without parental care up to age 23 in accordance with the Minimum Subsistence Income Act and is equal to two minimum subsistence incomes for children of the given age. For children living in residential institutions, payments are transferred to the personal account of the child concerned. Welfare payments for children who are under care or guardianship or in adoptive families and family-type children's homes are used by the legal representatives of the children's interests to meet the needs of the children. Under the Cabinet Decision on improving the rearing, education, social protection and financial needs of orphans and children without parental care, the children in question, once they reach the age of 18, receive a grant, regardless of type of placement.

119. Orphans and children without parental care who are pupils or students receive, over and above full social security benefits, a stipend 50 per cent higher than the stipends applicable to the given educational institution; 100 percent of the wage accruing during vocational training and practice; and an annual subsidy equal to three monthly stipends for the purchase of textbooks and payable within 30 days after the start of the school year from funds provided for the educational institutions under the respective budgets. Such pupils or students who take a study leave for health reasons retain their social security benefits in full and their stipend for the duration of the leave. The educational institution facilitates the organization of their treatment. Upon leaving the educational institution, the pupils or students in question receive from it (according to rules approved by the Cabinet) clothes and footwear or, if they prefer, an equivalent cash amount for the purchase of such items; and a cash grant equal to two minimum subsistence incomes. Under article 41 (5) of the Education Act, orphans, children without parental care and children with special educational needs who are under full State care and attend public technical and vocational institutions, and other pupils or students of such institutions, are provided with free nutrition and stipends.

120. Social stipends are awarded to students and trainees in need of social protection who, on the basis of their studies, do not receive an academic stipend. The basis for such stipends is the entitlement to State benefits and guarantees established by law for students and trainees who are orphans and children without parental care. Priorities with regard to academic stipends for pupils or students, particularly orphans and children without parental care, are decided by vocational and technical education institutions, based on the funds available for such stipends. Government social standards and consumption and welfare norms are the same for all orphans and children without parental care, regardless of their placement and maintenance, and are adopted in accordance with the law. In the period 2003-2006, the level of assistance for children under guardianship or trusteeship increased by UAH 390 (US\$77.20) for children up to 6 years of age and by UAH 524 (almost US\$104) for children aged 7- 18 years (see figure 17). On 1 January 2009, under the Act amending the State Support for Families with Children Act (concerning the amount of the benefit for children under guardianship or trusteeship), the amount of support for families

rearing a child on care was set at a level no lower than two minimum subsistence incomes for children of the given age, as provided for children in family-type children's homes and children raised in adoptive families.

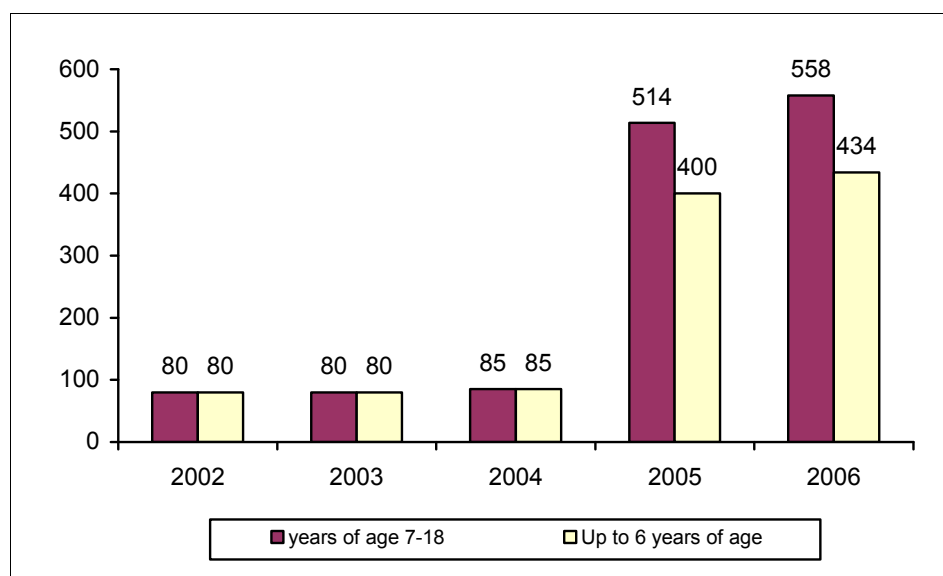


Figure 17. Development of support for children under guardianship or trusteeship, 2002-2006

121. The Social Benefits for Persons Disabled from Childhood and Disabled Children Act governs the payment of the benefits in question. For group I persons disabled from childhood, the benefit is set at 100 per cent of the minimum subsistence income for persons having become unemployable. The care allowance for such a person is set at 50 per cent of that minimum income. An Act amending the Social Benefits for Persons Disabled from Childhood and Disabled Children Act entered into force on 1 January 2006, increasing by 10 percentage points the benefit for group II and III persons disabled from childhood, namely, respectively, to 80 and 60 per cent - compared to 70 and 50 per cent previously - of the minimum subsistence income for persons having become unemployable. Group II and III persons disabled from childhood living alone and, by decision of the medical and social expert commission, are in need of constant care, receive a care supplement equal to 15 per cent of that minimum income. The benefit for disabled children aged up to 18 is equal to 70 per cent of that income. Since 1 January 2006, the social benefit to disabled children whose illness is related to the Chernobyl disaster has increased by 50 per cent.

122. The care allowance for a disabled child aged up to 18 is equal to 50 per cent of the minimum subsistence income for children of the given age and is paid to one of the adoptive parents, guardians or trustees who do not work and actually take care of the child. Up to 1 January 2006, that benefit was paid on condition that the average total monthly income, over the previous six months, of the family rearing the child did not exceed the minimum subsistence income for that family. The care allowance is assessed regardless of whether either parent of the family, or the single parent, rearing the child is employed. Under the law, welfare benefits for a disabled child aged up to 18 years are made regardless of other types of support. However, a disabled child eligible for social assistance as a disabled person and as an orphan receives actually only the benefit for orphans. Clearly, that situation does not satisfy the needs of a disabled orphan and hinders the placement of such a child in an adoptive family or a family-type children's home. Moreover, the actual amount of the payment paid for a disabled child does not allow the family to meet fully the child's needs with regard to education, vocational training, health care, preparation for

employment and recreation in a manner conducive to a rewarding life for the child and to his or her development. In early 2008, the President of Ukraine initiated a process for increasing welfare benefits for families with disabled children.

123. Under the law, single mothers, single adoptive parents, widows and widowers with children, and one of the divorced parents of a child whose other parent has died and whose surviving parent is not entitled to a survivor's benefit, receives assistance equal to the difference between 50 per cent of the minimum subsistence income for a child of the given age and the average total monthly family income per person, but not less under 30 percent of the minimum subsistence income. Figure 18 shows the average monthly benefit for one child. The Social Benefits for Low-income Families Act provides for a social benefit equal to the difference between the minimum subsistence income for the family and its average total monthly income, but not over 75 per cent of the minimum subsistence income for the family. In 2006, the average low-income family benefit amounted to UAH 237.30 (US\$47). The above data confirm that Ukraine has made significant progress regarding financial support for families with children and children at risk (in relation to the Committee's recommendations in paragraph 40 of the Concluding Observations).

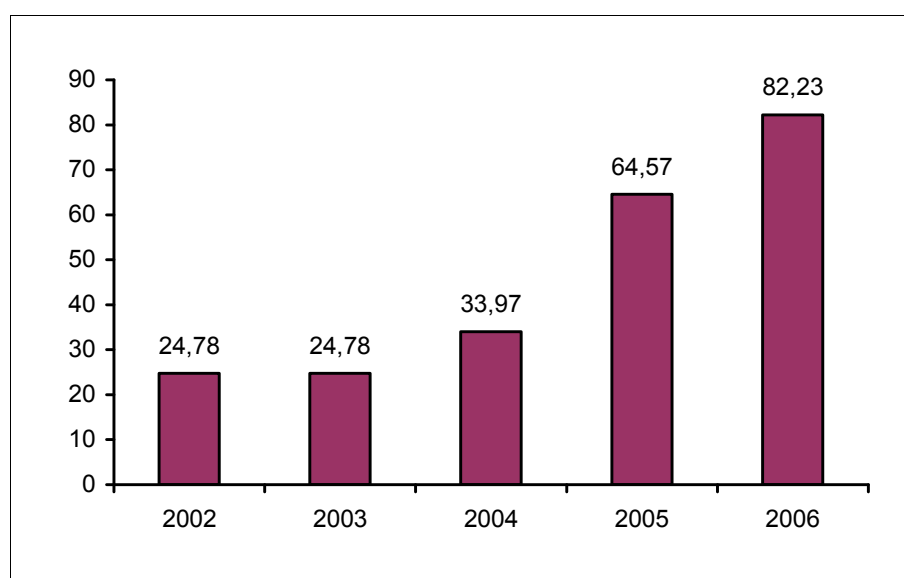


Figure 18. Average monthly benefit to a single parent for one child (in UAH)

E. Living standards (article 27, paragraphs 1-3)

124. One of Ukraine's priority tasks in respect of socio-economic development is poverty reduction. In order to lower the level of poverty and address its most acute manifestations, a National Poverty Reduction Strategy was developed and a Comprehensive Programme for its implementation were adopted for the period up to 2009. The strategy in question defines the basic directions for actively implementing effective policies for reducing poverty through the creation of an economic and legal environment conducive to higher incomes and an economically more active work force, primarily by enhancing employment and the labour market, raising work-related incomes, developing social insurance as preventive protection from loss of income and promoting social support for the most vulnerable population groups by means of a consolidated system of targeted social assistance and social services. According to the Comprehensive Programme, social

protection must aim at ensuring and strengthening the targeted character of financial support to persons unable to work, families with children, especially large families, orphans and children without parental care, children with disabilities, pensioners and persons with limited physical capacities. In the period 2002-2006, efforts were made to improve the quality of life for families and children by gradually raising the level of social guarantees to the minimum subsistence level. As already noted, Government social guarantees are not at subsistence level but at a level which can be raised to the subsistence level. The degree to which the subsistence level may be attained depends on the real possibilities for Government spending in line with the Budget Act for a given year.

125. At the beginning of 2004, the ratio of basic social safeguards and standards to the amount of the minimum subsistence income was as follows: The minimum wage was equal to 56.2 per cent of the minimum subsistence income for employable persons; the child care benefit up to age 3 was equal to 21.9 per cent of the minimum subsistence income for children aged up to 6; and only childbirth assistance exceeded the amount of the corresponding minimum subsistence income (and in 2005 amounted to UAH 8,500 (US\$1,500)). However, monitoring the poverty situation since the launching of the Poverty Reduction Strategy in 2001 shows that the poverty level has remained practically unchanged at approximately 28 per cent. Table 15 shows the trend in poverty rates based on relative and absolute criteria for various types of households with young persons in 2005.

Table 15

Relative and absolute poverty for various types of households with young persons, 2005 (per cent)

<i>Types of households with young persons</i>	<i>Poverty below the national level (relative criterion)</i>	<i>Poverty below the subsistence minimum (absolute criterion)</i>
Households with at least one young person	32.1	43.8
- with children	37.6	49.9
- without children	22.0	33.0
Households with at least one child aged 14-17	35.3	46.6
Households with young persons, children and pensioners	44.2	57.9
Households with young persons, where all persons are of working age	16.9	27.6

<i>Types of households with young persons</i>	<i>Poverty below the national level (relative criterion)</i>	<i>Poverty below the subsistence minimum (absolute criterion)</i>
Households with at least one unemployed young person aged 18-35	46.1	59.4
Young families living in separate households	28.8	39.1
- with children	32.8	43.3
- without children	6.1	15.1
Total population	27.1	38.2

Families with children constitute the group most affected by poverty. For instance, among young families living in separate households (currently the goal of every young family), poverty is higher among families with children than among families without children, by a factor of 5.4 and 2.9 according to, respectively, absolute and relative criteria. Compared to the average Ukrainian family, households with young persons, children and pensioners (such a typical rural family) is poorer by a factor of 1.6 and 1.5 according to, respectively, absolute and relative criteria. Low wages, significant inter-industry wage differences and tax system weaknesses, inter alia, negatively affect the population's standard of living. Ukraine urgently needs to improve the organization and structure of the national economy, and to complete economic reforms and reforms regarding medical care, pensions, the housing and utilities infrastructure and the linkage between expenditures and social welfare services.

VII. Education, leisure and cultural activities

A. Education, including vocational training and guidance (article 28)

126. Complete general secondary education is compulsory and free in Ukraine. The State guarantees the right to choose an educational establishment and education in a person's native language or to study that language in Government or community educational establishments. The local State authorities and the local government bodies organize the registration pre-school- and school-age children in order to meet requirements regarding children's attendance of general education establishments. Children sentenced to deprivation of liberty and detained in correctional facilities attend general education schools operating in all 11 facilities of that type and offering remedial classes for children not enrolled in school for a long time. Children held in correctional facilities are eligible for admission to higher education. The Government provides favourable conditions for the entrance of disabled children, orphans, children without parental care and other categories of children in need of social protection into national and municipal technical- and vocational-training and higher education establishments, provided they are sufficiently prepared. Orphans and children without parental care attending public technical and vocational training establishments and accreditation level I-IV higher education institutions are fully under State care. As already noted, of the 15,100 pre-school educational establishments of various types and forms of ownership functioning in the country, 6,600

operate in cities and 8,500 in rural areas (see table 16); and 84.2 per cent provide teaching in Ukrainian, 7.4 per cent in Russian, and the rest in other languages.

Table 16

Number of children and young persons in various types of educational institutions

(Source: Government Committee on Statistics)

<i>Type of establishment</i>	2002	2003	2004	2005	2006
Pre-school education	973	977	996	1 032	1 081
General education	6 135.3	5 835.9	5 527.6	5 207.2	4 935.4
Non-school education	1 185.5	1 202.4	1 203.5	1 193.4	1 202.1
Technical and vocational education	477.9	469.9	464.2	453.3	429
<i>Higher education</i>					
Accreditation level I-II	583	593	548	505	468
Accreditation level III-IV	1 687	1 844	2 027	2 204	2 319

127. In the period 2002-2006, the number of general education establishments, particularly in rural areas, and the number of pupils or students attending such establishments declined. Thus, the number of pupils admitted to the first grade decreased from 497,300 in 2002 to 387,500 in 2006 because of the unfavourable demographic situation in the country. At the beginning of 2007, a total of 4,935,400 school age children attended 20,400 schools employing 512,300 teachers. Moreover, the average class fill rate in the country's schools continues to decline. Thus, over the past five years, the average class size decreased from 22.2 to 19.6 learners and, in rural areas, from 16.6 to 14.2 learners. As a result, the average fill rate in the country's general education day educational establishments decreased by 20 per cent. In order to prevent the closure of schools with a low fill rate and preserve the pupil's or students' access to education, consideration is given to a legal and regulatory basis for lowering the minimum fill rate in rural schools. The Ministry of Education and Science has developed a model of a fundamentally new type of single-level school, "the family school", which is a low-fill-rate general-education institution set up in rural areas to provide quality education for pupils of elementary school age residing in an area with a difficult demographic situation. In order to provide a legislative solution to issues related to the functioning of such establishments, amendments have been made to the draft "Act amending certain legislation concerning education (regarding the creation of conditions appropriate for teaching children)" according to which the family school figures on the list of types of general education establishments. The development of the network of composite pre-school education and general education institutions continues. During the last five years, their number increased by almost 400 units, while the number of pupils attending them increased by 32,100. This process has spread significantly in rural areas, where the number of such establishments and of children attending them has increased by, respectively, 40 and 27.5 per cent.

128. Measures are being implemented to improve school attendance conditions. During the 2006-2007 school year, free meals were provided to 97 per cent of elementary school pupils. Every ninth pupil or student in need transport to the place of study (including children with limited mobility) are provided transportation under the School Bus Programme, which has been carried out since 2003. There are in the country 20,400 general education schools, attended by 4,930,000 pupils or students. General intermediate education is provided to 99.9 per cent of school age children. Yet some children, albeit very few, do not attend general education establishments. In September 2006, the nationwide "School class" operation led to the identification of 7,050 who had not begun their education (compared to 8,085 in 2005). Of the total number of such children, 5,590 could be enrolled in school (compared to 4,493 in 2005). At the end of December 2006, 1,460 children failed to return to school (compared to 5,168 in December 2005). Of those, 17 per cent were of an early, 33 per cent were of an intermediate and 50 per cent were of an advanced school age. The underlying causes were, inter alia, material and financial family problems (in 11 per cent of cases), irresponsible parenthood (in 40 per cent of cases), conflicts with school mates and teachers (in 16 per cent of cases), expulsion (in 0.7 per cent of cases) and other factors (in 33 per cent of cases). Moreover, during 2006, thanks to cooperation between local education authorities, children's affairs offices and police units for children, approximately 3,000 children out of school for a long time or with no schooling at all were (re)enrolled in evening schools. Education is also provided in the form of extramural attendance or correspondence courses and at information units. The quality of education is adversely affected by the slow pace of computerization in general education schools. In 2006, 20 per cent of students attended schools without modern computer techniques. Limited computer equipment availability in general education schools is linked primarily with the inadequate funding of the country's educational institutions, although expenditure on education under the State budget increases every year and is mainly channelled to general intermediate education (see annex II, table 19).

129. Under article 53 of the Constitution and the Education Act, all citizens are entitled to free higher education in State and local educational institutions on a competitive basis. The Government finances a considerable proportion of students through commissions placed with State or community higher-education establishments. The main admission criteria are the applicant's knowledge (acquired through general education) and aptitude for learning (successfully completion of the programme and curriculum required for qualification in the chosen area of specialization). In order to assess the applicants' knowledge, the admissions committee holds a competitive entrance examination. Prospective higher education students who do not receive a sufficient number of points for entrance in the framework of a Government commission may have their studies funded by a solvent individual or legal entity, particularly in non-governmental higher education institutions. The Government facilitates the admission of disabled children, orphans, children without parental care, young persons with limited mobility (which does not hinder their learning in their chosen occupation or specialization) to State and community technical and vocational training and higher education institutions.

130. In 2006, the network of technical and vocational schools comprised 1,021 units (of which 930 are establishments of the Ministry of Education and Science) attended by 473,800 students and trainees, including more than 18,000 orphans and children without parental care and more than 4,000 learners with disabilities. Technical and vocational education establishment pupils or student account for 102 persons per 10,000 inhabitants, a rate almost five times lower than the rate for higher education students. The various occupations are broken down into more than 500 specializations. The teachers' training Intel® "Teach to the Future" international academic programme is being introduced into technical and vocational education in order to train the teaching staff in the use of information and communication technologies (ICTs) in the industrial training process.

Efforts are constantly made to update the content, form and methods of study in vocational training institutions. Innovative training and production technology is being actively introduced. Despite the country's extensive network of higher and technical and vocational education institutions and because of the national economy's limited demand for highly skilled specialists, the largely inadequate reward for highly skilled labour and the absence of a targeted and consistent Government policy on occupational guidance, there is a significant gap between the national education system's offer and the labour market's. Currently, young persons' professional choices are not guided by the labour market's real needs or their personal preferences but according to the order in which occupations are ranked by public opinion.

B. Education objectives (article 29) with respect to educational quality

131. According to the preamble of the Education Act, the goal of education is the all-round development of the human being as a person and as society's highest value, the promotion of his or her talents and mental and physical abilities, the encouragement of high moral qualities, the formation of citizens capable of conscious choice, the enrichment on that basis of the intellectual, artistic and cultural potential of the people, the enhancement of its educational level and the provision of the national economy with qualified specialists. Under article 6 of the Act, education must be based on humanism, democracy, national conscience, and cooperation among nations and nationalities. Education in Ukraine is governed by the following fundamental principles:

- Access of all citizens to all forms and types of education services provided by the Government;
- Equality of conditions for all persons in respect of the full realization of their talents, abilities and comprehensive development;
- Humanism, democracy and primacy of universal spiritual values; and an organic relationship with world and Ukrainian history, culture and traditions;
- Independence of education from political parties and public and religious organizations; and scientific and secular education;
- Integration with science and production;
- Reciprocal relations with the education of other countries;
- Flexibility and predictability of the education system; unity and consistency of the education system; and continuity and diversity of education;
- Combination of Government administration and public self-governance in education.

Under article 18 (3) of the Act, regardless of their status and the system to which they belong, educational institutions must ensure a quality of education commensurate with the requirements of the Government's educational standards. In the period 2002-2006, tangible steps were made towards bringing the national education system up to European norms and standards. Since 2001, there has been a transition of general intermediate education towards the 12-year education system. In order to improve the quality of general intermediate education and to ensure equal access to higher education, the Cabinet adopted decision No. 1312 of 31 December 2005 on urgent measures for the introduction of external and independent evaluation and monitoring of the quality of education; and approved a Blueprint for a Government Programme for the Development of Education, 2006-2010 (No. 396-R of 12 July 2006).

132. A process involving the creation of a State-community education management model has been launched, as evidenced by the organization of a nationwide Parents' Community Forum in May 2006. In seeking to create equal conditions of access to quality education for every child, Ukraine has set itself the task of increasing the number of children attending educational establishments and providing high-quality educational services. Generally speaking, Ukraine traditionally has had high rates of education and significant achievements in the development of that sector. The overall education indicator in Ukraine, 79 per cent, is close to the level of the most developed countries in the world. However, the Government's difficult economic situation in the 1990s affected the level of education funding, which continues to be insufficient. Certain characteristics of children within the school environment point to deeper problems. According to the "Health and behavioural trends among school-age children" survey, of the pupils or students aged 11, 13 and 15 attending general, technical and vocational and accreditation-level I-II higher education institutions (in the nine-year education system), 30-40 per cent have learning difficulties, 40-50 per cent of students become tired of education, 25 per cent do not feel psychologically comfortable among their classmates or fellow students, 15 per cent feel that teachers or professors, and 20 per cent consider that they reject the pupils or students as persons. This situation clearly requires closer cooperation between the teaching staff and the pupils or students of educational institutions in order to create a psychologically comfortable environment.

C. Leisure time, recreation and cultural activities (article 31)

133. In accordance with article 20 of the Child Protection Act, the Government provides children with free access to national spiritual and historical values and world cultural achievements through the use of, inter alia, libraries, exhibition halls and museums in order to promote the child's social, spiritual and moral well-being and full development. To that purpose, a network of special children's cultural institutions, non-school education structures and physical education and sports units is being created in order to promote the development of children's individual and collective creativity. Children receive discounts to museums, athletics and sports and other of cultural and recreational institutions. Orphans, disabled children and children from large families have a right to free education in art schools. The cultural and artistic infrastructure consists of State, community and private institutions offering recreational services and entertainment, contributing to the development of aesthetic tastes or providing an opportunity for creative self-expression. Currently, that infrastructure includes institutions traditionally supported by the State (inter alia, libraries, clubs, theatres, museums, cinemas and parks) and new types of establishments, connected with the spread in Ukraine, as in other countries, of the entertainment sector (inter alia, night clubs, gambling halls and slot machines). The most common cultural institutions are libraries, cultural clubs and cinemas. There are 1,181 specialized libraries for children. The number of museums and of pupils or students who visited them increased from 376 museums and 10,025,900 visitors in 2002 to 445 museums and 10,490,000 visitors in 2006. The number of theatres for children and young persons increased from 38 in 2002 to 44 in 2006, while the number of puppet theatres has changed little (from 28 in 2002 to 29 in 2006). The number of concerts held by concert organizations and professional groups for children, and the number of children attending such concerts, decreased, respectively, from 6,684 and 1,088,900 in 2002 to 5,720 and 946,600 in 2006, while the membership of educational clubs increased to 601,800. Moreover, the number of recreational features in recreational and cultural parks (inter alia, amusement rides and playgrounds) decreased from 2,435 in 2002 to 1,992 in 2006.

134. Aesthetic training schools for music, art and dance, and Ministry of Culture and Tourism schools of art actively provide non-school education and serve as nuclei for artistic culture through the production of public manifestations by students and for the aesthetic development of children, adolescents and young persons. In 2002, a decline in the number of aesthetic training schools was successfully stopped. In recent years, their number has not changed, but the number of students attending them has increased (see figure 19).

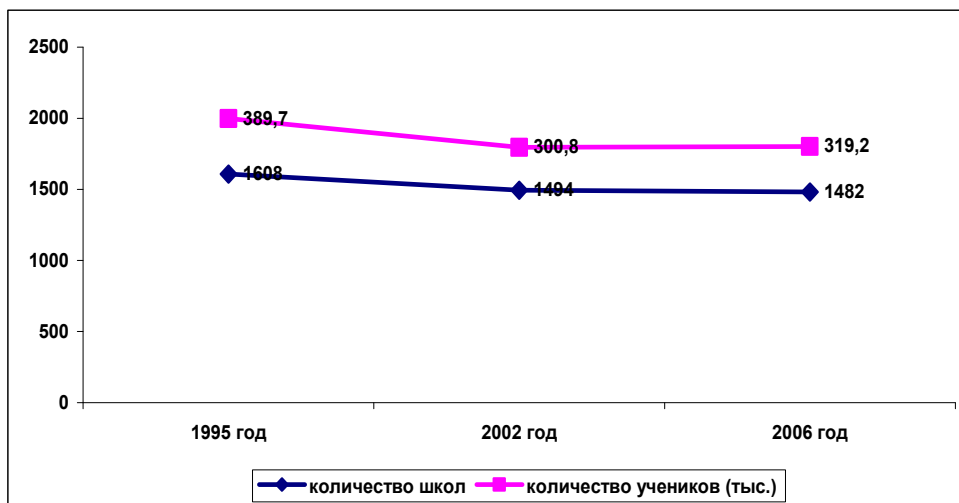


Figure 19. Number of aesthetic training schools and of students attending them, 1995-2006

(Source: Government Committee on Statistics)

Under the Non-school Education Act, children from large and low-income families, disabled children and orphans and children without parental care may attend basic-level specialized artistic educational institutions (aesthetic training schools) free of charge. The development of the sports infrastructure and of the number of children with access to sports is noteworthy. There are more than 10,000 community-based sports clubs and 1,652 community-based physical education and sports clubs for children and adolescents. The system of non-school education institutions continues to expand. The Non-school education institutions development programme, 2002-2008, has led to the recent development of the institutions in question, made more funds available for their expansion and, by involving a greater number of young persons in the activities of such institutions, improved the situation in the area of children's recreation.

135. Rural children are encouraged to participate in the system of non-school education institutions through the development of provincial and regional branches of such institutions or the establishment of groups linked to such institutions in general education establishments in rural areas. However, not all of the country's children adequately satisfy their cultural needs. According to a survey by the State Institute for Family and Youth Development, in 2006 only 44 per cent of children aged 14-17 had that possibility. Of those unable to satisfy their cultural needs, 70 per cent were hindered by insufficient income, 26 per cent by too little free time and 26 per cent by a lack of cultural institutions near their place of residence. In recent years, the way children and adolescents use their free time has changed, inasmuch as they spend more time watching television, on computers and in computer clubs and places with electronic games. Of the parents interrogated through an October 2006 survey conducted on adolescents' parents and adolescents by the State Institute for Family and Youth Development, 14 per cent, referring to their children, stated that they did not practice any sports, 34 per cent that they

participated in no organized groups, and 24 per cent that they did not frequent theatres or museums. On the other hand, 55 per cent of the parents reported that their children spent most of their free time watching TV, and every third minor spent time on computer games. Of the minors surveyed who spent more than four hours per day on computer and video games, 9 per cent did so on working days and 21 per cent on holidays. Spending much time on such days leads to psychological addiction. Although there are no statistics data on the number of children and young persons addicted to games (or to other non-chemical processes), sociological surveys suggest that the group in question increases every year.

136. The local authorities and local Government bodies set limits on the visits of minors to game halls, computer clubs, video rental shops, discotheques and other entertainment establishments in the evening, in the night and during school hours, in accordance with the relevant legal and ethical rules. However, such restrictions are often not respected because of a lack of an effective control system. One form of leisure and recreation for children is a stay in health and recreational camps during school holidays. The insufficiently developed network of institutions of physical education and sport, culture and recreation (especially in rural areas), poverty among families with children and the unregulated video and computer games market in the country have a negative impact on the structure of leisure and recreation for children.

VIII. SPECIAL PROTECTION MEASURES

A. Children in emergency situations

1. Refugee children (article 22)

137. Under the Refugee Act, adopted in June 2001 and aligning Ukraine's legal framework with the United Nations Convention relating to the Status of Refugees, the protection of the rights and interests of refugee children in Ukraine is ensured by their legal representatives who, upon arrival in Ukraine, on their own initiative or in accordance with the customs of their country of origin, accepted responsibility for raising the children. The documents required for deciding whether to grant refugee status to a child are prepared on the basis of a personal statement by an adult having assumed such responsibility. Information on children under 18 is filled in by a legal representative of the minor. If a child not accompanied by parents or other legal representatives - a child separated from his or her family - arrives in Ukraine and states his or her intention to acquire refugee status, or other persons who are not his or her legal representatives so state, the State Border Agency immediately notifies the Migration Service and the guardianship and trusteeship agency, both of which, in cooperation, take immediate action for an appropriate temporary placement of the child in an establishment for children or with a family (article 9). The guardianship and trusteeship agencies are the legal representatives of refugee children separated from their families; take steps for the appropriate temporary placement of all children separated from their families in establishments for children or families and for the establishment of guardianship or trusteeship for such children; participate in the procedure of granting refugee status to a refugee child; and help to protect his or her rights (article 8).

138. The interests of a child refugee placed in a family or an institution for children are defended by the foster parents, guardians or trustees appointed in accordance with the law, or by the representatives of children's homes or residential schools or other institutions attending to the child. While the documents related to the request for refugee status for refugee minors separated from their family are prepared, the Migration Service assists such minors in searching for their parents or other legal representatives (article 11). Ukraine helps to preserve the unity of refugee families. Family members of persons granted refugee

status in Ukraine have the right to enter Ukraine for the purpose of family reunification and receive refugee status or leave Ukraine freely (article 4). There are plans to amend existing legislation in order to provide humanitarian protection for asylum seekers and refugees. The Ministry of Justice has drawn up a draft Legal Status of Foreigners and Stateless Persons Act (new version) and a draft Refugees and Persons Deserving Assistance or Temporary Protection in Ukraine Act. These draft Acts provide for the introduction of temporary protection, the determination of the procedure for granting, losing or forfeiting refugee status, and the establishment of safeguards ensuring adequate protection. Ukraine has ratified the Agreement on cooperation among Commonwealth of Independent States (CIS) member States on the repatriation of minors to their State of permanent residence, signed on 7 October 2002 in Chisinau (Act No. 2316-IV of 12 January 2005). In accordance with that agreement, the competent authorities of CIS member States, upon request, assist each other in recovering and repatriating minors left without guardianship to the country of residence. Such cooperation will help to prevent crime by minors and against them. Ukraine and the European Union signed an agreement on readmission, under which Ukraine is obligated to take back asylum seekers and migrants who enter the European Union from Ukraine. The State Committee on Ethnic and Religious Affairs is the principal body tasked with considering applications for asylum and refugee assistance. That committee receives the financial resources required to undertake work in this field. The committee's budget increased from UAH 2.7 million (US\$540,000) in 2004 to more than UAH 8 million (US\$1,600,000) in 2007.

139. At the beginning of 2007, there were 2,275 refugees in Ukraine. Of these, 52 per cent came from Afghanistan, 28 per cent from the former Soviet Union, 13 per cent from Africa and 7 per cent were from the Middle East, Asia and Europe; and 48 per cent were registered in Kiev and the Kiev region and 26 per cent in Odessa. In recent years, the number of refugees registered in Ukraine, including refugee children, has declined (see table 17).

Table 17

Breakdown of the number of refugees by main age group (as at 1 January)

(Source: Government Committee on Statistics)

	<i>Total number of refugees</i>	<i>Including children not yet of working age (0-15 years old)</i>
2002	2 983	881
2003	2 966	881
2004	2 877	852
2005	2 459	625
2006	2 346	558

Statistics record the number of refugee children up to age 15, the legal minimum working age, but no official statistics on refugee children aged 15-18 are available. Of the 535 refugee children under 15 in Ukraine as at 1 January 2007, 464 were from Asia, 32 from Africa, and 39 from Europe, exclusively from the Russian Federation. The country's four reception centres for refugee children are located in Kharkov, Kiev, Odessa and Simferopol. The Odessa reception centre for children has been closed for two years because of unsatisfactory sanitary conditions. The issue of the resumption of work there

has not yet been resolved. However, the total number of special institutions meets the needs for the placement and maintenance of foreign minors. Under article 19 of the Refugee Act, persons who have been granted refugee status are guaranteed rights and freedoms as citizens. In reality, however, refugees and asylum seekers face many problems whose solution should enable them to fully enjoy their rights in accordance with national and international standards. Thus, *inter alia*, in most cases they do not have access to free interpretation services when submitting applications for refugee status, and their social problems take a long time to resolve.

2. Protection of children in armed conflict (article 38), including physical and psychological recovery and social reintegration (article 39)

140. There are no armed conflicts in the territory of Ukraine. Accordingly, issues related to the physical and psychological rehabilitation of children in armed conflict areas are not relevant to the country. If the event that refugee children in Ukraine have participated in armed conflicts in the territory of their country of permanent residence, such children, if necessary, are provided with appropriate psychological and social assistance in family support centres or centres for social and psychological rehabilitation.

B. Protection of children in conflict with the law

1. Administration of juvenile justice (article 40)

141. The legislation in force, and in particular the Judicial System Act and the Children's Affairs Agencies and Offices and Special Institutions for Children Act, provide for the possibility of introducing the specialization of judges in hearing specific categories of cases. An important step in implementing juvenile justice is that the provisions of these Acts are put into practice. In order to ensure the courts' compliance with the requirements of the Constitution, the law and international treaties on protecting the rights of minors in criminal proceedings, and in accordance with the recommendations of the Supreme Court, the specialization of judges in hearing criminal cases involving crimes committed by minors was introduced in local and appellate courts at the end of July 2005, when special panels juveniles were set up in criminal chambers of general appellate courts in order to review such cases. It was recommended that the courts should constantly review and expand that practice in court cases involving minors and take measures to protect the rights of minors in criminal proceedings. In order to provide clarification to courts dealing with cases concerning children and ensure the uniform application of the law, the Plenum of the Supreme Court adopted the Application by Courts of the Legislation on Liability for Involving Minors in Criminal or Other Antisocial Activities Act (No. 2 of 27 February 2004) and the Court Practice on the Application of the Legislation on Offences by Minors Act (No. 5 of 16 April 2004). Judges tasked by chief magistrates with reviewing cases related to minors receive training in appellate and decision-invalidation instances and systematic upgrading of qualification in the Academy of Judges.

142. The special characteristics of criminal liability and punishment in the case of minors are laid out in section XV of the Criminal Code. Cases involving minors are governed by the general rules and section VIII of the Code of Criminal Procedure. The provisions of section VIII apply to cases on offences committed by persons who at the time of their participation in the offence were under 18. Under Criminal Procedure Code article 438, the indictment and interrogation of a minor takes place in the presence of counsel in accordance with the rules stipulated in articles 140-143 of the Code. If the minor is under 16 or considered mentally retarded, a teacher or a physician, the parents or other legal representatives of the minor may attend the indictment and interrogation at the discretion of the investigator or prosecutor or at the request of the defence counsel. Under Criminal Procedure Code 439, if a minor is involved in an offence together with an adult, the

possibility of separating the case concerning the minor in distinct proceedings during pre-trial investigation must always be examined. Criminal Procedure Code article 441 regulates the participation of the legal representative of an accused minor in the court proceedings. The parents or legal representatives of the accused minor are invited to the court proceedings, where they are entitled to raise objections, enter petitions, present evidence, and participate in the examination of evidence. They are present in the courtroom throughout the trial. In exceptional cases, where the participation of a legal representative in court may harm the interests of the juvenile defendant, the court may limit the legal representative's participation in a specific part of the hearing or to remove him from the proceedings and instead allow another legal representative of the juvenile defendant.

143. Criminal Procedure Code article 442 provides for the participation of representatives of the children's affairs office and police in court proceedings. The court communicates the time and place of the hearing to these units and may summons their representatives to the proceedings. At the hearing, the representative of the children's affairs office may file a petition; question the defendant, his or her legal representatives, the victims, the witnesses and the experts and specialists; and express an opinion on the most appropriate form of rehabilitation of the defendant. In 2004, the Supreme Court established a juvenile justice reform working group, with representatives of the Supreme Court, the Ministries of Health, of Education and Science, of Labour and Social Policy, of Justice, and for the Family, Youth and Sport, and public organizations; and has prepared a blueprint for establishing and developing the juvenile justice system. However, the country does not yet have a comprehensive juvenile justice system. Some of its components are being created progressively. Full functioning juvenile justice requires a thorough reform of the law enforcement and judicial systems. The National Action Plan for the Implementation of the Convention on the Rights of the Child, which has been drawn up, contains the following tasks for establishing a juvenile justice system:

- Development of a legal and regulatory basis for the system;
- Implementation of an institutional support system for juvenile justice through the introduction of a juvenile justice procedure by 2016;
- Provision by 2016 of training for juvenile justice system specialists;
- Provision by 2016, for every child having committed or suspected of committing a crime, of access to lawyers, social workers or other professionals during pre-trial investigation and the hearing of cases, in which one party is a child;
- Strengthening of the role of the community in delinquency prevention, rehabilitation and social reintegration of minors sentenced to deprivation of liberty, having incurred other penalties, or released without punishment.

2. Justice in respect of children deprived of their liberty, including through any form of arrest, detention or imprisonment (article 37, paragraphs (b)-(d))

144. Under Criminal Procedure Code article 434, detention or arrest as a repression measure may be applied to a minor only in exceptional cases, when warranted by the seriousness of the offences with which he or she is charged. The minor's parents or persons in loco parentis must be informed of such detention or arrest. Over and above repression measures (pledge not to leave; guarantee by an individual, public organization or labour group, bail or detention), minors accused of an offence may be placed under the supervision of their parents, foster parents or guardians; while minors brought up in an institution for children may be placed under the supervision of the institution's administration (Criminal Procedure Code article 436 (1)). A defence counsel must participate in the inquiry, pre-trial investigation and first-instance criminal hearing of individuals under 18 suspected or accused of a crime. According to the Ministry of Internal

Affairs, the number of crimes committed by minors has been on the decrease. In 2006, in particular, it declined by almost 25 per cent (see table 18).

Table 18

Number of crimes committed by minors

(Source: Ministry of Internal Affairs)

	<i>Number of offences</i>	<i>Change compared to the previous year</i>
2002	32 335	-10.7
2003	33 493	3.6
2004	30 709	-8.3
2005	26 147	-14.9
2006	19 639	-24.9

In 2006, the following types of crimes were committed by minors: 177 premeditated murders, 246 instances of serious physical injury, 105 rapes, 3,603 robberies, 850 armed robberies; and 1,058 instances of hooliganism. The commission of crimes by minors is largely favoured by such factors as lack of supervision by parents, family problems, parents' unemployment, alcohol and drug abuse and disrespect for the law.

3. Juvenile justice, particularly the prohibition of capital punishment and life imprisonment (article 37, paragraph a)

145. The special characteristics of criminal liability and punishment in the case of minors are laid out in section XV of the Criminal Code, under which a minor, as a first-time perpetrator of a minor offence, may be released from criminal liability, if his or her reform is possible without use of punishment (article 97). In such cases, the court imposes on the minor coercive measures of an educational character, such as a warning, restriction of leisure, special requirements regarding the minor's behaviour, placement under supervision by the parents, persons in loco parentis, teachers' or labour collective with its consent or other persons at their request; in the case of minor 15 years of age or older who has property, funds or earnings, compensation for damage caused to property; and placement for reform in a special educational facility for minors for a period exceeding three years. The court may also appoint a tutor for the minor (Criminal Code article 105 (2)). In the case of minors convicted of an offence, the court may impose such basic types of punishment as a fine, community service, correctional work, detention or deprivation of liberty for a specified period. Minors may be condemned to additional penalties in the form of a fine or disqualification from certain positions or activities (Criminal Code article 98). An under age first-time perpetrator of a minor offence may not be deprived of liberty. Deprivation of liberty may be imposed on a minor for the following periods:

- For repeated commission of a minor offence: Not more than two years;
- For an offence of intermediate gravity: Not more than four years;
- For a serious crime: Not more than seven years;
- For a particularly serious crime: Not more than 10 years;
- For a particularly serious crime combined with premeditated murder: Not more than 15 years.

In sentencing a minor for a series of crimes, the definitive penalty in the form of deprivation of freedom may not exceed 15 years; and the court must take into consideration the child's living conditions and upbringing, the influence of adults, the level of development and other characteristics of the child. By court decision, juvenile offenders aged 11-14 are brought up and study in general education schools for social rehabilitation. Currently, 11 such schools, administered by the Ministry of Education and Science and attended by 270 minors operate in the country. Moreover, the court may send offenders aged 14 to 18 to vocational schools for social rehabilitation. The country's three such schools (two for boys and one for girls) are attended by 240 trainees. Minors sentenced to deprivation of liberty serve their sentence in special correctional institutions. In the period 2002-2006, the number of correctional facilities for minors remained unchanged at 11 (10 for boys, one for the girls). The number of criminal cases concerning crimes committed by minors was 169 in 2002, 415 in 2005 and 376 in 2006. In 2002 and 2006, under age convicts accounted for, respectively, 10.4 per cent and 8.7 per cent of the total number of those convicted for identical crimes.

4. Physical and mental rehabilitation and social reintegration (article 39)

146. The staff of correctional facilities for minors, particularly the socio-psychological units of such institutions, do significant work for the psychological rehabilitation of under age offenders with a view to their eventual reintegration into society. Although appropriate regulations and programmes have been developed, the number of psychologists and trainers in the facilities is largely insufficient for such work. by Specialists from social centres for families, children and young persons provide social support to, inter alia, minors serving sentences in correctional facilities, social rehabilitation schools or pre-trial detention centres or released from such establishments and needing social assistance; at the counselling desks of police inspectorates for minors having incurred a penalty other than deprivation of liberty; and among children serving alternative sentences and turning to the above centres for support. These services are mainly aimed at helping the persons concerned to adapt to isolation from society and preparing them for release or subsequent social reintegration. As a rule, they resolve psychological problems of a personal or interpersonal nature, restore lost socially useful links, particularly with the family, and problems related to health, various forms of dependency, HIV/AIDS, employment (job placement and training), housing, everyday life and various other socio-economic issues. Of the 3,873 instances of individual services provided to inmates of correctional facilities in 2006, 802 were related to interpersonal problems, 473 to employment issues and 342 to personal problems. Services provided in defence of the humanization of sentences within correctional facilities by the above specialists include the organization of competitions, of the involvement of other professionals and volunteers in relevant social work, and of counselling by telephone and correspondence; provision of material and humanitarian assistance; and the raising of awareness among the staff.

147. Starting by solving problems that become particularly acute after release, the above specialists have helped to prepare the minors concerned for life after detention and for social reintegration. Of the 639 persons (accounting for 50 per cent of minors leaving detention establishments) released from correctional facilities under the supervision of such specialists in 2006, 318 persons (or 50 per cent) were removed from such supervision with positive results. Instances of individual services provided in 2006 to minors under social supervision totalled 5,013, or 8 services per person (compared to 9 in 2005 and 2.5 in 2004). The services provided were broken down by problem area as follows: employment 978, socio-economic issues 857, interpersonal relations 646 and family issues 670, accounting for, respectively, 19, 17 and 13 per cent of the total. In general, experts at centres of social services for families, children and young persons have considerable experience in this area. For the most part, the preparation of the minors for release begins much earlier (inter alia, through the inspection of families, consideration of the possibility that they may take charge of the person released, preliminary decisions about housing and

daily life problems, and re-establishment of documents) and is results-oriented, the outcome being a basic criterion of the quality of the social services provided. In 2006, 4,000 minors having received a penalty without deprivation of liberty were attended by the centres in question, the specialists of 103 of which, located in seven regions, worked directly with minors in 87 police counselling units, currently are extremely important in preventing recidivism. In 2006, centre specialists in the Autonomous Republic of Crimea and in the provinces of Kharkov, Kiev, Kirovograd, Ternopil and Vinnytsia participated, on 71 occasions, in reconciliation programmes, widely used in Europe and including pre-trial support for minors and activities designed to raise their awareness of the harmful effects of crime.

148. Social support is extended to more than 700 families raising children having incurred penalties of various types. The main aspects of such work have been the resumption of lost socially constructive relations and the prevention of further offences by the minors. Figure 20 shows the results of the work of the specialists in question regarding minors released from correctional facilities.

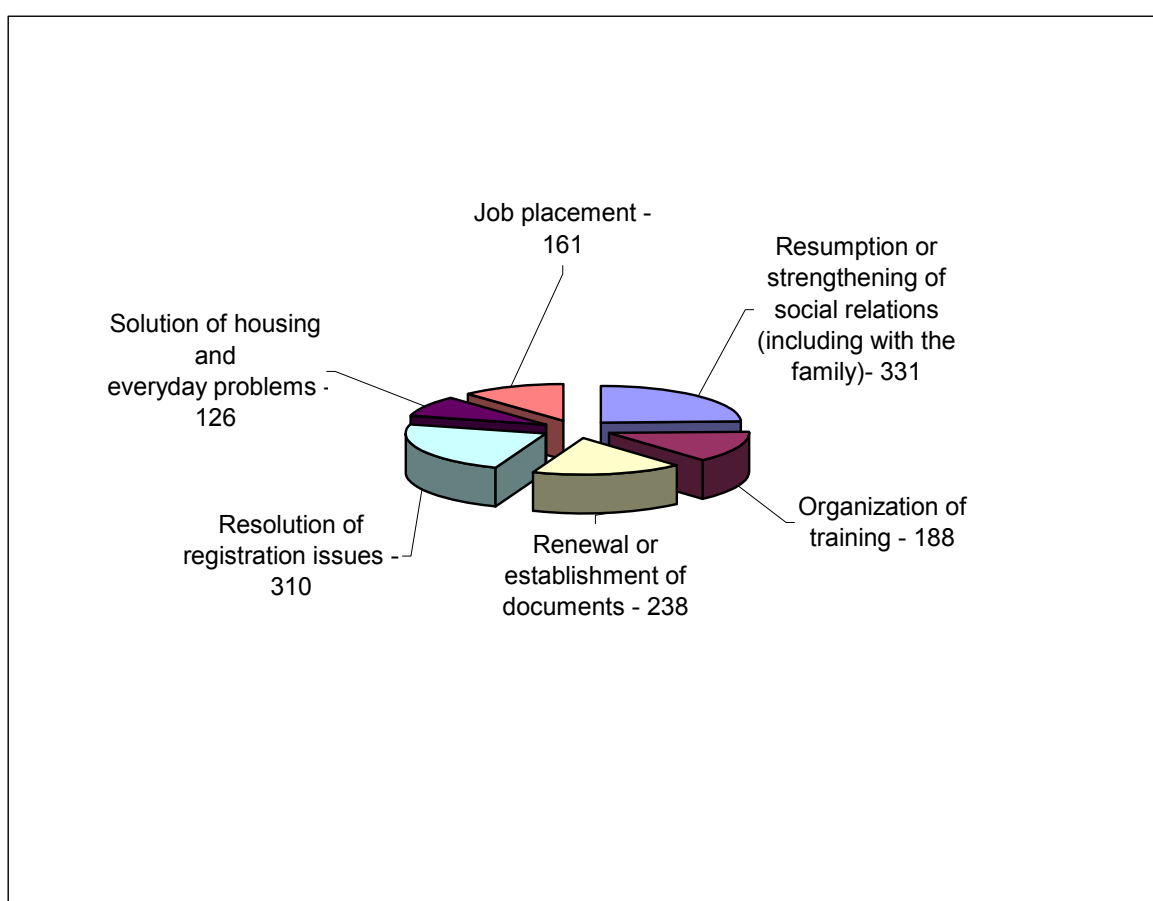


Figure 20. Provision of social services to minors released from correctional facilities, 2006

C. Protection of children under exploitation, including physical and mental rehabilitation and social reintegration (article 39)

1. Protection against economic exploitation, including child labour (article 32)

149. The number of children in the labour market in Ukraine is insignificant, mainly because general secondary education is compulsory. The minimum age for employment as defined by the Labour Code is 16 years, and the employment of 15-year-olds is allowed as an exception with the consent of either parent or person in loco parentis. An analysis of the results of the household living conditions ongoing sample survey conducted by the Government Committee on Statistics shows that, in 2006, of the children aged 15-17, who accounted for 4.8 per cent of the total population, only 0.2 per cent engaged in any work, 89.3 per cent were pupils, 8.5 per cent were students and 0.1 per cent employed. The law prohibits the recruitment of children for the worst forms of child labour, and their participation in arduous tasks, work under hazardous or harmful conditions, underground labour and employment beyond the normal legally reduced working hours. The worst forms of child labour prohibited by law are the following:

- All forms of slavery or practices related to slavery, such as the sale of and trafficking in children, debt bondage, forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflicts;
- Use, recruitment or offer of a child for prostitution, production of pornographic material or pornographic performances;
- Use, recruitment or offer of a child for illicit activities;
- Work which, by its nature or the circumstances in which it is carried out, may harm the physical or mental health of children.

The country's labour law provides for adequately strict rules regarding the employment of minors. In particular, the employment of persons aged 15-18 is clearly regulated; while the employment of children under 15 and of minors without formal labour relations, as often happens in practice, are completely illegal.

150. The mechanism created in the country in order to ensure compliance with the law on the worst forms of child labour includes:

- Monitoring of the conditions in which children are raised in their family, conducted by the agencies for children's affairs;
- Government control and supervision of respect for the labour rights of children, conducted by the agencies for children's affairs, local labour inspectorates, and labour safety inspectors;
- Monitoring of compliance with health and hygiene standards and of the timely notification of medical staff with regard to and child abuse and violence against children, conducted by health establishments and sanitation and epidemiology units;
- Social inspection and support in respect of families at risk, conducted by social centres for families, children and young persons;
- Monitoring of compliance with the law, including with regard to occupational safety, conducted by the public procurators.

The mechanisms for monitoring child labour include school inspections, monitoring and spot checks by children's affairs offices, social centres for families, children and young persons, education departments, and juvenile affairs police units.

151. A framework for preventing and eradicating the worst forms of child labour (No. 364-R of 16 June 2003) was adopted in 2003 in order to ensure the implementation of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. Every year since then, an action plan for such implementation is drawn up and approved. Under that plan, the children's affairs offices, in cooperation with the labour inspectorates, conduct comprehensive verifications of compliance with child labour law.

As at 1 January 2007, 736 enterprises had been tested, including 175 State, 247 collective and 314 private units. Of the 1,582 minors working in the enterprises audited, 133 were aged 15, 187 were aged 15-16, and 1,249 were aged 16-18. Violations of labour law regarding minors were detected in 427 enterprises, accounting for 58 per cent of the units inspected. Such violations involved:

- Failure to maintain a specific register of workers under 18;
- Failure to hold medical examinations preliminary to hiring (regarding 473 persons, accounting for 29.9 per cent of the total number of minors working in the enterprises audited);
- Employment of minors under difficult and hazardous conditions (regarding 32 persons, accounting for 2 per cent of the total number of minors working in the enterprises audited);
- Violation of legislation on working hours for minors (regarding 204 persons, accounting for 12.9 per cent of the total number of minors working in the enterprises audited);
- Involvement of workers under 18 in night, overtime or holiday work;
- Violation requirements regarding the remuneration of workers under 18 for reduced working hours;
- Violation of the work book maintenance procedure (regarding 20.9 per cent of the total number of working minors);
- Infringements of the Leave Act;
- Delays in paying wages to under age workers.

Managers and other officials of the enterprises found to be in violation of labour laws were served 459 orders for the elimination of such violations. As a result of the checks, 292 reports on administrative liability incurred by enterprise managers were drawn up and transmitted to the courts; while 36 enterprise managers incurred administrative liability for non-compliance with the legal requirements of labour inspectors.

152. The problem of the work of marginalized groups of children who loiter, beg or become involved in criminal activities is a separate issue requiring attention. According to the staff of shelters for minors, the most common income sources of the children attended is begging, theft, car washing, reselling, scrap metal collection and sale, and prostitution. Children in this category are involved in activities related to the worst forms of child labour, namely use of children in prostitution, pornography, forced labour and criminal activities. Involving older children in begging and forcing them to engage in begging or prostitution on their own constitutes child labour comparable to slave labour or trafficking in children. The activities of street children indicate that they can earn money only in areas beyond Government control, which are linked to the worst forms of child labour. The Government must take measures for the full elimination of such types of child employment, which represent a real danger to the health, development and life of the most disadvantaged children. The exploitation of children under the legal employment age through the use of

their labour for profit has criminal characteristics. In 2006, the Ministry of Internal Affairs registered 15 cases of crimes under Criminal Code article 150 on the “Exploitation of children” (compared to 29 in 2005, 9 in 2004 and 7 in 2003). Pilot projects aimed at preventing the worst forms of child labour are currently carried out. The Ukraine ILO-IPEC programme is carried out as part of technical cooperation with ILO on the basis of a memorandum of understanding between ILO and Ukraine.

153. A project entitled “Rehabilitation of street children engaged in the worst forms of labour and children having experienced sexual exploitation” has been carried out in the Kiev province. The Children’s Affairs Service of the Kiev Province State Administration, in cooperation with the Women’s Consortium of Ukraine, trains professionals who work with children at risk of being involved in the worst forms of child labour. They organized a series of training workshops for psychologists and social workers of schools and residential schools, for instance a seminar on the “Eradication of the worst forms of child labour”. The Children’s Affairs Service of the Donetsk Province Administration, in cooperation with the NGO “Donetsk Youth Discussion Centre”, carries out the international project “Eradicating street child labour in the Donetsk region”. Under that project, the Children’s Affairs Service identified 350 children working without formal employment relations, reviewed their living conditions and worked to eliminate the causes that prevented those children from attending school. Considerable attention is paid to clarifying the rights and legitimate interests of minors. The staff of the Children’s Affairs Service and children’s affairs police units give lectures in enterprises and organizations regarding the existing legislation, and information is provided through the media, radio and television on basic legislation regarding minors’ labour, together with advice on the resolution of debatable issues. The implementation of measures to prevent and eradicate the worst forms of child labour is highlighted in thematic sections introduced in provincial and city publications. In the Kherson province, training guidelines, manuals and other material for teachers and social workers in preventing and eradicating the worst forms of child labour have been developed as part of the project “Rehabilitation and reintegration of children having experienced sexual exploitation”. In 2005, individual thematic meetings were held in order to provide appropriate recommendations for pupils and students, including children involved in the worst forms of labour; and 4,805 pupils or students participated in that activity. Training is provided in order to raise the qualifications of the staff of children’s services, social workers and labour inspectors in relation to compliance with on child labour legislation. Issues surrounding the exclusion of children from the worst forms of work are frequently presented on provincial television programmes and in newspapers. A handbook entitled *Psychological and Educational Rehabilitation of Children Removed from the Sex Trade* has been published. In 2006, the Ministry for the Family, Youth and Sport, in cooperation with the Ukraine ILO-IPEC programme, expanded the project “Monitoring the use of child labour” to the Kherson and Donetsk provinces. As a result of that project, 211 minors were removed from the worst forms of labour and received social and medical support.

2. Drug abuse (article 33)

154. The problem of drug abuse among minors is complex, although statistics indicate only a slight prevalence of drug abuse among children and juveniles (see annex II, table 31). Medical care for children who use drugs or other psychoactive substances is provided in specialized institutions of the health system, namely drug clinics and hospitals. A major problem is that Ukraine still has no full-fledged network of rehabilitation centres for minors who use drugs. Independent centres for medical and social rehabilitation of children and adolescents exist in only five provinces, while five more provinces have such units as part of drug treatment clinics. Currently, work in this area focuses on medical aspects, and practically no methods have been prepared for the social reintegration of under age drug addicts.

3. Protection from sexual exploitation and sexual abuse (article 34)

155. Work to improve legislation to combat sexual exploitation and sexual abuse continues. For instance, the Criminal Code was amended in 2006 in order to increase liability for human trafficking and involvement in prostitution. Pimping or involvement of a person in prostitution is defined as an act incurring criminal punishment. The perpetrator of that crime is a person who involves another person in prostitution or forced that person into prostitution by means of deceit, blackmail, exploitation of his or her vulnerable situation or use or threat of violence; or who practices pimping. The victim's adolescence or young age is an aggravating circumstance. The crime thus defined is punishable by imprisonment for 3-5 years, 5-10 with or without confiscation of property if committed against a minor, and 8-15 years with or without confiscation of property if committed against a child (Criminal Code article 303 (3) and (4)). The penalties incurred under Criminal Code article 303 for the commission of the crime in question against a minor or a child apply regardless of whether the crime was perpetrated through the above means or through abuse of official position or the victim's material or other dependence on the offender. The Public Morals Protection Act, adopted in 2003, prohibits the involvement of juveniles in activities related to the manufacture, sale or distribution of material, or the provision of services or the organization and holding of events, of a sexual, erotic or pornographic nature; the provision or organization of such services or events among minors; the use of images of minors in any form and material of a sexual or erotic nature; and the involvement of minors in any related activities.

156. Ukrainian law does not contain specific provisions defining child prostitution but the Government recognizes the involvement of minors in prostitution as an aggravating circumstance that warrants more severe punishment. Punishment for abuse, pimping and enticing minors into prostitution is imprisonment for 5-10 years if the victim is under 18 and 8-15 years if the victim is under 14. Although the law does not specify whether a child involved in prostitution is the offender or the victim, law enforcement agencies and courts clearly tend to view children exploited in prostitution as victims. In the period 2002-2006, children's affairs police units and other services and divisions of the Ministry of Internal Affairs intensified efforts to combat the sexual exploitation of children. One of the goals of combating crimes related to sexual exploitation is the identification and disclosure of groups and individuals engaged in producing and distributing pornographic material through the Internet, including such material involving children. In 2006, the Ministry of Internal Affairs identified 571 acts falling under Criminal Code article 301 on the import, manufacture, sale and distribution of pornographic material (compared to 235 cases in 2003, 281 in 2004 and 366 in 2005). The annual number of reported acts characterized as criminal under the Criminal Code articles related to the sexual exploitation of children is on the increase (see table 19).

Table 19

Breakdown of the number of recorded criminal cases by Criminal Code article

<i>Articles of the Criminal Code</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>
Sexual relations with a person who has not reached sexual maturity (article 155)	52	71	48	61	68
Corruption of minors (article 156)	231	304	272	284	282
Import, manufacture or distribution of works that promote a culture of violence and cruelty (article 300)	6	10	47	17	33

<i>Articles of the Criminal Code</i>	2002	2003	2004	2005	2006
Import, manufacture, sale and distribution of pornographic material (article 301)	157	235	281	366	571
Pimping or individuals involved in prostitution (article 303)	166	230	189	290	221
The involvement of minors in criminal activities (article 304)	4 421	4 145	3 497	2 880	2 281

The above statistics include the following crimes committed against children:

<i>Articles of the Criminal Code</i>	2002	2003	2004	2005	2006
Import, manufacture, sale and distribution of pornographic material (article 301)	3	3	6	7	6
Pimping or individuals involved in prostitution (article 303)	3	21	8	12	13

157. In 2005, in order to combat the use of children in the production and dissemination of pornographic material and in the provision of sexual services, the police carried out 2,000 operations and verified the legality of almost 600 photo and video studios, 270 model agencies, 2,500 night clubs, 300 massage parlours, 420 hotels and camping sites and more than 1,100 computer clubs and Internet cafés. As a result of those operations, criminal proceedings were initiated in more than 100 cases, most of which concerned the import, manufacture and distribution of pornographic material. The activities of tourist firms are inspected in order to identify children used in the pornography business and in prostitution or smuggled abroad. In 2005, more than 150 offices for job placement abroad and media publishing units, particularly with regard to their dating and service activities, were checked. In 2006, the activities of organizations operating as intermediaries for employment abroad and tourist activities in the city of Kiev were verified. As a result, administrative charges were brought against managers of 15 firms were, 9 licenses were revoked and 12 orders to eliminate deficiencies were issued. In the light of investigations into cases involving minors in prostitution and pornography, the Ministry of Internal Affairs provides for the following measures:

- The causes and conditions of the involvement of children in sexual services, prostitution and pornography are identified. If during a criminal investigation, parents are found guilty of allowing their child to be a victim of a crime or of negligence by not taking the necessary steps, the children are separated from their parents and sent to a social rehabilitation centre, and administrative or criminal charges are brought against the parents.
- In cases where the offence involved the management of tourist firms, photo studios or model agencies, the Ministry of Labour and Social Policy is requested to cancel the license for the activity in question.
- In the course of an investigation, checks are conducted regarding possible involvement of the suspects in the commission of similar crimes.

- Because the victims of the sex industry are often children who have no parents or whose parents are deprived of parental rights, in December 2006 the Ministry of Internal Affairs began inspecting all residential schools in order to establish the reasons that bring young persons into prostitution or into involvement with pornographic material. A database, Atlas-2000, was created on individuals investigated by the Ministry of Internal Affairs, including for prostitution and vagrancy.

No statistics are currently available on the gender, age or location of children who are victims of sexual exploitation and human trafficking. The Ministry of Internal Affairs plans to create a database of such children.

158. It should be noted that Ukraine does not have enough shelters for the rehabilitation of children who are victims of trafficking and commercial sexual exploitation. The existing ones have been set up and operate with the support of international organizations. Child victims of human trafficking and sexual exploitation may obtain social and psychological services at the Medical Rehabilitation Centre of the local International Organization for Migration (IOM) office in Kiev and at seven regional reintegration centres for human trafficking victims, which have been established by community-based organizations in partnership with IOM. The IOM Medical Rehabilitation Centre, opened in 2002, has provided confidential comprehensive medical and psychological assistance to more than 1,000 human trafficking victims. IOM reintegration support includes medical, legal and psychological assistance, safe return home, vocational training and small enterprise development. The social rehabilitation centres are organized for children separated from their parents in Ukraine and children from such other countries as the Russian Federation, Turkey, Poland, the Czech Republic, the United Arab Emirates and Moldova. A course on business development, assistance in developing a business plan and the opportunity to apply for a micro-credit to start a business are examples of activities that help victims to find employment and support their families. In 2006, 119 victims received appropriate training, which resulted in the creation of 42 small businesses. In general, the IOM local office in Ukraine and its partner community-based organizations have helped nearly 3,000 persons, namely 42 in 2000, 626 in 2004, 828 in 2005 and 160 in 2006.

159. Support for children who are victims of violence and sexual exploitation is also provided by rehabilitation centres operated by the Ministry for the Family, Youth and Sport. At the end of 2006, social and psychological rehabilitation for children was provided by 28 centres, and socio-psychological support by 22. In Odessa, the public association "Faith, Hope, Love" opened in February 2008 the first rehabilitation centre for child victims of sexual exploitation. The centre's is scheduled to carry out three months of work with children induced into prostitution and pornography. Combating child trafficking, child prostitution and child pornography is complicated by imperfections in Ukrainian legislation and the absence of a juvenile justice system in the country. The poverty of Ukrainian families and the under-staffing of children's affairs offices and minors' affairs police units have an overall negative impact.

4. Protection against other forms of exploitation (article 36)

160. Violations in the process for adopting Ukrainian children by foreigners are monitored by the Security Service. Thus, in 2005 criminal proceedings were initiated in three cases opened by the Security Service under article 169 of the Criminal Code (on unlawful acts in relation to adoption). The State Border Service actively participates in preventing offences involving the illegal export of children. During 2005, border guards checked 1,694 children, adopted by foreign nationals, upon exit from Ukraine (compared to 1,750 children in 2004). More than 40 attempts by foreigners to leave the country with adopted Ukrainian children in violation of the required documentation procedures were

foiled. The Act on Ukraine's accession to the Convention on the Civil Aspects of International Child Abduction of 1980 was adopted on 11 January 2006. The treaty aims to ensure the prompt return of children wrongfully removed or retained in countries that signed that treaty. That Convention defines the rights to guardianship and access to children, which are established under the legislation of one country and exercised in other countries having signed the treaty.

5. Sale, trafficking and abduction (article 35)

161. The legal basis for combating trafficking in children is provided in article 149 of the Criminal Code. However, Ukrainian legislation does not contain a separate provision concerning the crime of human trafficking in direct relation to children. However, the commission of that crime against a child is considered an aggravating circumstance. Human trafficking carries imprisonment for 5-12 years if the victim is aged 14-18, and for 8-15 years if the victim is under 14. The central and local units of Government administration carry out a series of organizational and practical measures in order to promote the combat against human trafficking. The improvement of the organizational structure of law enforcement agencies continues. In addition to the Department against crimes related to human trafficking (created in 2005), a unit was set up in 2007 within the General Directorate of Investigation of the Ministry of Internal Affairs in order to investigate crimes related to human trafficking for prostitution and pornography. In recent years, the work of identifying and punishing criminals involving minors in commercial sexual exploitation for trafficking in children has been actively pursued. In 2006, law enforcement agencies reported 376 criminal cases under article 149 (on human trafficking or other illegal deals involving human beings), compared to 415 cases in 2005, 269 cases in 2004 and 289 cases in 2003. In 2006, 47 criminal cases concerning human trafficking whose victims were children were recorded (compared to 42 in 2005, 16 in 2004 and 31 in 2003). The Ministry of Internal Affairs has effectively organized cooperation with the Security Service and the State Border Service in identifying and eliminating international trafficking channels. The Ministry of Labour and Social Policy closely cooperates with the Ministry of Foreign Affairs in monitoring labour migration. The Ministry of Internal Affairs places emphasis on the identification of organized criminal groups, whose members are engaged in trafficking in "live commodities". In 2005, 1,923 such organized criminal groups were broken up, including 9 of a transnational character.

162. Monitoring and preventing the illicit transfer of Ukrainian children abroad is carried out by the State Border Service. One of the risk factors in the area of trafficking in children consists in travel abroad for study and health improvement purposes. The State Border Service monitors compliance with the rules of child documentation by the organizations providing care for children. In 2006, the staff of the service prevented the illegal export of:

- Over 3,000 minors from Ukraine by foreigners without the consent of their parents;
- 13 children from Ukraine for tourism, treatment or rehabilitation as part of organized groups.

Given that a significant proportion of children victims of human trafficking are mainly exported to neighbouring countries (Russian Federation and Moldova), the Government is working on changing the rules for registering the departure of children abroad and on developing a special identification document with a photograph, certifying a child's citizenship.

D. Protection for children belonging to a minority or an indigenous group (article 30)

163. Under Ukrainian law, particularly the Declaration on the Rights of Ethnic Groups and the Acts on Ethnic Minorities, on Refugees, on Ukrainian Citizenship and on Local Government, the members of all ethnic groups living in Ukraine are guaranteed equal political, economic, social and cultural rights. The implementation of the Government policy on support for ethnic minorities has entailed significant breakthroughs. In order to adequately protect against racial discrimination and incitement to racial hatred several draft Acts on national minorities have been drawn up. On 27 March 2006, Ukraine ratified Protocol No. 12 to the Convention on the Protection of Human Rights and Fundamental Freedoms (the European Convention on Human Rights), which entered into force on 1 July 2006. On 21 December 2006, Ukraine also ratified the European Convention on Nationality, which entered into force on 1 April 2007. The International Centre for Tolerance, established in Kiev with the participation of the Government and Jewish public organizations, conducts every year research on any form of racial discrimination within the Ukrainian population. An effective way of promoting tolerance among young members of various ethnic groups has consisted in the annual summer children's and youth camps "Sources of Tolerance", and in the establishment of regional tolerance clubs. The 2001 census, which allowed outlining the country's ethnic composition, revealed the existence of 130 ethnic groups, mainly Russians (8,334,100 persons), Crimean Tatars (358,600), Belarusians (275,800), Moldovans (258,600), Bulgarians (204,600), Hungarians (156,600), Romanians (151,000), Poles (144,100), Jews (103,600) and Armenians (99,900). However, no measures are taken at Government level to identify and solve problems faced by ethnic minorities. There is no established system for collecting data on their situation regarding education, employment, housing and access to social services. Yet such a system is necessary for identifying any direct or indirect racial discrimination problem and formulating respective policies. According to the 2001 census, approximately 47,000 Roma (Gypsies) are living in Ukraine. A "Programme for Government support for the social and intellectual revival of the Roma in Ukraine" was launched in 2002 and completed in 2006. The initiative, whose main objective was to reinvigorate the cultural, spiritual and educational activities of the Roma, was adopted for implementation in eight regions where the Roma mainly reside and was funded by agencies that deal with the problems faced by the Roma and by the Government Committee for Ethnic and Religious Affairs.

164. As part of the above programme, special kindergarten and elementary school classes were provided for Roma children, who lag behind at the educational level, in order to help them to reach the level of training of other children. The issues related to the educational needs of Roma were comprehensively addressed in the programme. The main targets of the work undertaken was to maximize the enrolment of Roma children in general education schools and to deal with such negative phenomena as homelessness, vagrancy and crime. The registration of school-age children and adolescents, including Roma ones, by the education authorities is obligatory. However, this work is complicated by the lack of a permanent place of residence of various persons of Roma origin. Children from these families receive financial assistance from the general education fund, which provides pupils or students with textbooks, free warm meals and clothing. During the summer holidays, Roma children participate in pre-school, sports and health-improvement camps. In connection with the updating of the structure of general education establishments, the teaching programme and the 12-year period of study, a teaching programme on the Roma language and literature for general education institutions teaching in Ukrainian was developed for the first time in Ukraine on the basis of competitive bidding. Work on the creation of textbooks in the Roma language and literature for grades 1-4 and 5-6 is

continuing. However, issues related to education of the Roma population remain difficult. To some extent, the Roma do not have a clear position on children's learning. The social and family living conditions, early marriage, demographics, seasonal migration of parents and unemployment significantly affect the availability of general secondary education for the children concerned.

165. In order to develop and explore the cultural diversity of ethnic minorities in Ukraine, their traditions, customs and rites, the Cabinet adopted on 22 May 2007 Comprehensive Measures for the implementation of Government policy on inter-ethnic relations and development of the cultures of ethnic minorities up to 2010, which provide a range of activities aimed at the intellectual revival of the Roma in Ukraine in the period 2007-2010. The Government is considering the issue of Ukraine's adherence to the Decade of Roma Integration (2005-2015), which requires the Governments of several countries in Central and South-East Europe to improve the socio-economic status of the Roma and their social integration into the overall system. The programme in question focuses on education, employment, health and housing and commits the Governments accepting it to deal with the problems of poverty, discrimination and gender balance. In order to address the socio-economic problems of deportees, the Government has adopted a Programme for the resettlement of and infrastructure development for Crimean Tatars and other ethnic groups having returned to live in Ukraine and for their adaptation and integration into Ukrainian society by 2010. The State budget contains a separate line of allocations for the resettlement of deportees. Under the 2007 Budget Act, UAH 71.4 million are earmarked for on activities related to the return and settlement of persons deported on ethnic grounds, including UAH 67 million for capital construction and UAH 4.4 million for social and cultural measures.

E. Protection of children who live or work in the street

166. There are still children in Ukraine who live on the street, homeless children. The focal point for ensuring the rights of homeless and neglected children at the national level is the Ministry for the Family, Youth and Sport, and its subordinate children's affairs services, social centres for families, children and young persons, and units or divisions for family and youth affairs. Children who wander and beg, have a leaning towards crime, are released from prison or are brought up in dysfunctional families are registered proactively in order to analyze the causes of child neglect and have timely preventive measures taken by the children's affairs units. Almost 125,000 children and 60,000 vulnerable families are registered with such units. As already noted, the process of creating electronic databases of families and children at risk began in 2006. In order to prevent child neglect and juvenile delinquency and crime, and provide necessary assistance to children at risk, children's affairs offices, in cooperation with police units for children and education authorities, conduct such operations as "Street Children", "Adolescent" and "Railroad Station" inspections conducted by education departments (see table 20).

Table 20
Preventive operations and identification of children who loiter and beg

(Source: Ministry for the Family, Youth and Sport)

	<i>Preventive operations</i>	<i>Children identified</i>	<i>Of whom: Children engaged in vagrancy and begging</i>
2003	29 898	53 358	19 528
2004	31 000	50 488	13 762
2005	29 714	42 013	11 249
2006	30 381	37 797	938

Of the nearly 38,000 minors identified during 2006 operations (compared to 42,000 minors in 2005), 15.6 per cent were pre-school age children, 75.9 per cent were school and technical and vocational school pupils, 7.7 per cent did not study or work, and 0.8 per cent were working. The number of minors using drugs who were identified through the operations decreased by 25 per cent in comparison to 2005. During the operations, special attention was paid to the identification and prosecution of adults involving children in illegal activities, forced begging or prostitution. In 2006, children's affairs offices inspected 51,815 dysfunctional families (compared to 52,143 families in 2005). The children found during the operations are returned to their families or placed in shelters or socio-psychological rehabilitation centres. In order to provide children at risk with social protection and temporary placement, and to determine their status and future place of residence, the Ministry for the Family, Youth and Sport and its services, beginning in 1997, have created a network of shelters for minors and socio-psychological rehabilitation centres for children. At the beginning of 2007, 95 shelters for children and 28 socio-psychological rehabilitation centres for children were operating, with a view to ensuring the temporary placement and socio-psychological rehabilitation of children having experienced living in the street.

167. The number of children in shelters decreased by 10 per cent between 2004 and 2005, 10 per cent between 2005 and 2006, and 19 per cent compared between 2006 and 2004 (see table 21).

Table 21
Number of shelters for children

(Source: Ministry for the Family, Youth and Sport)

	2002	2003	2004	2005	2006
Number of shelters at the end of the year	91	94	93	96	95
Designed capacity of shelters (in units)	3 915	3 905	4 046	4 090	4 075
Annual number of children attended in shelters	30 007	28 432	26 194	23 674	21 221

Statistics show that, during 2006, more than 21,000 children received comprehensive social, educational, medical and legal assistance in shelters for children and more than 15,000 children received assistance in social and psychological rehabilitation centres for

children (see annex II, tables 32 and 33). Of the children staying in shelters for minors in 2006, 11,700 (53 per cent) had been removed from vagrancy, begging and neglect, 5,000 (23.6 per cent) from their families because of danger to their lives and health, and 263 (1.2 per cent) from violent treatment, while 1,800 (8.5 per cent) had themselves requested help. Of the 224 children from neighbouring countries who received temporary asylum in Ukraine, 134 stayed in shelters for minors in the Odessa province.

168. The management of shelters and minors' affairs units seeks to ensure appropriate placement for the children going to them. Of those children, 52 per cent were returned to the family of parents, guardians or trustees (a proportion unchanged for the last two years), 15.6 per cent (or 2,520 children) returned to general education schools (compared to 15.3 per cent in 2005) and 21 per cent (3,456 children, 2 per cent less than in 2005) were placed in children's homes and general education schools for orphans and children without parental care. Between 2005 and 2006, of the children received in shelters, the number of those placed in foster families or children's homes increased by 17 per cent (415 children) and the number of those placed in foster families or family-type children's homes increased by 351 per cent (237 children). In 2006, shelters for minors received funding in the amount of UAH 68.2 million. Children's affairs offices and shelters attracted additional financing, not prohibited by the law, in the amount of US\$2.7 million. To raise the level of professional training, seminars are systematically held for the staff of children's affairs offices and trainers of children's shelters and socio-psychological rehabilitation centres on the prevention of child abandonment and neglect, the rehabilitation of children and the functioning of children's homes and foster families. For the prevention of early social orphanhood, training sessions are held for directors and teachers of the centres for social and psychological assistance and social workers providing services to families at risk. International organizations carry out projects for preventing child neglect. In the period 2002-2003, the Tacis LIEN programme for street children and vulnerable children and adolescents was implemented with financial support from the European Union in the seven provinces of Ivano-Frankivsk, Kharkov, Kiev, Luhansk, Rivne, Ternopil and Zhytomyr. Such NGOs as the International Union (Germany) and the League of Social Workers of Ukraine participated in the project as partners. The creation of specialized counselling centres and centres for the temporary accommodation of children particularly at risk in order to provide them with facilities for living, learning and self-determination were basic goals of the project.

169. Services for street children are also provided by NGOs and religious organizations. According to a study conducted in 2005-2006 by UNICEF in cooperation with the ICF "AIDS Foundation East-West", children who live and work on the street frequently prefer assistance from such organizations for fear of public institutions and of being returned to residential establishments.² The Government programme for reforming the system of institutions for orphans and children without parental care, adopted by the Cabinet (No. 263 of 11 May 2006), sets out the following key actions that must be introduced into Government policy in order to prevent and solve the problems of child neglect and abandonment:

- Improvement of the legal framework for preventing homelessness among minors, bringing it into line with modern conditions and international norms, and fulfilment of the requirements and principles enshrined in the Convention on the Rights of the Child.

² The report "Children and adolescents living and working in the streets: The hidden face of the HIV epidemic in Ukraine". UNICEF and ICF "AIDS Foundation East-West in Ukraine", Kiev, 2006, 81 pp

- Introduction of new working arrangements for the legal protection of children, namely establishment of commissioners for children's rights, juvenile courts and judicial trainers, and reinforcement of the accountability of parents, social institutions and officials for violations of the rights of children.
- Coordination of the activity of various departments addressing problems related to children, and establishment of mechanisms for cooperation and information exchange among specialists. Analysis of the causes and consequences of neglect, study of the situation on the ground and improvement of statistical, analytical and other data on children who are at risk.
- Organization of work on early prevention of child neglect and delinquency among children and adolescents, and use of preventive measures. Reinforcement of the accountability of parents, persons in loco parentis and officials for compliance with the norms of children's social and legal protection.
- Implementation of urgent measures for removing minors who loiter and beg from public places and transportation facilities (including the subway). Placement and social protection of such children.
- Provision of effective psychological and socio-pedagogical services by social institutions for minors, including shelters for minors, schools and technical and vocational schools for social rehabilitation, and socio-psychological rehabilitation centres.
- Support for new forms of placement of homeless street children with special needs.

IX. Measures taken in accordance with the recommendations made by the Committee on the rights of the child regarding the sale of children, child prostitution and child pornography

170. Ukraine ratified the 2003 Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography and in 2005 submitted the first periodic report on the implementation of that Optional Protocol. Since then, the following measures have been taken in order to combat child prostitution, child pornography and child trafficking in Ukraine:

- Improving the regulatory framework and bringing it into line with international law;
- Establishing a system for preventing the spread of the above phenomena;
- Ensuring the rehabilitation and reintegration of victims;
- Developing cooperation between Government agencies and public organizations in solving the problems in question;
- Promoting international cooperation in combating human trafficking.

In response to the recommendations in paragraph 8 of the Concluding Observations of the Committee (CRC/C/OPSC/UKR/CO/1), formulated on the basis of the review of Ukraine's initial report on the implementation of the above Optional Protocol (CRC/C/OPSC/UKR/1), the Parliament adopted in 2007 the Government programme for combating human trafficking in the period up to 2010, containing the following provisions and sections for the elimination of child prostitution, child pornography and child trafficking:

- Holding of training for Government officials, educators, law enforcement personnel and employees of employment agencies on combating trafficking in children and eradicating the worst forms of child labour;
- Organization of extensive awareness-raising and educational activities for combating human trafficking, and the sexual exploitation and abuse of children;
- Implementation of social and psychological rehabilitation programmes for children affected by human trafficking;
- Improvement of rehabilitation centres for human trafficking victims;
- Improvement of identification of child victims of sexual exploitation and other forms of ill-treatment;
- Establishment of a rehabilitation and reintegration system for children affected by trafficking, sexual exploitation and other forms of abuse.

171. Accordingly, it is unnecessary to adopt a specific plan of action for preventing and combating crimes related to child trafficking, child prostitution and child pornography. The trend, followed in previous years, of aligning domestic legislation with the Optional Protocol and the other international instruments ratified by Ukraine continues. These changes are aimed at reinforcing liability for trafficking in human beings and involving children in prostitution. The recommendation contained, in paragraph 18 of the above Concluding Observations, to amend the Criminal Code have been taken into consideration. In January 2006, amendments were made to articles 149 and 303 of the Criminal Code. However, despite those amendments, Ukrainian legislation still lacks a separate provision on the crime of human trafficking specifically covering children, although the commission of the crime in question against a child constitutes an aggravating circumstance. Trafficking in persons is punishable by imprisonment for 5-12 years if the victim is aged 14-18 and for 8-15 years if the victim is under 14. Ukrainian law also lacks specific provisions defining child prostitution but the Government recognizes the involvement of minors in prostitution as an aggravating circumstance that warrants more severe punishment. Punishment for abuse, pimping and enticing minors into prostitution is imprisonment for 5-10 years if the victim is under 18 and 8-15 years if the victim is under 14. Although the law does not specify whether a child involved in prostitution is the offender or the victim, law enforcement agencies and courts clearly tend to view children exploited in prostitution as victims. Moreover, a draft Act is currently being drawn up with a view to amending Criminal Code article 301, which criminalizes activities associated with the storage, acquisition and use of pornographic material involving children.

172. In response to the recommendation contained in paragraph 20 of the same Concluding Observations, it should be noted that, under Ukrainian legislation, no one may be prosecuted twice for the same offence. This principle applies to, inter alia, cases where a person has been prosecuted and punished or acquitted and released in another country for the given crime. However, filing refined and expanded preliminary charges is not considered as repeated attribution of criminal liability. Regarding the protection of all child victims and witnesses at all stages of the criminal justice process (referred to in paragraph 26 of the Concluding Observations), it should be noted that, under the Security of Persons Participating in Criminal Proceedings Act, the right to security is enjoyed by a person having reported an offence to a law enforcement organ or having in another way participated or contributed to the identification, prevention, cessation and exposure of offences from threats or other illegal acts on their attempts to influence the participants in criminal proceedings; by the victim and his or her representative in the criminal case; by the suspect, the accused, and the defenders and legal representatives; the civil plaintiff, civil defendant and their representatives in the event of damage caused by crime; any witness, expert, specialist, interpreter or attesting witness; and the family members and close

relatives of such persons. Moreover, the Criminal Code stipulated penalties for failure to take security measures regarding persons taken under protection (article 380) and for disclosing information about security measures regarding such persons (article 381). The Inter-agency Coordinating Council on combating trafficking in human beings, created in 2002, is continuing its activities. In response to paragraph 10 of the Concluding Observations, it should be noted that, according to the law, that commission is a coordinating body composed of representatives of bodies of the executive and has no right to initiate legislation. Therefore, it may not be empowered to develop policies and provide resources. Under the Government programme for combating human trafficking in the period up to 2010, the central executive body coordinating the implementation of Government policy in this area is the Ministry for the Family, Youth and Sport.

173. In recent years, cooperation between Government bodies and NGOs, including international NGOs combating violations of the rights of children, has been significantly strengthened, especially on investigating child trafficking cases and providing assistance (paragraph 36 of the Concluding Observations). The Ministry of Internal Affairs has established cooperation with the International Criminal Police Organization (Interpol), the European Police Office (Europol), the Southeast European Cooperative Initiative Regional Centre for Combating Trans-border Crime (SECI Centre), international organizations and law enforcement agencies in other countries. There is an exchange of experience concerning the documentation of persons involved in this category of crime. Bilateral cooperation has been established between the Ministry of Internal Affairs and the United States Federal Bureau of Investigation (FBI), resulting in an invitation from the FBI to Ministry of Internal Affairs agents for an internship and training in advanced methods of documenting, through a shared global information system, criminal activities related to the manufacture and distribution of child pornography. In order to prevent crimes against children by foreigners in Ukraine, the Ministry of Internal Affairs has received, from the database of the Interpol General Secretariat, information on 400 persons convicted in other countries for sexual crimes against minors and distribution of child pornography material through the Internet. All of these persons are subject to control by the State Border Agency at border crossings. Law enforcement agencies have in recent years intensified their cooperation with law enforcement officials of the European Union, and have participated in the preparatory phase of an international operation organized by the Organization for Democracy and Economic Development for the GUAM area (ODED-GUAM) - in order to close international human-trafficking channels - under the code name "Chimera"; in wrapping up the activities undertaken (Baku, Azerbaijan, November 2006); in developing the "ILAERIA" international cooperation project for combating human trafficking in South-East Europe (Athens, Greece, December 2006); and in other international projects.

174. In cooperation with the law enforcement agencies of other countries, searches are conducted in order to identify and bringing to justice persons participating in crimes. Thus, information provided by the Danish police about the existence of a pornographic studio in Kiev was used to open criminal case against a Ukrainian involved in the production and distribution of child pornography. The offender was detained along with partners in Denmark, Argentina and the United States. Law enforcement officials have participated in several international meetings and bilateral consultations on combating international trafficking. The meetings took place in, inter alia, Poland, the Czech Republic, Austria, Slovakia, Azerbaijan, Romania and Moldova. Another positive result of international cooperation is that law enforcement agencies law-enforcement agencies have obtained access to a database at the Interpol General Secretariat, containing images of children who have been victims of sexual violence, relevant information of the International Centre for Missing and Exploited Children, and data on exploited children. However, law enforcement activities in combating child prostitution and pornography, especially within the country, are not yet sufficiently effective. As a country where child pornography is

produced, Ukraine makes every effort to develop, within its society, intolerance for such a shameful social phenomenon. In recent years, such cases have been the subject of ever more public exposure and condemnation. In that connection, national and regional media play an important role, assisted by the awareness-raising action of State bodies and public organizations, by educational activities aimed at raising the awareness and competence of, inter alia, law enforcement officers, judges and medical and social workers. Employment services advised Ukrainians intending to travel abroad to work and educators raised the awareness of pupils, students, teachers, parents and the public about the means, forms and methods used by traffickers, as well as the potential risk of exploitation, violence and abuse of illegal immigrants. Law enforcement agencies filmed a documentary about trafficking of children for use in the sex industry for demonstrations in all educational institutions.

175. Public organizations play a crucial role in conducting information and awareness-raising activities. NGOs implementing programmes for combating human trafficking participate in addressing the problems related to combating child trafficking. Winrock International, IOM, ILO, the International Women's Rights Centre "La Strada-Ukraine", the Ukrainian Reform Education Centre and other organizations are actively working in this direction. ECPAT International and nearly 30 public organizations participate in the nationwide ECPAT Network, and a number of educational projects aimed at preventing child trafficking and eradicating child prostitution and pornography are implemented. Among other activities and as part of relevant projects, a manual on preventing trafficking in children for students and professionals has been produced', and training is provided for professionals working to rehabilitate child victims of commercial sexual exploitation. In April 2005, ECPAT International, in cooperation with public organizations and Government organs, launched the "Make Information Technologies (IT) safe" campaign, which received wide public attention through discussion of child pornography and Internet security on the radio and television. Articles and interviews were also published in national newspapers. ECPAT, in cooperation with the Ministry of Education and Science, continues to work on this campaign, organizing special seminars for teachers and pupils in educational establishments, and conducting other activities. Microsoft has developed a special Web page for teachers, pupils or students and their parents in order to inform children about the safe use of the Internet. The International Women's Rights Centre "La Strada-Ukraine" continues actively to combat human trafficking, child prostitution and child pornography. In 2005, ECPAT held a multidisciplinary round-table on "Trafficking in and commercial sexual exploitation of children: The situation in Ukraine and ways of combating such phenomena" in all regions of the country. This initiative was part of the project "Development of a national referral system for supporting child victims of commercial sexual exploitation in Ukraine" and aimed at enhancing coordination and information exchange among stakeholders. The round tables were attended by representatives of the Government, social services for families, children and young persons, education units, children's affairs police, public organizations and the media.

176. In October 2006, with the support of the State Social Service for families, children and young persons, Organization for Security and Cooperation in Europe (OSCE) and ECPAT, the nationwide initiative "Not for Sale" was held in seven Ukrainian cities. The initiative collected more than 8,000 signatures against the use of children in pornography and for an Internet safe for children. In September 2007, the same initiative was carried out in Kiev. The activity of the local IOM office in combating human trafficking in Ukraine consists of three integrated components: alert and prevention, support for law enforcement agencies, and protection and reintegration of victims. Preventive information campaigns include items such as social advertising with the participation of music stars, hotlines, educational programmes for young persons, and training for journalists. The Government has taken into consideration paragraph 12 of the above Concluding Observations on the appropriate allocation of adequate and earmarked resources for the development of training

materials and courses in all parts of the country for all relevant groups of professionals. In 2007, State budget funds earmarked for the implementation of certain parts of the Government programme for combating human trafficking were allocated to the training of civil servants, teachers, law enforcement staff and employees of employment agency personnel in combating child trafficking eliminating the worst forms of child labour. However, that the funds and efforts channelled by public organizations, especially international ones, into projects designed to raise the qualifications of the staff of Government bodies dealing with the problems in question are much greater. In 2006, with the assistance of IOM, OSCE, the International Women's Human Rights Centre "La Strada-Ukraine", other NGOs, and foreign embassies in Ukraine, educational seminars were conducted and training was provided for law enforcement officers, public procurators, judges and teachers. In 2006, IOM prepared an interactive training module on human trafficking for law enforcement staff. Overall, IOM has since 2001 conducted more than 50 training activities for law enforcement officers on how to communicate with the victims and on the special characteristics of trafficking in children and human organs. With IOM support, Ukrainian specialists have participated in more than 50 professional visits in 23 European countries with a view to enhancing international cooperation on investigating and prosecuting persons engaged in human trafficking.

177. In the framework of international cooperation projects, considerable attention has been paid to building the capacities of law enforcement officials and using international experience in combating human trafficking, sexual exploitation and pornography. As part of bilateral cooperation between the Ministry of Internal Affairs and the FBI, an internship and training agreement was concluded in order to enable Ukrainian law enforcement personnel to study advanced methods of documenting, through a shared global information system, criminal activities related to the manufacture and distribution of child pornography. In 2007, with the assistance of Microsoft, the Interpol General Secretariat and the International Centre for Missing and Exploited Children in Ukraine held a training seminar on combating the spread of child pornography on the Internet. The recommendation of the Committee (paragraphs 14 and 32 of the Concluding Observations) for a study of the results of preliminary activities and the nature and extent of child exploitation, including prostitution and pornography was studied. The Government's action plan to implement the provisions of the revised European Social Charter for 2007-2010 provided for a national study on child labour in 2008, including on its worst forms. In addition, the UNICEF Representative in Ukraine is planning to carry out an all-Ukrainian study of poverty among families with children in Ukraine in 2008. The results of that research will form the basis not only for identifying the magnitude of the problem but also for developing effective policies of preventing and combating this socially dangerous phenomenon.

178. Regarding the Committee's observation on establishing a centralized data collection base to ensure that data is systematically collected and analysed in relation to this issue (paragraph 16 of the Concluding Observations), it should be noted that, in the period 2007-2008, work is actively carried out, with UNICEF support, on developing and implementing DevInfo, a powerful analytical tool in the area of child protection and social policy in general. Moreover, there are plans to use the DevInfo system to develop the monitoring of the National Action Plan for the Implementation of the Convention on the Rights of the Child, whose blueprint already contains many performance indicators. The Ministry of Internal Affairs is creating a statistical database of children who were victims of trafficking, both domestically and abroad. One of the measures for preventing the crimes listed in the Optional Protocol is to provide assistance to families with children at risk of becoming victims of crime, and emergency advice through a helpline. In response to the comments of the Committee on the Rights of the Child set out in paragraph 34 of Concluding Observations, it should be noted that there are a number of human trafficking prevention and child protection helplines in the country. Thus, "Trust Line", was set up for children

by the Ministry for the Family, Youth and Sport and offers specialized assistance by social workers and psychologists. One of its tasks is to provide psychological and information support. This countrywide helpline receives annually more than 9,000 calls, of which 10 per cent concern relationships with other minors, 9 per cent concern social communication and 6 per cent concern children's life in the family. Other free national helplines, created by "La Strada-Ukraine" (with the support of specialized lawyers, psychologists, educators and law enforcement officials), focus on countering trafficking in persons and children (8-800-500-22-50) and another on domestic violence (8-800-500-33-50). There are also several local helplines, supported by the OSCE in eight provinces and set up by "La Strada-Ukraine" on a partnership basis. Moreover, IOM supports a national free helpline and 19 regional helplines for preventing human trafficking. For the same purpose, three major cell phone companies introduced in May 2007, with IOM assistance, a single toll-free telephone number (527). Subscribers receive information on emigration, and addresses and telephone numbers of consular offices and organizations in the countries of origin, to which they may turn in case of need. This service is noteworthy insofar as the cooperation of three competing corporations in counter human trafficking may be viewed as a positive step in forming a society of intolerance to trafficking in and exploiting human beings.

179. Children and young persons are involved in activities undertaken in order to combat, at the level of prevention, the commercial sexual exploitation of children (paragraph 12 of the Concluding Observations). Thus, the youth section of public organizations "Equal Opportunities School", "La Strada-Ukraine", "Centre for Intelligence", "Charity Fund for Children" and "Development of Democracy" are actively working in schools, summer camps and recreational areas for children, and organize street presentations and the collection of signatures. One of the mechanisms for involving children themselves in the process of protecting children's rights is the institution of a children's ombudsman, which was established in December 2005 by the Parliament Commissioner for Human Rights on the basis of an open competition conducted among children in Ukraine (paragraph 28 of the Concluding Observations). The children's ombudsman examines reports submitted to the Commissioner concerning violations of children's rights, assists in addressing policy issues related to advocacy in the areas of children's rights, participates in meetings and conferences on children's rights in Ukraine and abroad, and travels to places where there may have been violations of children's rights in order to contact the parties involved and discuss the case. However, the function of the children's ombudsman is still merely declaratory because children are not yet aware of the institution's existence. There are plans, based on several draft Acts submitted to the Parliament in May 2008, to establish an ombudsman for protecting the rights of the child. In response to the recommendations formulated in paragraph 26 of the Concluding Observations, we are pleased to state that, based on the outcome of the national conference "With love and concern for children" (April 2008), the President of Ukraine has instructed the Ministry of Justice and the Supreme Court to prepare changes to the system of criminal punishment through a broad implementation of restorative justice methods.

Annex I

Basic legal and regulatory instruments adopted in Ukraine with a view to the implementation of the Convention on the Rights of the Child

2002

Resolution of the Parliament:

Resolution No. 218-IV of 24 October 2002 on “the bases for granting social stipends, extended by the Parliament, to students of higher education institutions who are orphans or low-income family children”

Presidential decrees:

- No. 347 of 17 April 2002 on “the national doctrine of education development”
- No. 428 of 30 April 2002 on “social protection for children of journalists killed or disabled in performing their duties”

Decisions of the Council of Ministers:

- No. 564 of 26 April 2002 “approving the regulation for family-type children’s homes”
- No. 565 of 26 April 2002 “approving the regulation for adoptive families”
- No. 826 of 14 June 2002 “approving the procedure for health care for children in pre-school institutions”
- No. 856 of 19 June 2002 “organizing nutrition for various categories of pupils or students in general education establishments”
- No. 1203 of 19 August 2002 “approving the procedure for the recovery of maintenance for children in the event of departure of either parent for permanent residence in a country with which no legal assistance agreement has been concluded”
- No. 766 of 5 June 2002 “approving the comprehensive anti-trafficking programme, 2002-2005”
- No. 1432 of 26 September 2002 “approving the procedure for the return of foreign children to their place of permanent residence”

Orders of the Council of Ministers:

- No. 355 of 1 July 2002 “approving comprehensive measures for promoting fertility, 2002-2007”

Parliament:

- Act No. 3083-III of 7 March 2002 on “amendments to the Civil Procedure Code”
- Decree No. 3049-III of 7 February 2002 on “building on the draft Act amending the Civil Procedure Code”
- Act No. 3109-III of 7 March 2002 on “amendments to various Acts (on ‘amendments to the Child Protection Act’ and on ‘promoting the social

advancement and development of young persons' in conjunction with the adoption of the Act on 'social work with children and young persons')

- Act No. 177-IV of 26 September 2002 on "amendments to various Acts (on 'amendments to the Child Protection Act' in conjunction with the adoption of the Refugee Act)"
- Act No. 294-IV of 28 November 2002 on "amendments to article 7 of the Act on 'promoting the social advancement and development of young persons'"

Regulations of departmental ministries and other central bodies of executive power:

- Ministry of Labour and Social Policy, Ministry of Health and Ministry of Finance order No. 226/293/169 of 30 April 2002 (registered with the Ministry of Justice on 31 May 2002 under No. 466/6754) on the "Procedure for providing Government social assistance to children disabled from childhood and other disabled children"

2003

Presidential decrees:

- No. 154 of 21 February 2003 on the "Government programme for the prevention of child neglect, 2003-2005"
- No. 420 of 20 May 2003 "On the establishment of the national arts-oriented secondary school for gifted children"

Decisions of the Council of Ministers:

- No. 33 of 16 January 2003 "approving the Government programme for the recreation and health improvement of children for the period up to 2008"
- No. 250 of 24 February 2003 "approving the procedure for the assessment and payment of welfare allowances to low-income families"
- No. 306 of 12 March 2003 "approving the rules for the establishment of the educational and rearing complex 'pre-school and general-education establishment' or 'general-education and pre-school establishment'"
- No. 569 of 23 April 2003 "approving the procedure for the return to Ukraine of children left without parental care who are Ukrainian citizens"
- No. 585 of 23 April 2003 "establishing the period of study in general education schools for children in need of physical or intellectual developmental rehabilitation"
- No. 616 of 26 April 2003 "approving the procedure for reviewing reports and communications about domestic violence or threats thereof"
- No. 1301 of 20 August 2003 "improving the system of organization of work for the upbringing of children and young persons in non-school education establishments"
- No. 1377 of 28 August 2003 "approving the procedure for registering children available for adoption and persons wishing to adopt a child and for monitoring children's rights after adoption"
- No. 1381 of 30 August 2003 "increasing the amounts of financial support for orphans and children left without parental care"

Orders of the Council of Ministers:

- No. 364 of 16 June 2003 “approving a blueprint for preventing and eradicating the worst forms of child labour”
- No. 648-R of 29 October 2003 “approving the plan of action for implementing the blueprint for preventing and eradicating the worst forms of child labour”
- No. 648 of 29 October 2003 “approving the plan of action for implementing the blueprint for preventing and eradicating the worst forms of child labour”
- Ministry of Health order No. 155 4 of April 2003 on the “improvement of health care for orphans and children left without parental care”

Sector regulations established by ministries and other central bodies of executive power:

- Ministry of Education and Science order No. 238 of 16 April 2003 (registered with the Ministry of Justice on 8 May 2003 under No. 356/7677) “approving the regulation for scientific and technical creativity centres, homes and clubs for pupils and students and centres for young technicians”
- Ministry of Education and Science order No. 363 of 12 June 2003 (registered with the Ministry of Justice on 27 June 2003 under No. 525/7846) “approving the regulation for general education residential schools and general education sanatorium schools”
- Ministry of Education and Science order No. 389 of 19 June 2003 (registered with the Ministry of Justice on 4 July 2003 under No. 547/7868) “approving instructions regarding the procedure for competitive entrance exams for pupils and students in arts- or science- oriented secondary schools, colleges and specialized schools or residential schools”
- Ministry of Education and Science order No. 458 of 14 July 2003 on the “school programme for the prevention of the use of tobacco, alcohol and drugs”
- Ministry of Education and Science order No. 763 of 17 November 2003 (registered with the Ministry of Justice on 12 January 2004 under No. 27/8626) “approving standards for material and statutory financial support for orphans and children left without parental care and pupils or students of residential schools”

Parliament:

- Act No. 966-IV of 19 June 2003 on “social services”
- Act No. 429-IV of 16 January 2003 on “amendments to certain Acts on obligatory social insurance (in relation to amendments to the Act on ‘promoting the social advancement and development of young persons’)”
- Act No. 581-IV of 20 February 2003 on “amendments to certain Acts (in relation to amendments to the Act on ‘promoting the social advancement and development of young persons’)”
- Act No. 673-IV of 3 April 2003 on “amendments to the Act on ‘establishments, agencies and special institutions for minors (in relation to additions to article 1 on children’s affairs offices and agencies, special institutions and establishments responsible for their social protection and the prevention of delinquency);”

2004

- Family Code of 1 January 2004;
- Civil Code of 1 January 2004;

Presidential decrees:

- No. 1102 of 18 September 2004 on “additional measures for the improvement of technical and vocational education”

Decisions of the Cabinet of Ministers:

- No. 24 of 14 January 2004 “approving a blueprint for Government standards for special education for children with special needs”
- No. 87 of 28 January 2004 “approving a model regulation for centres for the social and psychological rehabilitation of children”
- No. 608 of 12 May 2004 “approving a model regulation for centres providing social and psychological support”
- No. 848 of 5 July 2004 “approving Government standards for elementary general education for children with special needs”
- No. 982 of 28 July 2004 “approving the procedure for the social rehabilitation of victims of terrorist acts”
- No. 1125 of 27 August 2004 “creating the State Social Service for Families, Children and Young Persons”
- No. 1126 of 27 August 2004 on “measures for improving social work with families, children and young persons”
- No. 1559 of 17 November 2004 “approving the programme for protecting the rights and interests of citizens travelling abroad for employment and of children adopted by foreigners, for the period up to 2005”

Sector regulations established by ministries and other central bodies of executive power:

- Ministry of Health order No. 38 of 23 January 2004 on the “model regulation for centres for the medical and social rehabilitation of victims of domestic violence”
- State Committee for Family and Youth order No. 31 of 5 February 2004 (registered with the Ministry of Justice on 19 February 2004 under No. 213/8812) “approving the model regulation for children’s health improvement institutions”
- Ministry for the Family, Youth and Sport order No. 78 of 16 June 2004 (registered with the Ministry of Justice on 1 July 2004 under No. 809/9408) on the “procedure for returning children who voluntarily left their family and institutions of social protection to their places of permanent residence”
- Ministry of Health and Ministry of Internal Affairs order No. 142/275 of 17 March 2004 (registered with the Ministry of Justice on 30 March 2004 under No. 401/9000) “approving forms of records for children abandoned at a maternity hospital or health institution or whose parents or relatives declined to take them or who were found abandoned, and instructions regarding the procedure of filling the records”
- Ministry of Education and Science order No. 292 of 9 April 2004 “implementing the resolutions of the inter-ministerial meeting called by the General Procurator on 4 March 2004”

- Ministry for the Family, Youth and Sport order No. 377 of 7 September 2004 “approving the model regulation for the counselling centre of social service units for young persons in maternity hospitals and children’s homes”
- Ministry of Education and Science and Ministry for the Family, Children and Young Persons order No. 747/460 of 21 September 2004 (registered with the Ministry of Justice on 7 October 2004 under No. 1278/9877) “approving the regulation for children’s homes and general education residential schools for orphans and children left without parental care”
- Ministry of Education and Science order No. 855 of 8 November 2004 on the “prohibition of smoking in schools and institutions of the Ministry of Education and Science and approval of taking educational and preventive anti-smoking measures among children, pupils and students”
- State Committee for Family and Youth, Ministry of Internal Affairs, Ministry of Education and Science and Ministry of Health General order No. 5/34/24/11 of 16 January 2004 “approving the procedure for processing reports and communications about child abuse or real threat thereof”

Parliament:

- Decision No. 1754-IV of 4 June 2004 on “building on the draft Act on ensuring organizational and legal conditions for the social protection of orphans and children left without parental care”
- Act No. 1410-IV of 3 February 2004 “amending certain Acts related to the adoption of the Family Code (in relation to amendments to the ‘Act on agencies and services for minors’ affairs and special institutions for minors’ and to the Child Protection Act)”
- Act No. 1659-IV of 23 March 2004 “amending article 1 of the Act on ‘promoting the social advancement and development of young persons’ (defining the age of minors and young citizens)”
- Act No. 2203-IV of 18 November 2004 “amending the Act on ‘promoting the social advancement and development of young persons’”

2005

Presidential decrees:

- No. 1013 of 14 July 2005 on “urgent measures for ensuring the functioning and development of education”
- No. 1086 of 11 July 2005 on “top-priority measures for the protection of the rights of children”
- No. 1673 of 29 November 2005 on “the celebration in 2006 of the Year of Protection of the Rights of the Child”

Decisions of the Council of Ministers:

- No. 823 of 25 August 2005 “approving the procedure for the provision of a grant to orphans and children left without parental care after reaching the age of 18”
- No. 877 of 8 September 2005 “approving a model regulation for centres of the social and psychological rehabilitation of children and young persons with functional limitations”

- No. 878 of 8 September 2005 “approving a model regulation for the provision of social accommodations for orphans and children left without parental care”
- No. 879 of 8 September 2005 “approving a model regulation for social centres for mothers and children”
- No. 1251 of 21 December 2005 “approving the procedure for travel abroad of children for vacations or health improvement”
- No. 1291 of 27 December 2005 “approving a model regulation for social rehabilitation centres in the form of a children’s village”

Orders of the Council of Ministers:

- Order No. 503 of 7 December 2005 “approving a blueprint for Government programmes for addressing infant abandonment and neglect in 2006-2010”
- Ministry for the Family, Youth and Sport order No. 1658 of 17 August 2005 (registered with the Ministry of Justice on 24 October 2005 under No. 1259/11539) “approving a model regulation for services of social assistance to families”

Sector regulations established by ministries and other central bodies of executive power:

- Ministry of Labour and Social Policy, Ministry of Finance, Ministry of Health, Ministry of Education and Science and Ministry for the Family, Youth and Sport order No. 415/869/710/719/3239 of 14 December 2005 (registered with the Ministry of Justice on 3 February 2006 under No. 92/11966) “approving the procedure for payment of Government assistance at birth where the newborn is placed in a children’s institution or children’s home under full State care”
- Ministry for the Family, Youth and Sport and Ministry of Education and Science order No. 3380/745 of 21 December 2005 (registered with the Ministry of Justice on 18 January 2006 under No. 37/11911) “approving the procedure for the transfer of documentation concerning orphans and children left without parental care from education authorities to the agency for minors’ affairs”
- Ministry of Education and Science order No. 656 of 16 November 2005 “upgrading awareness-raising and educational activities on preventing the spread of drug abuse among children, pupils and students”
- Ministry of Education and Science order No. 639 of 4 November 2005 on the “implementation of Act No. 2899-IV of 22 September 2005 on measures for preventing and reducing tobacco consumption and its harmful effects on health”
- Ministry for the Family, Youth and Sport and State Department for Sentence Enforcement general order No. 2559/177 of 28 October 2005 “approving the procedure for supporting social service centres for families, children and young persons and detention facilities in social work for young persons serving sentences in, or are released from, such facilities”

Parliament:

- Act No. 2342-IV of 13 January 2005 on “providing organizational and legal conditions for the social protection of orphans and children left without parental care”
- Act No. 2304-IV of 11 January 2005 “amending article 5 of the Child Protection Act”

- Act No. 2620-IV of 2 June 2005 “amending article 177 of the Family Code and article 32 of the Civil Code”
- Act No. 3234-IV of 20 December 2005 “amending the 2005 State Budget Act”
- Act No. 2342-IV of 13 January 2005 on “ensuring organizational and legal conditions for the social protection of orphans and children left without parental care”
- Act No. 3097-IV of 16 November 2005 “amending the Family Code with regard to adoption centres”
- Decree No. 3143-IV of 29 November 2005 on “building on the draft Act amending the Act ‘ensuring organizational and legal conditions for the social protection of orphans and children left without parental care’”
- Act No. 2377-IV of 20 January 2005 “amending certain Acts (in particular, the Act ‘on agencies and services for minors’ affairs and special institutions for minors’)”
- Act No. 2353-IV of 18 January 2005 “amending certain Acts (in relation to amendments to the Act on ‘promoting the social advancement and development of young persons’, the Child Protection Act and the Act on ‘social work with children and young persons’)”
- Act No. 2414-IV of 3 February 2005 “amending the Child Protection Act”
- Act No. 2429-IV of 1 March 2005 “amending certain Acts related to job placement for young persons”
- Act No. 3142-IV of 29 November 2005 “amending the Act on ‘promoting the social advancement and development of young persons’”
- Act No. 3167-IV of 1 December 2005 “amending certain Acts related to the social adaptation of persons having served sentences of deprivation of liberty or loss of liberty for a specified period (in relation to amendments to the Act on ‘promoting the social advancement and development of young persons’, the Act ‘on agencies and services for minors’ affairs and special institutions for minors’ and the Act on ‘social work with children and young persons’)”

2006

Decisions of the Council of Ministers:

- No. 106 of 6 February 2006 “approving the procedure for assessing and paying social benefits for orphans and children left without parental care and monetary assistance to parent-rearers and adoptive parents for the provision of social services in family-type children’s homes and foster families on the principle of ‘the money goes to the child’ in 2006”
- No. 107 of 6 February 2006 “amending Council of Ministers resolutions No. 564 of 26 April 2002 and No. 565 of 26 April 2002”
- No. 148 of 15 February 2006 “approving a model regulation for the centre for HIV/AIDS-infected children and young persons”
- No. 186 of 22 February 2006 “raising the level of pensions for orphans”
- No. 189 of 22 February 2006 “approving the procedure for assessing and paying temporary public assistance to children whose parents refuse to pay alimony, are unable to maintain the child or are missing”

- No. 203 of 22 February 2006 “amending Cabinet of Ministers resolutions No. 346 of 14 April 1997 and No. 963 of 14 June 2000”
- No. 310 of 15 March 2006 “approving a model regulation for SOS Children’s Villages“
- No. 367 of 25 March 2006 on the “establishment of the State Department for Adoption and Protection of the Rights of the Child”
- No. 402 of 30 March 2006 “approving the procedure for State budget allocations to activities aimed at preventing child neglect and homelessness”
- No. 623 of 11 May 2006 “approving the Government programme for preventing child neglect and homelessness, 2006-2010”
- No. 952 of 10 July 2006 on the “implementation in Ukraine of the Convention on the Civil Aspects of International Child Abduction”
- No. 956 of 12 July 2006 on “carrying out an experiment in relation to assessing and paying social benefits for orphans and children left without parental care who are under guardianship or trusteeship on the principle of ‘the money goes to the child’“
- No. 983 of 19 July 2006 “approving the Government ‘Paediatric Oncology’ programme, 2006-2010”
- No. 1573 of 8 November 2006 “approving the regulation of the Ministry for the Family, Youth and Sport”
- No. 1849 of 27 December 2006 “approving the Government Programme ‘The Nation’s Reproductive Health, 2006-2015’“

Orders of the Council of Ministers:

- No. 58-R of 1 February 2006 “approving a blueprint for the Government ‘Paediatric Oncology’ programme, 2006-2010”
- No. 102-R of 22 February 2006 “approving the composition of the steering committee for the preparation of the celebration in 2006 of the Year of Protection of the Rights of the Child”
- No. 177-R of 3 April 2006 “approving a plan of measures for the preparation of the celebration in 2006 of the Year of Protection of the Rights of the Child”
- No. 188-R of 5 April 2006 “approving a blueprint for the Government programme for combating human trafficking, 2006-2010”
- No. 229-R of 22 April 2006 “approving a blueprint for carrying out the National Action Plan for implementation of the United Nations Convention on the Rights of the Child, 2006-2016”
- No. 244-R 27 of April 2006 “approving a blueprint for implementing the Government Programme ‘The Nation’s Reproductive Health, 2006-2015’“
- No. 259-R of 11 May 2006 “approving a blueprint for implementing the Government Programme for family support, 2006-2010”
- No. 263-R of 11 May 2006 “approving a blueprint for implementing the Government Programme for reforming the system of institutions for orphans and children left without parental care”
- No. 396-R of 12 July 2006 “approving a blueprint for implementing the Government Programme education development, 2006-2010”

- No. 473-R of 23 August 2006 “approving an additional increase in subsidies from the national budget to local budgets for the maintenance of orphans and children left without parental care in family-type children’s homes and foster families”
- No. 494-R of 26 September 2006 “approving an additional increase in subsidies from the national budget to local budgets for the maintenance of orphans and children left without parental care in family-type children’s homes and foster families”
- No. 587-R of 29 November 2006 “approving a plan of measures for improving health care for children affected by the Chernobyl and other ecological disasters, 2007-2009”

Parliament:

- Act No. 3303-IV of 11 January 2006 on “accession to the Convention on the Civil Aspects of International Child Abduction”
- Act No. 15-V of 20 July 2006 on “accession to the Convention on the recovery of maintenance abroad”
- Law 2006 No. 69-V of 3 August on the “ratification of the European Convention on the Exercise of Children’s Rights”
- Act No. 136-V of 14 September 2006 on “accession to the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children”
- Act No. 135-V of 14 September 2006 on “accession to the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards”
- Act No. 166-V of 20 September 2006 on the “ratification of the Convention on Contact concerning Children”
- Act No. 3483-IV of 23 February 2006 “amending certain Acts on the exercise of the right of disabled persons to employment (in relation to amendments to the Act ‘promoting the social advancement and development of young persons’)”
- Act No. 271-V of 19 October 2006 “amending certain Acts on public organizations of children and young persons (in relation to amendments to the Act ‘promoting the social advancement and development of young persons’)”
- Act No. 524-V of 22 December 2006 “amending the Family Code and the Civil Code”
- Act No. 3335-IV of 12 January 2006 “amending the Act ‘amending the Family Code in respect of the Adoption centre”
- Act No. 3348-IV of 17 January 2006 “amending article 75 of the Civil Code”
- Act No. 3497-IV of 23 February 2006 “amending the Family Code”
- Act No. 230-V of 5 October 2006 “amending certain Acts on the social protection of orphans and children left without parental care”

Sector regulations established by ministries and other central bodies of executive power:

- Ministry of Education and Science order No. 345 of 3 May 2006 on “a model regulation for family-type schools”
- Ministry of Health and Academy of Medical Sciences order No. 529/49 of 31 July 2006 “approving the sector programme for breastfeeding support, 2006-2010”

- Ministry of Education and Science order No. 631 of 23 August 2006 on the “implementation of comprehensive measures for ensuring compliance with legislation on the protection of minors”
- Ministry of Justice order No. 75/5 of 15 September 2006 “on measures aimed at preventing violations of the rights, freedoms and legitimate interests of children”
- Ministry for the Family, Youth and Sport order No. 3545 of 23 October 2006 (registered with the Ministry of Justice on 7 April 2006 under No. 1187/13061) “approving a model regulation for counselling offices in social service centres for families, children and young persons in maternity hospitals, gynaecological units and children’s homes”
- Ministry for the Family, Youth and Sport order No. 838 of 17 March 2006 (registered with the Ministry of Justice on 7 April 2006 under No. 404/12278) “approving the procedure for providing information on the assessment of social assistance for children in family-type children’s homes and in foster families, cash allowances for parents-rearers and foster parents, and termination of payments, in 2006 “
- Ministry for the Family, Youth and Sport order No. 981 of 28 March 2006 on the “transfer of documentation on the operation of family-type children’s homes and foster families, to which until 15 April 2006 the Department for Family, Youth and Sport transferred documents on the operation of such units created prior to 6 February 2006 by the services for minors’ affairs”
- Ministry for the Family, Youth and Sport order No. 2115 of 22 June 2006 (registered with the Ministry of Justice on 28 July 2006 under No. 886/12760) “approving the reporting format ‘Report on the functioning of family-type children’s homes and foster families’ No. 1-DBST, and instructions regarding its use”
- Ministry for the Family, Youth and Sport order No. 4335 of 25 December 2006 “approving the reporting formats ‘Report on the activities of socio-psychological rehabilitation centres for children’ and instructions regarding its use”
- Ministry for the Family, Youth and Sport order No. 3685 of 31 October 2006 (registered with the Ministry of Justice on 24 November 2006 under No. 1232/13106) “approving the procedure for social support to foster families and family-type children’s homes”
- Ministry of Justice order No. 121/5 of 29 December 2006 (registered with the Ministry of Justice on 29 December 2006 under No. 1390/13264) “approving the instructions for the implementation in Ukraine of the Convention on the Recovery Abroad of Maintenance”
- Ministry for the Family, Youth and Sport, Ministry of Health, Ministry of Education and Science, Ministry of Labour and Social Policy, Ministry of Transport and Communications and State Department for Sentence Enforcement general order No. 1983/388/452/221/556/596/106 of 14 June 2006 approving the procedure for interaction between social workers and families in difficult circumstances”
- Ministry for the Family, Youth and Sport and Ministry of Education and Science general order No. 3380/745 of 21 December 2005 (registered with the Ministry of Justice on 18 January 2006 under No. 37/11911) “approving the procedure for transfer of documentation on orphans and children left without parental care by education authorities to the units for minors’ affairs”

-
- Ministry for the Family, Youth and Sport and Ministry of Health general order No. 3297/645 of 28 September 2006 (registered with the Ministry of Justice on 23 October 2006 under No. 1136/13010 1136/13010) “approving the procedure for health care for children shelters for minors of the service for minors’ affairs and centres for the social and psychological rehabilitation of children, and schemes for their examination in medical establishments”
 - Ministry for the Family, Youth and Sport and Ministry of Education and Science general order No. 3185/656 of 19 September 2006 on the “organization of studies for pupils in shelters for minors and centres for social and psychological rehabilitation of children”
 - Ministry for the Family, Youth and Sport and State Social Service for Family, Children and Youth General order No. 1507 of 12 May 2006 “approving a model procedure for interaction between centres of social services for families, children and young persons and minors’ affairs services in the process of the organization and conduct of the activities of foster families and family-type children’s homes”
 - Ministry for the Family, Youth and Sport and State Social Service for Family, Children and Young persons general order No. 2670 of 3 August 2006 “approving training programmes for the social workers of social centres for families, children and young persons and for parents-rearers regarding the establishment and conduct of the activities of family-type children’s homes and foster parents, and training programmes for prospective foster parents and parents-rearers”.

Annex II

Statistical information

Table 1
**Funds allocated for children's programmes and activities in national and local budgets
 (2002-2006)**

(Source: Ministry of Finance)

(Millions of UAH)

No.	Expenditures	2002	2003	2004	2005	2006
1	GDP	225 810.0	267 344.0	345 113.0	424 741.0	512 500.0
2	Total expenditures from the consolidated budget	60 318.9	75 792.5	101 415.5	141 698.8	175 200.0
3	Total allocated for education	10 470.2	14 977.7	18 342.6	26 815.5	33 792.8
3.1	Pre-school education	1 372.2	1 710.2	2 059.5	2 940.7	3 825.2
3.2	General secondary education	4 931.0	6 243.7	7 517.3	11 158.9	14 229.2
3.3	Informal education	x	606.5	766.4	1 072.6	1 369.7
3.4	Higher education	4 167.0	4 627.9	5 815.9	7 934.1	9 935.7
3.5	Acquisition of school buses to transport children who live in rural areas			Begun in 2005	65.5	68.0
3.6	Provision of special equipment to educational institutions for children who need correction of physical or mental development				Begun in 2006	85.1
3.7	Maintenance of orphans and children left without parental care, orphanages homes and foster care type				Begun in 2006	23.5
3.8	Carrying out the experiment in the Kiev region on the principle of "the money goes to the child"				Begun in 2006	25.0
3.9	Construction of a pool for orphans in the Kharkov region (one-time payment)	x	x	0.2	x	x
4	Total expenditure on health	108.1	209.8	380.6	474.3	595.8
4.1	National "Children of Ukraine" programme	43.4	57.2	70.9	74.0	Completed in 2005
4.2	Sanatorium treatment of children and adolescents with somatic diseases (except tuberculosis)	64.7	76.3	95.2	137.3	174.7
4.3	Treatment of children in Cuba	2.5	3.7	2.9	3.1	3.2
4.4	Children's home	x	x	94.3	139.9	171.5
4.5	The Government "Paediatric Oncology" programme				Begun in 2006	25.2
4.6	National "Reproductive Health" Programme	Begun in 2003	1.8	12.4	16.1	16.4
4.7	General immunization programme (purchase of vaccines)	Begun in 2003	70.8	104.9	103.9	177.2
4.8	Medication for children with pituitary dwarfism				Begun in 2006	25.2
4.9	Activities for children suffering from phenylketonuria				Begun in 2006	5.6

5	Total expenditure on culture and art	215.4	285.9	315.5	576.6	792.0
<i>No.</i>	<i>Expenditures</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>
5.1	Measures for identifying the aptitudes of gifted children	Begun in 2003	3.0	5.0	15.0	7.0
5.2	Libraries for children and young persons	22.9	25.4	34.8	72.3	93.2
5.3	Subsidy for the purchase of folk instruments			Begun in 2006		10.0
5.4	Wirski School	0.2	0.2	0.3	0.3	0.4
5.5	Aesthetic training school	192.3	257.3	275.4	489.0	681.4
6	Total expenditure for physical culture and sports	352.1	564.2	756.2	886.1	1116.5
6.1	Maintenance of and operation of children and youth sport schools	143.2	202.7	232.9	335.0	446.1
7	Shelters for minors and socio-psychological rehabilitation of children	29.1	35.4	43.7	81.6	80.9
8	Total expenditure on social programmes and activities for families, women, youth and children	72.1	115.8	169.8	271.4	256.9
8.1	Support for local teen clubs	9.1	12.3	16.4	27.0	32.0
8.2	Efforts to implement programmes related to prevention of HIV/AIDS (including subsidies for the provision of social services to injected drug users)	1.1	2.3	0.3	1.0	16.2
8.3	Implementation of measures aimed at overcoming child neglect and homelessness	x	0.3	0.3	71.9	12.5
9	Health improvement and vacation for children (except children affected by the Chernobyl disaster)	48.3	27.4	89.4	133.6	213.4
10	Health improvement for citizens affected by the Chernobyl disaster	112.3	112.0	94.5	120.0	139.5
11	Residential establishments for disabled young children	65.7	78.5	91.4	126.8	156.6
12	Compensation for families with children and expenditure for free meals for children affected by the Chernobyl disaster	301.1	311.0	346.2	345.3	379.8

Table 2
Specific types of social assistance provided (2002-2006)

(Source: Ministry of Finance)

(Millions of UAH)

Year	Assistance with pregnancy and childbirth			Help to care for a child under three years of age			One-time assistance at birth			Help for children who are under guardianship or trusteeship	Help for children of single mothers	Temporary State aid	State social assistance to poor families***	Government assistance to disabled from childhood and disabled children		
	Support for low-income families with children	Subventions	Fund	Total	Subventions	Fund	Total	Subventions	Fund						Total	
	90 301			90 302			90 303				90 304	90 305	90 306	90 307	90 401	91 300
2002	818.7	39.3	169.9	209.2	169.7	193.7	363.4	19.1	60.6	79.6	9.5	*	**	156.7	19.4	
2003	358.1	86.3	225.8	312.1	269.6	382.3	651.9	28.6	73.5	102.1	13.3	122.8	**	697.5	36.4	
2004		86.0	307.3	393.2	293.5	444.2	737.7	57.3	166.9	224.2	15.4	180.9	**	1079.8	43.5	
2005		99.0	446.9	545.9	650.2	605.4	1255.6	521.4	1006.8	1528.3	88.6	341.0	**	1216.2	220.6	
2006		10.2	661.5	770.7	676.4	648.5	1324.9	1252.4	2351.6	3604.0	171.5	491.1	34.8	985.8	592.8	

* In connection with the adoption of amendments to the Act on State assistance to families with children, the costs of care for single mothers were taken into account in the State budget for 2003.

** In connection with the adoption in 2005 of amendments to the Family Code.

*** In 2002, State social assistance to low-income families was paid for out of local budgets.

Table 3
Breakdown of the population by gender and age (2006)

(Source: Government Committee on Statistics)

(Persons)

Age (years)	Urban and rural areas		
	Both genders	Male	Female
Total	46 465 691	21 434 680	25 031 011
Up to 1 year	456 726	234 110	222 616
1	421 572	217 030	204 542
2	422 590	217 220	205 370
3	403 597	207 221	196 376
4	385 225	198 636	186 589
0-4	2 089 710	1 074 217	1 015 493
5	370 309	190 580	179 729
6	381 234	196 068	185 166
7	385 970	198 055	187 915
8	410 024	209 398	200 626
9	427 838	219 169	208 669
5-9	1 975 375	1 013 270	962 105
10	462 163	236 773	225 390
11	480 246	246 055	234 191
12	499 467	256 145	243 322
13	529 291	271 065	258 226
14	570 187	292 143	278 044
10-14	2 541 354	1 302 181	1 239 173
15	611 631	313 624	298 007
16	643 393	329 802	313 591
17	674 603	345 389	329 214
18	719 032	367 741	351 291
19	744 764	381 214	363 550
15-19	3 393 423	1 737 770	1 655 653
20	790 435	403 751	386 684
21	767 922	391 485	376 437
22	785 859	400 733	385 126
23	799 456	408 015	391 441

<i>Age (years)</i>	<i>Urban and rural areas</i>		
	<i>Both genders</i>	<i>Male</i>	<i>Female</i>
24	729 678	373 616	356 062
20-24	3 873 350	1 977 600	1 895 750
25	707 116	358 246	348 870
26	722 451	365 483	356 968
27	683 657	345 387	338 270
28	679 772	341 520	338 252
29	658 655	329 366	329 289
25-29	3451 651	1 740 002	1 711 649
30	692 656	346 061	346 595
31	679 834	337 704	342 130
32	662 693	328 560	334 133
33	645 474	319 305	326 169
35	665 972	327 792	338 180
30-34	3 346 629	1 659 422	1 687 207
35	659 757	325 333	334 424
36	654 126	321 977	332 149
37	604 063	295 363	308 700
38	614 695	299 974	314 721
39	607 790	294 945	312 845
35-39	3 140 431	1 537 592	1 602 839
40	626 906	302 700	324 206
41	622 187	298 696	323 491
42	651 273	311 328	339 945
43	695 758	330 557	365 201
44	714 699	338 227	376 472
40-44	3 310 823	1 581 508	1 729 315
45	740 324	349 753	309 571
46	767 380	361 297	406 083
47	734 623	342 790	391 833
48	729 204	338 921	390 283
49	700 890	323 676	377 214
40-49	3 672 421	1 716 437	1 955 984
50	696 506	318 639	377 867
51	651 739	296 351	355 388

<i>Age (years)</i>	<i>Urban and rural areas</i>		
	<i>Both genders</i>	<i>Male</i>	<i>Female</i>
52	670 897	302 774	368 123
53	613 279	274 555	338 724
54	641 523	285 948	355 575
50-54	3 273 944	1 478 267	1 795 677
55	637 893	283 785	354 108
56	630 195	277 998	352 197
57	654 162	285 041	369 121
58	543 343	235 452	307 891
59	483 226	206 696	276 530
55-59	2 948 819	1 288 972	1 659 847

Table 4
Population of Ukraine aged 0-17 years (2002-2007)

(Persons and percentages)

	2002 ¹	2003	2004	2005	2006	2007
<i>Urban and rural areas</i>						
Both genders						
Population aged 0-17 years on 1 January	10 306 976	9 878 630	9 503 315	9 129 178	8 801 969	8 536 066
Percentage of total population	21.4	20.7	20.0	19.4	18.8	18.4
Male						
Population aged 0-17 years on 1 January	5 278 124	5 062 057	4 871 488	4 681 107	4 514 352	4 378 483
Percentage of total population	23.7	22.9	22.2	21.5	20.9	20.4
Female						
Population aged 0-17 years on 1 January	5 028 852	4 816 573	4 631 827	4 448 071	4 287 617	4 157 583
Percentage of total population	19.4	18.7	18.2	17.5	17.0	16.6
<i>Urban areas</i>						
Both genders						
Population aged 0-17 years on 1 January	6 664 148	6 331 242	6 060 884	5 808 476	5 604 209	5 435 188
Percentage of total population	20.6	19.7	19.0	18.3	17.7	17.2
Male						
Population aged 0-17 years on 1 January	3 406 469	3 240 687	3 104 404	2 976 915	2 872 847	2 787 372
Percentage of total population	22.9	21.9	21.1	20.4	19.8	19.3

	2002 ¹	2003	2004	2005	2006	2007
<i>Urban and rural areas</i>						
Female						
Population aged 0-17 years on 1 January	3 257 679	3 090 555	2 956 480	2 831 561	2 731 362	2 647 816
Percentage of total population	18.7	17.9	17.2	16.5	16.0	15.5
<i>Rural areas</i>						
Both genders						
Population aged 0-17 years on 1 January	3 642 828	3 547 388	3 442 431	3 320 702	3 197 760	3 100 878
Percentage of total population	22.8	22.5	22.1	21.6	21.1	20.8
Male						
Population aged 0-17 years on 1 January	1 871 655	1 821 370	1 767 084	1 704 192	1 641 505	1 591 111
Percentage of total population	25.2	24.8	24.4	23.8	23.3	22.8
Female						
Population aged 0-17 years on 1 January	1 771 173	1 726 018	1 675 347	1 616 510	1 556 255	1 509 767
Percentage of total population	20.7	20.5	20.2	19.7	19.3	18.9

¹ According to the national census of 5 December 2001.

Table 5
Number of children, against whom crimes were committed

(Source: Ministry of Internal Affairs)

	2002	2003	2004	2005	2006
Total number of victims	6 648	8 609	9 747	13 587	13 189
Serious to very serious crimes	3 305	3 796	4 154	5 556	5 568
Premeditated killings and assassinations	103	93	94	74	66
Of which: of two or more persons	17	10	26	10	5
Rape and attempted rape	247	254	238	215	206
Intentional grievous bodily harm	124	126	109	111	85
Robberies	212	126	109	400	475
Armed robbery	1 511	2 193	3 018	4 924	4 844
Extortion	462	400	304	186	219
Theft	448	651	933	1 659	1 619
Human trafficking	14	40	15	39	52
Road accidents			481	596	630

Table 6
Number of cases for offences committed by adults against children

(Source: Ministry of Internal Affairs)

<i>Criminal Code</i>	2002	2003	2004	2005	2006
Improper performance of duties regarding the protection of the life and health of children (art. 137)	11	13	26	25	33
Trafficking in human beings or other unlawful deals in relation to persons, where the victims are children (art. 149, para. 3)	16	31	16	42	47
Exploitation of children (art. 150)	10	7	9	29	15
Deliberate failure to perform childcare duties (art. 166)	127	338	709	749	746
The import, manufacture, sale and distribution of pornographic materials where the victims are children (art. 301, para. 3)	3	3	6	7	6
Prostitution, coercion or enticement of prostitution (in relation to minors) where the victims are children (art. 303, para. 3)	3	21	8	12	13
Involvement of minors in criminal activities (art. 304)	4,421	4,145	3,497	2,880	2,281
Inducement of minors to use drugs (art. 315, para. 2)	72	114	255	343	321

Table 7
Breakdown of children aged 0-17 years who died in Ukraine in 2006 (by cause of death)

(Source: Government Committee on Statistics)

(Persons)

	<i>Total</i>			<i>Urban areas</i>			<i>Rural areas</i>		
	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>
Total	8 192	4 954	3 238	4 927	3 026	1 901	3 265	1 928	1 337
<i>Cause of death</i>									
Illness caused by HIV	51	29	22	39	23	16	12	6	6
Malaria	-	-	-	-	-	-	-	-	-
Tuberculosis	13	7	6	6	3	3	7	4	3
Acute poliomyelitis	-	-	-	-	-	-	-	-	-
Viral hepatitis	5	3	2	1	-	1	4	3	1
Acute respiratory infections of the upper respiratory tract	57	38	19	31	18	13	26	20	6
External causes	2 216	1 452	764	1 167	764	403	1 049	688	361
including:									
Intentional self-harm	148	119	29	64	52	12	84	67	17
Consequences of attack	129	74	55	86	46	40	43	28	15

Table 8
Birth and mortality rates among children

(Source: Ministry of Health)

No	Category	2002		2003		2004		2005		2006	
		Cases	Rate	Cases	Rate	Cases	Rate	Cases	Rate	Cases	Rate
1.	Birth (per 1 000 inhabitants)	390 688	8.1	408 589	8.5	427 259	9.0	426 086	9.0	460 368	9.8
2.	Mortality (per 1000 live birth and stillborn)	1 837	4.7	1 969	4.8	1 986	4.6	2 242	5.2	2 316*	4.9*
3.	Mortality of children aged up to 1 year of age (per 1 000 live births)	4 023	10.3	3 882	9.6	4 024	9.5	4 259	10	4 433	9.8
4.	Mortality of children aged up to 1 year of age from congenital malformations (per 1 000 live births)	1 198	30.7	2 098	27.1	1 196	28.2	1 200	28.1	No data	
5.	Mortality of children aged 0-4 years (per 1 000 live births)	5 270	13.5	5 161	12.9	5 157	12.4	5 438	12.9	No data	
6.	Mortality of children aged 0-4 years from congenital malformations (per 1 000 live births)	1 422		1 358		1 456		1 450		No data	
7.	Mortality of children aged 15-17 years of age (thousands of children aged 15-17)	1 578	6.7	1 532	6.6	1 385	6.1	1 301	6.1	No data	
8.	Mortality of handicapped children (per 1 000 live births)	1 063		943		918		1 043**		1 148	
9.	Maternal mortality (per 1 000 live births)	85	21.8	71	17.4	56	13.7	75	17.6	67***	14.5***

* According to Form 54-Health.

** Since 2005, children with disabilities retain their status up to age 18, whereas earlier that age was 16.

*** According to earlier data of the Government Committee on Statistics.

Table 9
Number of children placed in a family-type orphanages and foster families

(Source: Ministry for the Family, Youth and Sport)

	<i>Family-type orphanages</i>		<i>Foster families</i>		<i>Total number of children in orphanages and foster families</i>		<i>Created during the year</i>	
	<i>Number of institutions</i>	<i>Number of children</i>	<i>Number of institutions</i>	<i>Number of children</i>	<i>Number of institutions</i>	<i>Number of children</i>	<i>Number of institutions</i>	<i>Number of children</i>
2000	95	786	38	49	133	835	26	56
2001	102	839	48	59	150	898	17	63
2002	112	861	45	64	157	925	7	27
2003	128	955	70	106	199	1 060	41	135
2004	129	991	116	191	258	1 181	47	121
2005	149	1 025	180	288	329	1 312	84	131
2006	234	1 462	744	1 152	978	2 614	649	1 302

Table 10
Residential institutions for children by region (as at the end of 2006)

(Source: Government Committee on Statistics)

	<i>Residential schools for orphans and children deprived of parental care</i>		<i>Children's homes managed by ILO</i>		<i>Children's homes managed by the Ministry of Health</i>		<i>Residential establishments managed by the Ministry of Labour</i>	
	<i>Number of establishments</i>	<i>Number of children*</i>	<i>Number of establishments</i>	<i>Number of children*</i>	<i>Number of establishments</i>	<i>Number of children*</i>	<i>Number of establishments</i>	<i>Number of children*</i>
Ukraine	55	10 553	114	6 119	48	4 946	56	7 304
Autonomous Republic of Crimea	2	467	4	299	2	232	1	126
Vinnitsia	2	536	2	99	2	126	3	391
Volyn	2	518	1	35	1	37	1	54
Dnipropetrovsk	5	726	15	1215	5	513	5	610
Donetsk	5	822	10	573	5	553	3	649
Zhytomyr	3	677	1	91	2	185	4	345
Zakarpattia	1	182	4	338	1	134	3	415
Zaporizhia	2	556	-	-	1	262	2	411
Ivano-Frankivsk	1	148	1	82	1	62	3	295
Kiev	2	308	31	930	2	161	1	157
Kirovohrad	1	265	4	198	1	117	2	260
Luhansk	2	401	5	150	2	174	2	314
Lviv	1	197	8	391	2	157	2	140
Mykolaiv	2	479	2	56	1	159	1	107

	<i>Residential schools for orphans and children deprived of parental care</i>		<i>Children's homes managed by ILO</i>		<i>Children's homes managed by the Ministry of Health</i>		<i>Residential establishments managed by the Ministry of Labour</i>	
	<i>Number of establishments</i>	<i>Number of children*</i>	<i>Number of establishments</i>	<i>Number of children*</i>	<i>Number of establishments</i>	<i>Number of children*</i>	<i>Number of establishments</i>	<i>Number of children*</i>
Odessa	4	794	3	222	4	513	4	539
Poltava	2	520	1	70	1	110	2	240
Rivne	2	103	2	101	1	125	1	73
Sumy	2	378	1	-	1	91	2	187
Ternopil	1	179	1	19	1	55	2	180
Kharkiv	4	759	7	432	4	383	3	511
Kherson	1	286	2	118	1	81	2	380
Khmelnysky	2	342	1	66	1	91	1	66
Cherkasy	1	178	3	191	1	138	1	160
Chernivtsi	1	169	1	62	1	83	1	67
Chernihiv	2	384	1	86	1	106	2	229
Kiev City	2	179	1	155	2	221	2	398
Sevastopol City	-	-	2	140	1	77	-	-

* The total number of children in residential establishments includes, in addition to orphans, children who have parents.

Table 11
Distribution of orphans and children deprived of parental care by place of residence (end of the year)
 (Source: Ministry of Family, Youth and Sport)

	2002		2003		2004		2005	
	<i>Number of establishments</i>	<i>Number of children*</i>	<i>Number of establishments</i>	<i>Number of children*</i>	<i>Number of establishments</i>	<i>Number of children*</i>	<i>Number of establishments</i>	<i>Number of children*</i>
Residential schools for orphans and children deprived of parental care	52	13 173	53	13 110	54	12 593	54	11 954
Children's homes managed by the ILO	48	5 132	48	5 205	50	5 387	48	5 200
Boarding houses managed by the Ministry of Labour	56	7 781	56	7 856	56	7 716	56	7 475
Shelters for minors	91	30 007	94	28 432	93	26 194	96	23 674

* At the end of 2005, 1,025 children lived in 149 family-type establishments and 288 with 180 foster families. The total numbers of children in residential schools includes, in addition to orphans, children who have parents

Table 12
Number of children with disabilities by region (as at 1 January 2006)

(Source: Centre for Health Statistics of the Ministry of Health)

	<i>Total number of children aged 0-17</i>	<i>Disabled children under 18</i>
Ukraine	8 801 969	162 101
Autonomous Republic of Crimea	362 016	5 771
Vinnitsia	336 722	6 911
Volyn	242 858	4 480
Dnipropetrovsk	612 568	11 016
Donetsk	752 854	14 749
Zhytomyr	275 133	5 458
Zakarpattia	301 141	4 784
Zaporizhia	327 434	6 046
Ivano-Frankivsk	312 168	6 362
Kiev	331 977	6 284
Kirovohrad	203 279	3 842
Luhansk	392 856	7 391
Lviv	539 179	10 081
Mykolaiv	235 408	4 516
Odessa	462 795	6 729
Poltava	276 177	4 976
Rivne	251 136	6 033
Sumy	213 394	3 625
Ternopil	235 288	4 071
Kharkiv	459 268	9 363
Kherson	224 264	3 430
Khmelnysky	273 872	5 534
Cherkasy	248 250	4 958
Chernivtsi	200 295	3 705
Chernihiv	199 373	3 276
Kiev City	440 295	7 729
Sevastopol City	61 969	981

Table 13
Number of minors suffering from sexually transmitted diseases

(Source: Ministry of Health)

<i>Disease</i>	2002	2003	2004	2005	2006
Number of minors who suffered from sexually transmitted diseases					
<i>Syphilis</i>	1 404	1 099	996	807	604
At age 14 (cases)	265	237	222	174	160
Per 100,000 children aged 0-14	3.33	3.15	3.06	2.48	2.37
Aged 15-17	1 139	862	774	633	444
Per 100,000 young persons aged 15-17	48.3	37.3	34.3	29.6	21.8
<i>Gonorrhoea</i>	1 068	1 003	823	696	521
At age 14 (cases)	185	163	111	124	91
Per 100,000 children aged 0-14	2.33	2.16	1.53	1.77	1.35
Aged 15-17	883	840	712	572	430
Per 100,000 young persons aged 15-17	37.5	36.4	31.6	26.7	21.1
<i>Chlamydia infection</i>	661	588	636	548	557
At age 14 (cases)	197	192	171	124	103
Per 100,000 children aged 0-14	2.48	2.55	2.36	1.77	1.52
Aged 15-17	464	407	465	424	454
Per 100,000 young persons aged 15-17	19.7	17.6	20.6	19.8	22.3

Table 14
Incidence of sexually transmitted diseases in children 0-14 years

(Source: Ministry of Health)

	2002		2003		2004		2005		2006	
	Cases	<i>Per 100,000 persons</i>	Cases	<i>Per 100,000 persons</i>	Cases	<i>Per 100,000 persons</i>	Cases	<i>Per 100,000 persons</i>	Cases	<i>Per 100,000 persons</i>
Syphilis (all forms)	265	3.3	237	3.2	222	3.1	174	2.5	160	2.4
Gonococcal infection	185	2.3	163	2.2	111	1.5	124	1.8	91	1.4
Chlamydia										
lymphogranuloma	197	2.5	192	2.5	171	2.4	124	1.8	103	1.5
Trichomoniasis	485	6.1	554	7.4	448	6.2	424	6.1	366	5.4
Urogenital mycoplasmosis	82	1.0	101	1.3	120	1.7	110	1.6	117	1.7

Table 15
Incidence of all forms of active tuberculosis among children aged 0-14

(Source: Ministry of Health)

	<i>Cases</i>							<i>Per 100,000 inhabitants</i>						
	2000	2001	2002	2003	2004	2005	2006	2000	2001	2002	2003	2004	2005	2006
Ukraine	790	788	697	684	674	619	652	9.0	9.3	8.8	9.1	9.3	8.9	9.6

Table 16
Number of patients with all forms of active tuberculosis among children aged 0-14

(Source: Ministry of Health)

	<i>Cases</i>							<i>Per 100,000 inhabitants</i>						
	2000	2001	2002	2003	2004	2005	2006	2000	2001	2002	2003	2004	2005	2006
Ukraine	2 185	2 066	2 110	1 849	1 200	1 043	1 007	24.8	24.5	25.3	24.5	16.6	14.9	14.9

Table 17
Number of children aged 0-14 who died from tuberculosis

(Source: Ministry of Health)

	<i>Cases</i>						
	2000	2001	2002	2003	2004	2005	2006
Ukraine	9	11	8	2	4	6	7

Table 18
Prevalence of HIV and AIDS among Ukrainians (1 January 2007)
(Hospital registrations, per 100,000 population)

(Source: Ministry of Health)

<i>Region</i>	<i>HIV positive</i>	<i>Prevalence HIV-infection</i>	<i>Sick with AIDS</i>	<i>Prevalence AIDS</i>
Ukraine	71 958	154.3	7 175	15.4
Autonomous Republic of Crimea	4 236	214.3	474	24.0
Vinnitsia	983	58.3	148	8.8
Volyn	768	74.0	40	3.9
Dnipropetrovsk	12 730	371.9	1 191	34.8
Donetsk	16 007	349.5	2 089	45.6
Zhytomyr	893	67.8	93	7.1
Zakacarpattia	109	8.8	18	1.4

<i>Region</i>	<i>HIV positive</i>	<i>Prevalence HIV-infection</i>	<i>Sick with AIDS</i>	<i>Prevalence AIDS</i>
Zaporizhia	1 893	102.5	75	4.1
Ivano-Frankivsk	226	16.3	18	1.3
Kiev	1 691	96.6	201	11.5
Kirovohrad	801	76.1	46	4.4
Luhansk	2 409	101.1	60	2.5
Lviv	875	34.1	141	5.5
Mykolaiv	4 001	330.1	353	29.1
Odessa	8 820	368.2	1 012	42.2
Poltava	1 375	89.3	110	7.1
Rivne	421	36.5	35	3.0
Sumy	474	39.1	84	6.9
Ternopil	307	27.8	30	2.7
Kharkiv	1 458	51.8	19	0.7
Kherson	1 396	125.0	115	10.3
Khmelnyskyi	1 348	99.0	77	5.7
Cherkasy	1 711	128.8	117	8.8
Chernihiv	342	37.7	50	5.5
Chernivtsi	1 201	104.3	74	6.4
Kiev City	4 426	162.8	341	12.5
Sevastopol City	1 057	278.7	164	43.2

Table 19
Financing of education (2000-2006)

(Source: Government Committee on Statistics)

	<i>Total expenditure under the consolidated budget (UAH million)</i>	<i>Expenditures as a percentage of</i>		<i>Expenditure on individual sub-sectors as % of sector expenditure</i>	<i>Total expenditure under the consolidated budget (UAH million)</i>	<i>Expenditures as a percentage of</i>		<i>Expenditure on individual sub-sectors as % of sector expenditure</i>
		<i>Total expenditure</i>	<i>GDP</i>			<i>Total expenditure</i>	<i>GDP</i>	
	2000				2004			
Total	48 148.6	100	100	x	101 282.6	100	100	x
Total for education	7 085.5	14.7	4.2	100	18 319.7	18.1	5.3	100
of which:								
Pre-school	789.0	1.6	0.5	11.1	2 058.9	2.0	0.6	11.2
General intermediate	2 564.6	5.3	1.5	36.2	7 507.5	7.4	2.2	41.0
Vocational- technical	429.1	0.9	0.3	6.1	1 137.2	1.1	0.3	6.2
Higher	2 285.5	4.7	1.3	32.3	5 813.7	5.7	1.7	31.7

	<i>Total expenditure under the consolidated budget (UAH million)</i>	<i>Expenditures as a percentage of</i>		<i>Expenditure on individual sub-sectors as % of sector expenditure</i>	<i>Total expenditure under the consolidated budget (UAH million)</i>	<i>Expenditures as a percentage of</i>		<i>Expenditure on individual sub-sectors as % of sector expenditure</i>
		<i>Total expenditure</i>	<i>GDP</i>			<i>Total expenditure</i>	<i>GDP</i>	
	<i>2002</i>			<i>x</i>	<i>2005¹</i>			<i>x</i>
Total	60 318.9	100	100	x	141 989 5	100	100	x
Total for education	12 269.0	20.3	5.6	100	26 801.8	18.9	6.3	100
of which:								
Pre-school	1 372.2	2.3	0.6	11.1	2 940.7	2.1	0.7	11.0
General intermediate	4 931.0	8.2	2.2	40.2	11 158.8	7.9	2.6	41.6
Vocational- technical	733.1	1.2	0.3	6.0	1 749.9	1.2	0.4	6.5
Higher	4 167.0	6.9	1.9	34.0	7 934.1	5.6	1.9	29.6

	<i>Total expenditure under the consolidated budget (UAH million)</i>	<i>Expenditures as a percentage of</i>		<i>Expenditure on individual sub-sectors as % of sector expenditure</i>	<i>Total expenditure under the consolidated budget (UAH million)</i>	<i>Expenditures as a percentage of</i>		<i>Expenditure on individual sub-sectors as % of sector expenditure</i>
		<i>Total expenditure</i>	<i>GDP</i>			<i>Total expenditure</i>	<i>GDP</i>	
	<i>2003</i>				<i>2006</i>			
Total	75 792.5	100	100	x	175 234.5	100	100	x
Total for education	14 977.7	19.8	5.7	100	33 783.7	19.3	8.2	100
of which:								
Pre-school	1 710.2	2.3	0.6	11.4	3 825.2	2.2	0.9	11.3
General intermediate	6 243.7	8.2	2.4	41.7	14 228.0	8.1	3.4	42.1
Vocational- technical	891.7	1.2	0.3	6.0	2 095.9	1.2	0.5	6.2
Higher	4 627.9	6.1	1.8	30.9	9 935.8	5.7	2.4	29.4

¹ Preliminary data.

Table 20
Pre-school institutions (end of year)
 (Source: Government Committee on Statistics)

	2002	2003	2004	2005	2006
<i>Number of establishments (thousand)</i>	15.3	15.0	14.9	15.1	15.1 ¹
Urban areas	6.9	6.7	6.7	6.7	6.6
Rural areas	8.4	8.3	8.2	8.4	8.5
<i>Number of students (thousand)</i>	1 060	1 053	1 040	1 056	1 063 ²
Urban areas	790	782	767	773	780
Rural areas	270	271	273	283	283
<i>Number of children in institutions (thousand)</i>	973	977	996	1 032	1 081
Urban areas	809	807	820	840	877
Rural areas	164	170	176	192	204
Percentage of children in institutions in relation to the number of children in the same age group	48	49	50	51	54 ³
Urban areas	65	65	65	64	68 ³
Rural areas	21	22	24	27	28 ³
Number of children in institutions per 100 places	92	93	96	98	102
Urban areas	102	103	107	109	112
Rural areas	61	63	65	68	72

¹ Of these, 1,600 schools did not function.

Table 21
Pre-school enrolment by age group
(number of pupils as a percentage of the population of the same age group)

(Source: Government Committee on Statistics)

	2002	2003	2004	2005	2006 ¹
Total in all of Ukraine	34.8	35.3	36.1	37.2	39.0
0-2 years	13.6	13.4	13.7	14.6	15.9
3-4 years	60.5	64.3	68.6	71.7	76.9
5 years	55.4	56.9	59.6	62.7	63.7
6 years	22.2	21.9	20.4	17.7	15.3
3-6 years	48.7	51.1	53.6	55.8	58.0
<i>Urban areas</i>	47.5	47.1	47.1	47.3	49.3
0-2 years	18.9	18.0	18.1	19.0	20.8
3-4 years	82.8	87.1	90.2	90.5	96.5
5 years	73.2	74.1	77.1	79.3	80.5
6 years	33.2	33.0	30.6	26.2	22.4
3-6 years	66.7	69.4	71.4	71.9	74.3
<i>Rural areas</i>	15.0	16.1	17.2	19.3	20.5
0-2 years	4.9	5.1	5.3	5.8	6.2
3-4 years	26.9	29.4	33.4	38.5	42.1
5 years	28.5	30.9	32.9	37.0	37.7
6 years	5.2	5.1	4.9	4.6	4.2
3-6 years	21.4	23.3	25.6	29.2	30.9

¹ Preliminary data

Table 22
General Education Schools (at the beginning of the 2006-2007 academic year)

(Source: Government Committee on Statistics)

	<i>Including</i>		
	<i>Total</i>	<i>Daytime</i>	<i>Evening (Correspondence)</i>
<i>Urban and rural areas</i>			
Total number of institutions	21 417	21 184	233
Of which, by form of ownership:			
State and community	21 157	20 924	233
Private	260	260	-
Total number of students	5 120 147	5 025 804	94 343
Of whom, in institutions by form of ownership:			
State and community	5 095 844	5 001 501	94 343
Private	24 303	24303	-
Total number of teachers	537 273	533024	4 249
Of whom, in institutions by form of ownership:			
State and community	531 496	527 247	4 249
Private	5 777	5 777	-
<i>Urban areas</i>			
Total number of institutions	7 232	7 016	216
Of which, by form of ownership:			
State and community	6 977	6 761	216
Private	255	255	-
Total number of students	3 366 457	3 291 251	75 206
Of whom, in institutions by form of ownership:			
State and community	3 342 589	3 267 383	75 206
Private	23 868	23 868	-
Total number of teachers		295 483	.
Of whom, in institutions by form of ownership:			
State and community		289 773	.
Private	5 710	5 710	-

	<i>Total</i>	<i>Including</i>	
		<i>Daytime</i>	<i>Evening (Correspondence)</i>
<i>Rural areas</i>			
Total number of institutions	14 185	14 168	17
Of which, by form of ownership:			
State and community	14 180	14 163	17
Private	5	5	-
Total number of students	1 753 690	1 734 553	19 137
Of whom, in institutions by form of ownership:			
State and community	1 753 255	1 734 118	19 137
Private	435	435	-
Total number of teachers		237 541	
Of whom, in institutions by form of ownership:			
State and community		237 474	
Private	67	67	-

Table 23
General education day schools of the new type of State-community ownership (at the beginning of the 2006-2007 school year)

(Source: Government Committee on Statistics)

	<i>Arts-oriented secondary schools</i>			<i>Science-oriented secondary schools</i>			<i>Academies</i>			<i>Educational complexes (associations)</i>		
	<i>Schools</i>	<i>Students*</i>	<i>Teachers</i>	<i>Schools</i>	<i>Students*</i>	<i>Teachers</i>	<i>Schools</i>	<i>Students*</i>	<i>Teachers</i>	<i>Schools</i>	<i>Students*</i>	<i>Teachers</i>
Ukraine	512	288 388	26 820	347	150 983	15 508	42	26 674	2 440	1 942	391 114	42 860
Autonomous Republic of Crimea	4	3 731	261	2	294	37	-	-	-	71	31 231	2 859
Vinnitsia	2	1 847	119	4	914	137	-	-	-	79	20 621	2 101
Volyn	19	13 284	1 363	12	8 666	753	3	2 014	208	40	9 074	997
Dnipropetrovsk	16	9 380	765	25	9 965	987	2	1 580	128	72	23 480	1 959
Donetsk	31	16 358	1 423	30	15 842	1 420	2	1 078	91	78	24 479	2 220
Zhytomyr	20	13 846	1 238	6	4 398	359	3	2 243	194	45	9 249	973
Zakarpattia	12	4 602	472	8	1 950	226	-	-	-	33	4 331	453
Zaporizhia	30	18 433	1 622	14	6 099	718	5	3 286	282	93	29 507	2 908
Ivano-Frankivsk	14	4 650	544	7	2 300	296	-	-	-	45	7 415	844
Kiev	15	7 796	769	13	2 845	410	-	-	-	191	24 559	3 429
Kirovohrad	8	3 147	276	2	490	76	-	-	-	32	14 656	1 404
Luhansk	44	21 044	1 793	11	4 199	471	1	738	69	33	12 028	1 100
Lviv	25	13 419	1 436	10	3 857	385	-	-	-	40	12 314	1 314
Mykolaiv	17	5 564	559	6	1 571	158	1	1 189	101	32	2 743	337
Odessa	11	7 217	641	10	3 331	359	-	-	-	140	47 034	4 589
Poltava	28	20 856	1 767	10	5 334	477	2	1 011	101	36	6 821	723

	<i>Arts-oriented secondary schools</i>			<i>Science-oriented secondary schools</i>			<i>Academies</i>			<i>Educational complexes (associations)</i>		
	<i>Schools</i>	<i>Students*</i>	<i>Teachers</i>	<i>Schools</i>	<i>Students*</i>	<i>Teachers</i>	<i>Schools</i>	<i>Students*</i>	<i>Teachers</i>	<i>Schools</i>	<i>Students*</i>	<i>Teachers</i>
Rivne	13	5 382	588	16	3 202	504	2	1 298	116	64	24 006	2 390
Sumy	7	3 461	350	1	223	45	-	-	-	110	8 844	1 576
Ternopil	15	5 398	691	8	1 113	199	2	170	40	53	3 116	492
Kharkiv	49	32 535	2 692	50	25 201	2 236	4	3 148	276	51	12 328	1 325
Kherson	13	7 220	665	6	2 972	375	-	-	-	39	4 915	517
Khmelnyskyi	27	16 201	1 584	31	18 191	1 756	13	6 890	668	168	16 171	2 479
Cherkasy	10	6 766	649	11	1 537	225	1	958	70	224	21 932	3 608
Chernihiv	21	8 408	951	10	3 754	434	-	-	-	39	8 170	907
Chernivtsi	25	13 230	1 311	9	4 847	545	1	1 071	96	44	3 335	529
Kiev City	31	21 187	2 031	34	17 570	1 874	-	-	-	88	8 582	806
Sevastopol City	5	3 426	260	1	318	46	-	-	-	2	173	21

* Of the total number of students in general education establishments, 86,562 attend arts oriented schools, 71,317 science-oriented schools, and 19,202 academies.

Table 24
Percentage of Ukrainian children attending intermediate general education establishments, 2006

(Source: Government Committee on Statistics)

	<i>Total number of students in general education day establishments</i>		<i>Number of pupils up to and including 9 years of age as a % of permanent population of 6-9-year olds*</i>	<i>Number of students aged 10-14 as a % population of 10-14 year olds*</i>	<i>Number of students aged 15 or older as a % of permanent population of 15-17-year olds*</i>	<i>Number of pupils aged 6 as a % of permanent population of 6 year olds*</i>
	<i>% of expected population on 1.01.2007</i>	<i>% of permanent population of 6-17-year olds*</i>				
Ukraine	10.8	78.1	89.0	93.3	49.1	72.5
Autonomous Republic of Crimea	10.3	77.1	88.6	91.3	51.2	67.6
Vinnytsia	11.5	77.9	88.3	93.5	46.1	75.3
Volyn	13.5	81.5	90.7	94.8	51.9	79.4
Dnipropetrovsk	10.2	78.1	90.7	94.1	48.6	65.3
Donetsk	8.6	70.7	81.3	87.4	42.0	60.4
Zhytomyr	12.4	81.1	87.9	94.6	54.1	72.9
Zakacarpattia	13.9	80.6	94.0	93.7	48.2	88.9
Zaporizhia	10.1	78.1	88.7	93.1	51.1	65.3
Ivano-Frankivsk	13.0	79.3	88.4	93.9	48.7	76.0
Kiev	11.3	81.3	92.8	97.7	50.4	78.5
Kirovohrad	11.1	77.8	87.6	92.1	49.2	72.7
Luhansk	8.9	72.2	82.0	87.8	46.1	59.5
Lviv	12.1	79.3	88.5	93.2	51.0	77.0
Mykolaiv	11.2	78.1	87.8	93.6	49.7	67.3
Odessa	11.1	79.2	92.4	94.6	48.2	73.7
Poltava	10.8	79.9	88.4	94.1	54.4	74.3
Rivne	14.3	82.6	89.5	95.1	56.0	75.3

	<i>Total number of students in general education day establishments</i>		<i>Number of pupils up to and including 9 years of age as a % of permanent population of 6-9-year olds*</i>	<i>Number of students aged 10-14 as a % population of 10-14 year olds*</i>	<i>Number of students aged 15 or older as a % of permanent population of 15-17-year olds*</i>	<i>Number of pupils aged 6 as a % of permanent population of 6 year olds*</i>
	<i>% of expected population on 1.01.2007</i>	<i>% of permanent population of 6-17-year olds*</i>				
Sumy	9.9	74.8	84.0	91.2	45.6	65.2
Ternopil	12.3	78.8	89.7	93.4	46.2	81.0
Kharkiv	9.3	78.0	90.8	93.6	50.1	74.3
Kherson	11.7	79.2	88.7	93.6	51.6	71.0
Khmelnyskyi	12.2	82.7	90.2	95.8	56.6	80.3
Cherkasy	11.1	79.1	87.4	92.4	53.7	74.8
Chernihiv	12.5	78.1	88.6	93.5	44.9	76.7
Chernivtsi	10.4	80.8	87.9	94.2	57.5	74.7
Kiev City	9.0	79.5	100.0	99.8	44.3	81.2
Sevastopol City	8.7	76.9	92.8	94.2	46.8	59.9

* As at 1 January 2006.

Table 25
**Pupils and teachers per establishment of the new type (at the beginning of the
 2006-2007 school year)**

(Source: Government Committee on Statistics)

(Persons)

	<i>Arts-oriented secondary schools</i>		<i>Science-oriented secondary schools</i>		<i>Academies</i>		<i>Educational complexes (associations)</i>	
	<i>Students</i>	<i>Teachers</i>	<i>Students</i>	<i>Teachers</i>	<i>Students</i>	<i>Teachers</i>	<i>Students</i>	<i>Teachers</i>
Ukraine	537	51	398	42	599	55	197	22
Autonomous Republic of Crimea	763	56	118	21	-	-	403	38
Vinnitsia	414	34	229	34	-	-	261	27
Volyn	699	72	667	59	671	69	227	25
Dnipropetrovsk	586	48	357	37	790	64	290	26
Donetsk	488	44	451	43	539	46	307	28
Zhytomyr	664	60	647	55	748	65	206	22
Zakacarpattia	384	39	181	23	-	-	131	14
Zaporizhia	577	52	401	49	657	56	308	31
Ivano-Frankivsk	332	39	329	42	-	-	163	19
Kiev	520	51	208	30	-	-	128	18
Kirovohrad	393	35	245	38	-	-	445	43
Luhansk	478	41	364	42	738	69	351	33
Lviv	489	54	301	36	-	-	290	32
Mykolaiv	327	33	262	26	1 189	101	86	11
Odessa	607	55	308	35	-	-	318	33
Poltava	745	63	493	45	506	51	176	20
Rivne	414	45	200	32	649	58	375	37
Sumy	398	43	112	23	25	11	79	14
Ternopil	360	46	126	24	85	20	59	9
Kharkiv	664	55	486	44	680	62	228	26
Kherson	555	51	348	46	-	-	125	14
Khmelnyskyi	600	59	573	56	530	51	96	15
Cherkasy	677	65	140	20	958	70	98	16
Chernihiv	400	45	375	43	-	-	209	23
Chernivtsi	529	52	539	61	1 071	96	75	12
Kiev City	504	54	461	52	-	-	93	9
Sevastopol City	685	52	318	46	-	-	87	11

Table 26
Number of persons attending educational institutions (at the beginning of the school year, thousand)

(Source: Government Committee on Statistics)

	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/7
<i>Total</i>	9,220	9,222	9,122	8,974	8,813	8,605	8,381
In general education establishments	6 764	6 601	6 350	6 044	5 731	5 399	5 120
Day schools	6 647	6 486	6 237	5 936	5 626	5 301	5 026
Evening (shift) schools, including those studying by correspondence	117	115	113	108	105	98	94
In technical and vocational establishments	525	512	502	493	507	497	474
I-II accreditation level	528	561	583	593	548	505	468
III-IV accreditation level	1 403	1 548	1 687	1 844	2 027	2 204	2 319
Per 10,000 inhabitants							
In general education establishments	1 372	1 347	1 323	1 269	1 212	1 151	1 098
In technical and vocational establishments	107	105	105	104	107	106	102
In higher education institutions							
I-II accreditation level	107	115	121	125	116	108	100
III-IV accreditation level	285	316	352	387	429	470	497

Table 27
Club-type cultural institutions by type of institution, type of settlement and region

(Source: Government Committee on Statistics)

	<i>Number of institutions</i>			<i>Number of students</i>		
	<i>Total</i>	<i>Urban areas</i>	<i>Rural areas</i>	<i>Total</i>	<i>Urban areas</i>	<i>Rural areas</i>
Ukraine	19 149	2 313	16 836	4 959 845	938 023	4 021 822
Autonomous Republic of Crimea	650	135	515	196 567	46 477	150 090
Vinnytsia	1 179	117	1 062	356 329	49 655	306 674
Volyn	673	46	627	148 703	19 193	129 510
Dnipropetrovsk	640	120	520	184 436	53 756	130 680
Donetsk	703	287	416	230 793	11 9136	111 657
Zhytomyr	1 127	78	1 049	255 197	30 832	224 365
Zakacarpattia	488	43	445	108 337	15 015	93 322
Zaporizhia	499	85	414	149 110	40 093	109 017
Ivano-Frankivsk	733	72	661	164 865	25 563	139 302
Kiev	867	78	789	211 795	30 565	181 230
Kirovohrad	641	76	565	199 659	33 199	166 460
Luhansk	585	198	387	147 818	70 149	77 669
Lviv	1 395	139	1 256	258 737	54 442	204 295
Mykolaiv	556	57	499	157 772	25 224	132 548
Odessa	752	60	692	186 636	21 881	164 755
Poltava	907	62	845	251 217	29 365	221 852
Rivne	703	55	648	141 753	20 533	121 220
Sumy	683	81	602	185 476	32 054	153 422
Ternopil	921	52	869	193 002	20 981	172 021
Kharkiv	747	106	641	205 458	53 195	152 263
Kherson	486	64	422	131 926	22 781	109 145
Khmelnyskyi	1 206	92	1 114	318 585	39 503	279 082
Cherkasy	752	63	689	241 801	26 423	215 378
Chernihiv	391	38	353	103 761	11 451	92 310
Chernivtsi	806	66	740	206 577	27 072	179 505
Kiev City	26	26	-	12 555	12 555	-
Sevastopol City	33	17	16	10 980	6 930	4 050

Table 28
Cultural and art institutions in Ukraine
 (Source: Government Committee on Statistics)

	<i>Number of professional theatres (including studio theatres) (at the end of the year)</i>	<i>Annual number of theatre entries (million)</i>	<i>Number of concert organizations</i>	<i>Annual number of concert entries (million)</i>	<i>Number of museums (including branches) (at the end of the year)</i>	<i>Annual number of museum visits (million)</i>
2002	131	6.2	67	6.6	376	17.5
2003	135	6.1	71	4.0	394	17.6
2004	133	6.0	77	4.9	422	18.5
2005	135	6.2	78	4.4	437	18.9
2006	137	6.2	81	4.1	445	20.2

	<i>Number of public general libraries (thousand)</i>	<i>Library stock (millions of books)</i>	<i>Number of distributors of films or videos (thousand)</i>	<i>Annual number of cinema entries (million)</i>	<i>Number of club-type cultural establishments (thousand)</i>	<i>Number of places in such establishments (million)</i>
2002	20.4	339	5.3	9	19.9	5.2
2003	20.3	336	4.1	10	19.6	5.1
2004	20.0	333	3.6	10	19.4	5.1
2005	19.8	330	3.3	10	19.1	5.0
2006	19.8	324	3.2	12	19.0	4.9

Table 29
Print media and television and radio broadcasting
 (Source: Government Committee on Statistics)

	<i>Publishing of books (printed items)</i>		<i>Issues of magazines and other periodicals</i>		<i>Number of newspapers</i>		<i>Average daily broadcasting hours</i>	
	<i>Total</i>	<i>Circulation (millions of copies)</i>	<i>Total</i>	<i>Annual circulation (millions of copies)</i>	<i>Total</i>	<i>Daily circulation (millions of copies)</i>	<i>TV broadcasting</i>	<i>Radio broadcasting</i>
2002	12 444	48	1 923	84	3 047*	87	237.7	344.0
2003	1 3805	39	2 246	130	2 891*	75	240.7	349.6
2004	14 790	53	2 385	124	3 014*	88	271.1	354.5
2005	15 720	54	2 182	132	2 974*	80	313.7	364.9
2006	15 867	54	2 301	138	2 918*	90	455.8	399.1

- Including appendices distributed separately (according to UNESCO methodology).

Table 30
Rates of sports school attendance by pupils and students (2005-2006) (pupils or students of general education day schools, technical and vocational schools, and I-II accreditation level higher education institutions)

(Source: Ministry for the Family, Youth and Sport)

<i>Region</i>	<i>Total number of students aged 6-18 (2005)</i>	<i>Number of sports school students (2005)</i>	<i>Percent (2005)</i>	<i>Total number of students aged 6-18 (2006)</i>	<i>Number of sports school students (2006)</i>	<i>Percent (2006)</i>
Autonomous Republic of Crimea	234 014	22 910	9.8	219 707	22 379	10.2
Vinnitsia	225 409	27 525	12.2	221 614	27 000	12.2
Volyn	157 311	20 632	13.1	155 099	20 108	13.0
Dnipropetrovsk	434 331	55 733	12.8	395 105	57 165	14.5
Donetsk	490 963	61 395	12.5	469 459	63 266	13.5
Zhytomyr	190 590	16 927	8.9	186 432	17 873	9.6
Zakarcarpattia	189 257	18 421	9.7	186 400	18 816	10.1
Zaporizhia	228 036	21 350	9.4	213 827	22 572	10.6
Ivano-Frankivsk	210 628	26 698	12.7	203 160	25 469	12.5
Kiev	221 302	31 975	14.4	216 286	30 366	14.0
Kirovohrad	136 330	16 903	12.4	131 425	17 453	13.3
Luhansk	264 012	38 792	14.7	252 225	33 490	13.3
Lviv	379 493	33 521	8.8	353 438	33 180	9.4
Mykolaiv	157 404	21 274	13.5	152 025	20 834	13.7
Odessa	321 493	32 117	10.0	289 907	33 854	11.7
Poltava	199 004	21 005	10.6	187 284	20 964	11.2
Rivne	188 696	20 991	11.1	180 169	21 163	11.7
Sumy	147 644	19 149	13.0	136 077	18 646	13.7
Ternopil	163 328	14 486	8.9	152 660	14 186	9.3
Kharkiv	349 710	65 058	18.6	297 536	63 560	21.4
Kherson	150 685	17 955	11.9	146 799	18 577	12.7
Khmelnyskyi	191 381	25 645	13.4	185 251	26 439	14.3
Cherkasy	176 930	18 242	10.3	162 865	17 776	10.9
Chernihiv	133 985	16 778	12.5	127 614	17 052	13.4
Chernivtsi	140 758	16 801	11.9	132 687	17 456	13.2
Kiev City	417 606	32 133	7.7	287 355	36 945	12.9
Sevastopol City	40 588	6 561	16.2	36 887	6 727	18.2
Total	6 140 888	720 977	11.7	5 679 293	723 316	12.7

Table 31
Incidence and prevalence of substance abuse disorders among children
(rate per 100,000 of the relevant population)

(Source: Ministry of Health)

	2003	2004	2005	2006
<i>Incidence among children aged 15-17 years (adolescents)</i>				
Drug addiction (cases)	211	133	117	102
Rate	9.1	5.9	5.5	5.0
Abuse of inhalants (cases)	148	145	99	102
Rate	6.4	6.4	4.6	5.0
Specialized clinics (cases)	418	334	288	242
Rate	18.1	14.8	13.5	11.9
Preventive care (cases)	8 990	9 046	8 712	7 918
Rate	389.3	400.8	407.2	388.7
Chronic alcoholism (cases)	55	54	67	34
Rate	2.4	2.4	3.1	1.7
Alcoholic psychoses (cases)	4	32	5	4
Rate	0.2	0.1	0.2	0.2
<i>Prevalence among children aged 15-17 years (adolescents)</i>				
Drug addiction (cases)	357	270	212	186
Rate	15.5	12.0	9.9	9.1
Abuse of inhalants (cases)	569	574	486	340
Rate	24.6	25.4	22.7	16.7
Specialized clinics (cases)	1 024	938	791	601
Rate	44.3	41.6	37.0	29.5
Preventive care (cases)	14 124	13 894	13 194	11 837
Rate	611.7	615.6	612.7	581.0
Chronic alcoholism (cases)	94	92	90	71
Rate	4.1	4.1	4.2	3.5
Alcoholic psychoses (cases)	4	2	3	4
Rate	0.2	0.1	0.1	0.2

	2003	2004	2005	2006
<i>Incidence among children aged 0-14 inclusive</i>				
Drug addiction (cases)	10	5	4	4
Rate	0.1	0.1	0.1	0.1
Abuse of inhalants (cases)	56	25	48	23
Rate	0.7	0.3	0.7	0.3
Specialized clinics (cases)	68	32	53	32
Rate	0.9	0.4	0.8	0.5
Preventive care (cases)	1 487	1 392	1 287	1 255
Rate	19.7	19.2	18.4	18.6
Chronic alcoholism (cases)	2	2	1	5
Rate	0.003	0.003	0.014	0.1
Alcoholic psychoses (cases)	0	0	0	0
Rate	0	0	0	0
<i>Prevalence among children aged 0-14 inclusive</i>				
Drug addiction (cases)	19	11	8	9
Rate	0.3	0.2	0.1	0.1
Abuse of inhalants (cases)	162	127	96	51
Rate	2.2	1.8	1.4	0.8
Specialized clinics (cases)	182	140	106	65
Rate	2.4	1.9	1.5	1.0
Preventive care (cases)	2 031	2 043	1 839	1 829
Rate		28.2	26.3	27.0
Chronic alcoholism (cases)	1	2	2	5
Rate	0.013	0.024	0.028	0.1
Alcoholic psychoses (cases)	0	0	0	0
Rate	0	0	0	0

Table 32
Number of socio-psychological rehabilitation centres for children (2006)

(Source: Ministry for the Family, Youth and Sport)

	<i>Total</i>	<i>Inpatients</i>	<i>Outpatients</i>
Number of centres at the end of the year	28	-	-
Including: places, units	957	-	-
Number of children, who were in centres throughout the year (persons)	15 109	1 560	13 549
Including: Boys	10 217	856	9 361
Girls	4 892	704	4 188

Table 33
**Distribution of Socio-psychological Rehabilitation Centres for Children by Region
 (2006)**

(Source: Ministry for the Family, Youth and Sport)

	<i>Number of centres at end of year</i>	<i>In them: places, units</i>	<i>Number of children who were at the centre throughout the year (persons)</i>
Ukraine	28	957	15 109
Autonomous Republic of Crimea	-	-	-
Vinnitsia	1	25	77
Volyn	1	30	-
Dnipropetrovsk	2	100	145
Donetsk	-	-	-
Zhytomyr	1	45	43
Zakacarpattia	1	20	21
Zaporizhia	-	-	-
Ivano-Frankivsk	1	50	-
Kiev	4	150	191
Kirovohrad	1	70	-
Luhansk	1	15	13 356
Lviv	-	-	-
Mykolaiv	1	25	58
Odessa	3	65	143
Poltava	1	25	-
Rivne	1	20	128
Sumy	1	50	-
Ternopil	-	-	-
Kharkiv	3	50	78
Kherson	1	20	30
Khmelnyskyi	1	20	-
Cherkasy	1	15	63
Chernihiv	-	-	-
Chernivtsi	1	50	60
Kiev City	1	112	716
Sevastopol City	-	-	-