

Distr.: General  
26 August 2015

Original: English  
English, French and Spanish only

**ADVANCE UNEDITED VERSION**

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

**Consideration of reports submitted by States parties under  
article 18 of the Convention**

**Eighth periodic report of States parties due in 2014**

**Ukraine\***

[Date received: 6 August 2015]

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\* In accordance with the information transmitted to the States parties regarding the processing of their reports, the present document has not been edited.

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## Abbreviations

CEDAW – Convention on the Elimination of all Forms of Discrimination against Women

CO – Concluding Observations and Recommendations of the UN Committee on the Elimination of Discrimination against Women

USAID – US Agency for International Development

HIV – human immunodeficiency virus

WHO – World Health Organization

GFK Ukraine – sociological company GFK Ukraine

CSW – commercial sex women

MSM – Mass Media

PLWH – people living with HIV

MIA – Ministry of Internal Affairs of Ukraine

MICS-2012 – Multi-indicative cluster survey of households in 2012

MSP – Ministry of Social Policy of Ukraine

MFYS – Ministry of Ukraine for the Family, Youth and Sports

MHC – Ministry of Healthcare of Ukraine

MES – Ministry of Education and Science of Ukraine

NAS of Ukraine – National Academy of Sciences of Ukraine

OSCE – Organization for Security and Cooperation in Europe

CSO – civil society organizations

UN – United Nations

UNDP – United Nations Development Program

IDU – injecting drug users

AIDS – acquired immune deficiency syndrome

SSS – State Statistics Service of Ukraine

## Foreword

The document is the eighth periodic report which Ukraine is required to submit to the UN Secretary-General under the article 18 of the Convention on the Elimination of all Forms of Discrimination against Women. The Report covers the period of 2010–2013 and information on the situation in Ukraine in 2014 as of the date of its preparation. The document was prepared in the light of the Guidelines on Submitting Reports to the Committee on the Elimination of Discrimination against Women, as well as the Concluding Observations and Recommendations of the UN Committee on the Elimination of Discrimination against Women following its consideration of Ukraine’s combined sixth and seventh report.

The first section of the report contains general information about Ukraine. It also contains social and demographic situation analysis, brief description of Ukrainian society transformation and the course of events at the turn of the year 2013 – at the start of the year 2014. The first section of the report also includes the description of the national mechanism for ensuring equal rights and opportunities for men and women.

The second section of the Report is an article-by-article review of the implementation of CEDAW in Ukraine regarding three aspects: the implementation of the CO to the combined sixth and seventh periodic report; explanations in connection with the failure to fulfill the CO or difficulties encountered; analytical and result-oriented consideration of the additional legal and other appropriate steps and measures taken to implement the Convention.

The report uses statistics and information provided by the Administrations of the State Border Guard Service of Ukraine and the State Customs Service of Ukraine; SSS; the State Committee of Ukraine on Regulatory Policy and Entrepreneurship; the State Committee of Ukraine on Nationalities and Migration; the Ministry of Agrarian Policy of Ukraine; MIA; the Ministry of Foreign Affairs of Ukraine; the Ministry of Culture and Tourism of Ukraine; MES; MHC; the Ministry of Labor and Social Policy of Ukraine; the Ministry of Transport of Ukraine; the Ministry for the Youth and Sports of Ukraine; the Ministry of Justice of Ukraine; the National Security Service of Ukraine; and the structural subdivisions, performing coordinating functions on gender policy of the AR Crimea; regional, Kyiv and Sevastopol City State Administrations.

Three surveys were conducted during preparation of the report:

1. The expert poll “Functioning of the national machinery for gender policy implementation”, with the purpose to obtain the information on elaborating responses to the CO when preparing the Eighth State Periodic Report of Ukraine CEDAW and elaborating suggestions and recommendations on improving functioning of the national mechanism for gender equality implementation.
2. The social study “The Availability of social services to women-survivors of violence”, with the purpose to assess organizational and resource potential of the institutions, rendering permanent services to women suffering from domestic violence; analyze social and demographic characteristics of the female clients of the center; study the obstacles and limitations in rendering services to this category of the clients; elaborate suggestions on improving the existing system.
3. The mass representative population survey targeted at obtaining data on population awareness of the international and national laws prohibiting any kind of discrimination towards women, and the incidence of discrimination practices among women population of Ukraine.

## Section 1. General information about Ukraine

### 1.1. Geopolitical characteristics

1. Geographic location: Ukraine is a country in the southeastern Europe, boarding on Poland, Slovakia, Hungary, Romania, Moldova, Russia and Belarus; has an access to the Black Sea and the Sea of Azov.
2. Territory: The largest state among those entirely located within Europe with the area of 603,500 sq. km.
3. Length of boards: total – 7643 km; land – 5684 km; sea – 1959 km.
4. State System: a unitary parliamentary presidential democratic republic with a multiparty political system. The Constitution is a fundamental law of the state.
5. The state powers are divided into three independent branches: legislative, executive and judicial.
6. Legislative power: The Verkhovna Rada of Ukraine is a sole legislative power body. The President is responsible before the Verkhovna Rada, the Parliament can declare impeachment to the President.
7. The Verkhovna Rada of Ukraine consists of 450 members of parliament.
8. The Members of Parliament of Ukraine are elected for the period of five years on the basis of direct, public and equal elections.
9. Now the Verkhovna Rada of Ukraine consists of 43 women, making 9.56% of total number of the members of parliament, and this is the highest rate over the entire period of its functioning.
10. On August 27 the President of Ukraine issued the Order on Early Termination of Powers of the Verkhovna Rada of Ukraine and Calling of Early Elections. The Early Elections are called on October 26, 2014.
11. Executive power: The head of the state is the President; Petro Poroshenko is the sitting President of Ukraine – elected by 54.7% of voters on May 25, 2014. The President also acts as the Supreme Commander-in-Chief of the Armed Forces of Ukraine. The President is elected for five years in a secret ballot on the basis of public and direct elections, and the same person cannot be in office as the president for more than two terms in succession.
12. The Government of Ukraine is the Cabinet of Ministers of Ukraine, headed by the Prime Minister.
13. A share of women among the highest executive staff of civil service (I-II position categories) over the reporting period has increased from 25.9% in 2010 to 28.3% in 2013.
14. A share of women among the highest executive staff of local authorities (I-II position categories) over the reporting period has increased from 4.1% in 2010 to 6.7 % in 2013.
15. Judicial power: Justice is dispensed in Ukraine exclusively by the courts. The jurisdiction of the courts covers all legal relations, which may arise in Ukraine. General jurisdiction court system in Ukraine is built upon the principles of territoriality and specialization. The panels for civil and criminal cases operate at the general jurisdiction courts. The Superior Specialized Court for Civil and Criminal Cases is the highest judicial body within the system of general jurisdiction courts. The Supreme Court of Ukraine mainly has the status of the body that generalize court practices and has the right to retrial.
16. Special courts: economic (regional, Court of Appeal, Supreme Court); administrative (district, Courts of Appeal, Supreme Court).

17. The Constitutional Court of Ukraine represents a separate court, independent from general jurisdiction courts. A share of women among the Constitutional Court of Ukraine members over the reporting period has not changed and makes up to 11.1%. As of March 01, 2014 a share of women among the judges of all courts made up to 49.7%, and among the judges of appellate economic courts – 58.6%.

18. Political parties: Any 30 citizens have a right to create a political party according to the Law of Ukraine on Political Parties. All parties are liable to comply with the principles of the Constitution of Ukraine.

As of 2012 over 200 political parties were officially registered in Ukraine. 21 political parties participated in the last parliamentary elections on October 28, 2012. 5 parties have overpassed the electoral threshold of 5%.

19. The Commissioner for Human Rights of the Verkhovna Rada of Ukraine: The Commissioner for Human Rights of the Verkhovna Rada of Ukraine exercises parliamentary control over compliance with the human rights and freedoms and citizens' rights, protects the rights of any person in the territory of Ukraine and within its jurisdiction on a permanent basis. The functions of the Commissioner since 2008 also include control over enforcement of equal rights and opportunities for women and men.

20. The administrative and territorial arrangements: Administrative and territorial system of Ukraine is represented on three levels: the Autonomous Republic of Crimea, regions (24), municipalities (Kyiv and Sevastopol); districts (490), cities of regional and republic subordination (178); cities of district subordination (460), urban settlements (885), settlements (1266), and villages (27188).

21. Language: The official State language is Ukrainian. The Constitution guarantees free development, use and protection of Russian and other languages of national minorities.

22. Religion: Every citizen is entitled to hold his or her own world-view and religious beliefs. Church and other religious organizations in Ukraine are separate from the State, and the schools are separate from the Church. Ukraine has created conditions for all religious organizations to engage freely in their activities. Ukraine has more than 100 religious denominations, persuasions and tendencies. As of the beginning of 2014 37,200 religious organizations were registered in Ukraine: 52% - Orthodox, 13.7% - Catholic, 28.2% - Protestant, 0.8% - Judaic religion; 3.3% - Muslim, 0.3% - eastern cults, 1.7% - other organizations.

### ***1.2. Social and demographic data***

23. Resident population of Ukraine as of June 01, 2014 totalled 42 995 500 people, which is by 2 597 500 people lower than as of June 01, 2010.

24. The gender percentage ratio in the total population in 2010 – 2014 has not changed and makes up to 53.9% women among the total population.

25. The average age of entering into the first marriage permanently increases: among women, it has increased from 21.8 years old in 2010 to 24.5 years old in 2012. Among men over the same period, this age has increased from 24.5 years old to 27.0 years old. The average age of women when giving birth to the first child over the same period has increased from 23.9 years old to 24.4 years old. The crude birth rate in 2010 was 1.45, in 2012 – 1.53. The natural population decline in 2010 was 200,500 people, in 2013 – 158,700 people. The migration gain of population in 2010 was 16,100 persons, in 2013 – 31.9 thousand people.

26. As of January 01, 2014, 68.9 % of the Ukrainian population inhabited cities and urban settlements.

27. Composition of the population in terms of nationalities: The titular nation of Ukraine is represented by Ukrainians, making 77.82% according to the last census of 2001. Representatives of over 110 nationalities and ethnic groups inhabit the territory of Ukraine.
28. The economic situation in Ukraine: The collapse of the economy of Ukraine was registered according to the results of 2013. The GDP has been decreasing starting from the III quarter of 2012. The industrial output in November 2013 compared to November 2012 has decreased by 4.7%.
29. In 2013 the consumer price index (inflation index, December 2013 compared to December 2012) was 100.5%.
30. The price index of industrial product producers in 2013 was 101.7%.
31. In 2013 the unemployment level was 7.2%, which is by 0.9% lower than in 2010, among women the unemployment level over the same period has decreased from 6.8% up to 6.2%. Hidden unemployment remains significant.
32. Over January-December 2013 retail turnover volumes have increased by 9.5%. The available income, which may be used by the population to acquire goods and services, in the third quarter of 2013 compared to the respective period in 2012 has increased by 1.6% and was UAH 303.6 billion. The actual disposable income in the third quarter of 2013, determined with regard to the price factor, has increased by 1.9% compared to the respective period of 2012.
33. This proves the existence of the significant volume of shadow economy.
34. Corruption: In 2013 according to the corruption perception rating of the Transparency International, Ukraine occupied the 144<sup>th</sup> position, having gained three grades less than in 2012. Fundamental reasons are corrupted protectionism and merging of political and business interests. Ukraine has lost positions according to the indices of favorable conditions for business activity and bribery index.
35. Investments: The investment legislation exists in Ukraine, adjusted to the norms and standards of the EU, act 50 international agreements, the subject matter of which is to protect and create favorable conditions for investing. In 2013 \$5.7 billion was invested into Ukraine's economy (compared to \$ 6 billion in 2012), and \$2.845 billion divested (compared to \$ 1.256 billion in 2012).
36. National debt: According to the Ministry of Finance of Ukraine's data, the volume of total national debt and state-backed debt as of 01.01.2010 was \$39685.0 million; as of 01.01.2011 – \$54289.3 million; as of 01.01.2012 – \$59215.7 million; as of 01.01.2013 – \$64495.3 million; as of 01.01.2014 – \$73078.2 million; as of 01.05.2014 – \$65217.0 million.
37. Contemporary history of Ukraine – late 2013 – 2014: On November 21, 2013 the refusal of the Government of the President Yanukovich to sign the Ukraine–EU Association Agreement resulted in several thousand protest actions named Euromaidan. Forceful crackdown of the protesters on November 30, 2013 in Kyiv triggered the appearance of thousand hundreds of people on the streets with the clamor against the Government. Almost three months thousand hundreds of protesters from all regions of Ukraine demanded to fulfill their requirements, nonetheless, the government was not responding, and applied tough methods to suppress mass demonstrations. The conflict escalated on February 18-20, 2014, when over 100 persons died, 1.5 thousand were injured, several hundred went missing. Those killed were named “Nebesna Sotnia” (“The Heavenly Hundred”). All country's top leadership simultaneously fled abroad. This resulted in removal of the President Yanukovich from office on February 22, 2014 by the Verkhovna Rada, and calling for early presidential elections on May 25, 2014.

38. The political crisis triggered activation of separatist movements in the South and East of Ukraine, which resulted in Russian occupation of the Autonomous Republic of Crimea and Sevastopol City during March 2014, and in May 2014 Donetsk and Lugansk “People’s Republics” were proclaimed in the territory of Donbas.

39. As of the date of this Report’s preparation warfare was conducted in the territory of Donetsk and Lugansk Regions between illegal armed units organized and coordinated by Russian Federation, as well as regular troops of Russian Federation with the Armed Forces of Ukraine, voluntary battalions and law-enforcement troops in the course of the Anti-Terrorist Operation. According to the UN since the beginning of warfare as of September 11 in the Eastern part of Ukraine 3171 persons were killed (including at least 27 children); 8061 persons were injured (including at least 56 children); the number of internally displaced persons in Ukraine amounted up to 262,977 persons; 366 866 persons left Ukraine. As of September 12, there were 5.1 million persons living in the conflict territory.

### ***1.3. National machinery for ensuring equal rights and opportunities for women and men***

40. The national machinery for ensuring equal rights and opportunities for women and men in Ukraine stipulates legislative regulation of implementing gender policy into all spheres of life activity and includes a system of central executive authorities, local authorities, the Commissioner for Human Rights of the Verkhovna Rada, adviser institution on gender issues, and civil society institutions. The structure and major functions of the machinery are specified by the Law of Ukraine on Ensuring Equal Rights and Opportunities for Women and Men and the Decree of the President of Ukraine on Improving Work of the Central and Local Executive Bodies for Ensuring Equal Rights and Opportunities for Women and Men.

41. In the course of the administrative reform in 2010 the functions on ensuring equal rights and opportunities for women and men were passed over from the Ministry for the Family, Youth and Sports (in view of its liquidation) to the MSP. Temporary absence of the state vertical framework on the local level resulted in minimization of the activity on gender policy implementation.

42. The large-scale information campaign “Stop Gender!” took place in 2011-2012 in Ukraine, initiated from the outside and organized by religious and public organizations. The quintessence of the campaign was information that the purpose of gender policy in Ukraine is to promote homosexuality.

43. The weakening of the national mechanism for ensuring equal rights and opportunities for women and men after December 2010 can be explained not only by organizational problems, but also by the efforts of certain forces to overturn gender policy as a part of the Pro-European ideology of Ukraine.

44. There is the Department for Family, Gender Policy and Counter Human Trafficking in the MSP as of the date of making the Report, which is a coordinating body for creating and implementing gender policy in Ukraine. The Interagency Board on Family, Gender Equality, Demographic Development and Counter Human Trafficking and the Expert Council for Sex Discrimination Issues are established to prevent discrimination, ensure equal rights and opportunities for women and men, prevent gender-based violence, and human trafficking. There are Interagency Boards for family policy issues, ensuring equal rights and opportunities for women and men, preventing domestic violence, and human trafficking acting on the local level.

45. The absence of clear vertical framework, personnel weakening and anti-gender propaganda resulted in certain negative consequences. At present, there is no unified structure, responsible for this direction of work in the local state administrations and local authorities.

46. The driving force of gender transformation is represented by Ukrainian CSO, international organizations and numerous projects for gender problems, financed by external donors.

47. Strategic vision of gender policy advantage lacks to ensure gender equality in Ukrainian society; inclusion of vulnerable groups of women as subjects of development programs did not become a regular practice.

48. Experience obtained from implementation of international projects is widely used in Ukraine. The positive influence is exercised upon gender policy development by the implementation of the Beijing Declaration and Millennium Development Goals. The dynamics of the Gender Index of Ukraine over the reporting period has a positive trend (*Annex 3*).

49. Lack of professionals represents a problem for gender policy development.

50. The expert evaluation of the implementation of the gender policy showed that MSP lacks authority, human and material resources and stability.

## **Section 2. Article-by-Article review of the implementation in Ukraine of the CEDAW**

### **Part I**

#### **Article 1**

##### ***To the clause 16 of the CO regarding definition of the discrimination in the legislation of Ukraine***

51. The Law of Ukraine on Introducing Amendments to Certain Legislative Acts of Ukraine regarding Preventing and Countering Discrimination, passed by the Verkhovna Rada on May 13, 2014, introduced a new definition of discrimination. It complies with the Article 1 of the Convention. The Law provides definitions of “direct discrimination”, “declaration of discriminatory intent”, and “aiding in discrimination”.

52. The following steps towards revelation and removal of indirect discrimination regarding women shall be gender expertise of national legislation on existence of indirect discrimination and introduction of necessary amendments.

##### ***To the clause 12 of the CO regarding awareness about CEDAW***

53. Information about the awareness of the Ukrainian population, especially women, regarding CEDAW has been received in the course of the mass sociological survey (*Annex 3*). Various components of the Convention are known by 17% - 46% of women.

#### **Article 2**

54. The legislative basis on ensuring equal rights and opportunities for women and men in Ukraine was described in the sixth and seventh periodic report and did not undergo any changes over the reporting period.

55. In spite of the availability of legislative acts, prohibiting any type of discrimination towards women, a certain share of women does not know about their existence.

56. All involved organizations should conduct a large-scale information campaign to familiarize Ukrainian women with the legislative guarantees of equal rights and opportunities. It is necessary to develop effective ways of informing employers, court and law enforcement representatives, and local authorities’ representatives and then to determine clearly their roles in implementation of CEDAW. The mechanism for interaction

of institutions and bringing to responsibility persons, who allow gender-based discrimination, should be developed.

***To the CO 10 regarding familiarization of interested ministries and agencies with Concluding Observations***

57. CO were sent to relevant authorities, the Committee for Human Rights, National Minorities and International Relations of the Verkhovna Rada, the Secretariat of the Commissioner for Human Rights of the Verkhovna Rada, to the local and regional authorities, local self-governing authorities.

***To the clause 11 of the CO regarding activity of the Verkhovna Rada of Ukraine towards gender policy implementation***

58. The Committee for Human Rights, National Minorities and International Relations of the the Verkhovna Rada, the competencies of which include gender policy issues, as well as the gender policy sub-committee frequently consider various aspects of gender policy implementation.

59. In December 2011 the Interfactional Parliament Caucus “Equal Opportunities” was created in the Verkhovna Rada; it included 26 female and male members of parliament of various factions.

60. In March 2013 due to controversy among the association members, some of them have withdrawn from the Association. They created the new Interfactional Member of Parliament Association named “Equality”.

61. In 2008-2013 there was the Program for the Parliament Assistance, financed by the USAID, in the Verkhovna Rada; the integration of gender-balanced approach into all areas of the Parliament activity represented one of its components.

62. The Parliamentary Hearings on the topic: “Ensuring equal rights and opportunities for women and men. Problems and effective measures for their solving” were held on October 16, 2013.

63. Over the recent years the positive influence on the establishment of gender policy of the Parliament exerted the presence of the Adviser to the Head of the Parliament on Gender Issues. It would be reasonable to restore the position of the Adviser.

64. Purpose-oriented work towards greater representation of women in the new Verkhovna Rada shall allow to strengthen the role of the Parliament in gender policy implementation.

***To the clause 15 of the CO regarding complaints on possible discrimination against women submitted to courts***

65. Information on court proceedings on cases possibly related to gender discrimination, received from the State Judicial Administration of Ukraine, indicates that “...it is impossible to submit statistical data on the number of court decisions in criminal, civil cases and cases of administrative offences, related to gender issue, as well as on the number of court decisions, proving the facts of discrimination against women, as such information is not kept in the court records separately. Moreover, in the event of committing several crimes the records are kept according to the article of the Criminal Code of Ukraine, sanctions of which stipulate a more severe punishment. That is why a certain amount of crimes of the investigated category may not be considered in the court reports”.

66. Over the reporting period, for the first time two court cases of discrimination against women were examined in Ukraine, submitted by the public organization “La Strada – Ukraine” against the Prime-Minister Azarov due to his discriminatory statement that there is no place for women in the Government; and against the MIA for discrimination against young girls when entering the Institutions of Higher Education. In both cases, the courts of

the first instance did not reveal gender discrimination; the Court of Appeal and the Supreme Court left the decisions unchanged.

67. Considering the planned court system reforming, it would make sense to introduce suggestions to change the reporting forms to provide the possibility to carry out gender analysis, particularly, among the cases possibly related to discrimination against women.

***To the clause 15 of the CO regarding complaints against possible discrimination against women submitted to the Commissioner for Human Rights***

68. 38 appeals concerning inequality of rights and opportunities between women and men were submitted to the Commissioner for Human Rights in 2013; 5 appeals concerning inequality of rights between women and men, in particular, for creating conditions allowing women to combine work with maternity. 75 appeals concerning protection against domestic violence were submitted, 2 of them – submitted by men. According to the Commissioner for Human Rights the low legal awareness of the population, inability to “identify” a display of gender-based discrimination or case of domestic violence, as well as fixed traditional gender stereotypes in the mass consciousness regarding the place and role of a woman and a man in family and society represent a reason of low frequency of appeals regarding this issue.

***To the clause 14 of the CO regarding the use of the available mechanisms for submitting and processing claims by women and clause 16 – regarding mechanisms for processing claims and applying sanctions in the event of gender-based discrimination***

69. The Expert Council for Processing Appeals in connection with Gender-Based Discrimination was established in 2010 by MSP for timely and effective reaction to claims and appeals of the citizens in connection with gender-based discrimination. Over the period of 2010-2013, 26 appeals were submitted to the Expert Council, which included 33 facts of offences. The subject of the majority of appeals is advertising materials, promoting negative stereotypes regarding social and gender roles of women and men.

70. The advertising was removed from 17 objects upon confirmation of gender-based discrimination; punitive sanctions were applied to the advertisers by the State Inspection for Consumer Rights Protection.

71. The information about female clients of the centers rendering permanent aid to the domestic violence victims was analyzed to study practices of the use of mechanisms for submitting and processing claims against all types of discrimination by women. More than half of women who suffered from domestic violence (60%) prior to their installation in the crisis centers had submitted claims of domestic violence to state institutions: 52% - to the police, 44% - to the centers of social services for the family, children and youth, 35% - to the courts, 29% - to the representative of governmental authorities, 28% - to the child services; 25% - to the representatives of local authorities; 21% - to the territorial centers of social services.

72. The problem of domestic violence has not been solved in the majority of cases after the appeal to the abovementioned state institutions, and as a direct result, the women came to these centers.

73. The Law of Ukraine on Introducing Amendments to Certain Legislative Acts of Ukraine regarding Preventing and Countering Discrimination, passed by the Parliament on May 13, 2014, introduces certain changes regarding mechanism for processing appeals and applying sanctions in case of gender-based discrimination.

74. The Law prohibits discrimination by state authorities, local authorities and officers, legal entities of public and private law, as well as individual persons. If the claimant presents the facts proving discrimination, the liability to prove inconsistency of the stated claims in this part shall be imposed upon the defendant. The Law assigns the Commissioner

with the authority to prevent and counter discrimination in privacy, appeals to court with claims of discrimination for the purpose of protecting public interests.

75. It would make sense to develop a unified statutory instrument with clear step-by-step algorithms of actions and procedure for interaction between bodies and institutions in case of revelation of discrimination against women, including domestic violence.

***To the clause 15 of the CO regarding possibility of applying the Convention by the court and law enforcement bodies***

76. Specific work is carried out in Ukraine towards practical application of the Convention provisions by the court and law enforcement bodies. One of the components is represented by the educational and training campaigns for rising awareness about the Convention and its Optional Protocol, designated for the employees of judicial bodies and lawyers. The Office of the Commissioner for Federal Judicial Affairs of Canada with financial support from the Canadian International Development Agency implements the Ukrainian and Canadian Project for Court Cooperation. 16 theoretical and practical workshops on gender equality issues and the roundtable on domestic gender violence were conducted within the framework of the Project in 2010 with 497 participants: 210 judges and 287 court apparatus employees.

77. Within the framework of the training process of the Academy of Judges of Ukraine 9 workshops and 1 training were conducted for the trainers with 252 participants (out of whom 184 judges and 68 apparatus employees).

78. The MIA specialists undergo training on issues of protection of women rights in order to raise awareness about the Convention and its Optional Protocol. In 2010 7 sectional workshops were carried out within the EU-UN Development Program "Equal Opportunities and Women's Rights in Ukraine". In 2010-2011 respective workshops for district police officers were carried out in all regions of Ukraine to ensure quick processing of the appeals on domestic violence and prevent cases of refusal to register appeals.

79. In 2009-2011 the interactive classrooms were opened in three universities of internal affairs under the auspices of the Coordinator of OSCE Projects in Ukraine; trainings to develop practical skills in order to counter domestic violence are held there.

80. In 2011-2013 the National School for Judges of Ukraine and its regional departments organized and conducted 71 workshops titled "Court processing of cases related to domestic violence", "Problems of judicial defense of domestic violence victims in Ukraine"; "Prevention and countering domestic violence", "Special aspects of processing cases related to child abuse"; "Judicial practices of processing cases on domestic violence". Total number of court employees who participated in the training was approximately 1500 persons.

81. The International Charity Foundation "Ukrainian Foundation of Public Health" along with MSP and MIA under the auspices of the UN Women Program have developed a training program for preparing law enforcement specialists for preventing violence against women. In 2013-2014 150 district police officers and detective officers of the criminal police on children undergone training in Kyiv, Donetsk, Lviv and Chernihiv. The participants received an instructional pamphlet "Psychological aspects of the actions of a police officer when receiving notification on domestic violence".

82. The skill development of MIA employees on the issue of countering discrimination against women was carried out through direct training of police officers, as well as through literature distribution for self-education. Thus, the MIA in cooperation with the MFYS and OSCE has published a manual for district police officers titled "Preventing Domestic Violence"; in cooperation with the public organization "Women's Information-Coordination Center" has published a manual titled "Domestic violence and Law Enforcement Activity on Its Combating"; in 2010 with the financial assistance of the

Coordinator of the OSCE Projects 15,000 copies of the manual “Methodological Recommendations on How to Organize Work of the District Police Officers regarding Combating Domestic Violence” were published; the State Scientific and Research Center of the MIA has prepared a manual “Legal and Criminal Fundamentals to Prevent Domestic Violence”, directed to the libraries of the MIA higher educational institutions system to implement into the training process.

83. In 2010 several manuals and leaflets on the matter were distributed among the Ukrainian judicial system employees.

84. The interregional research and practice conferences on issues of improving activity for combating domestic violence are carried out annually upon the initiative of the MIA Department for Public Security and with the participation of various international and public organizations.

85. The major form of discrimination, at the prevention of which the courts, MIA institutions, and social workers are targeted, is domestic violence. Due attention is not paid to other problems, in particular, to the problem of exploitation of prostitution by third parties, sexual harassment at workplace, etc. It is reasonable to analyze the distribution of various types of discrimination against women in the Ukrainian society, to develop necessary guidance materials and to carry out preparation of the respective professionals.

***To the clause 19 of the CO regarding strengthening of the national mechanism***

86. The national mechanism status is described in detail in section 1.3. As a result of the long-lasting administrative reform of the state divisions, responsible for gender policy implementation in Ukraine, the State Program for Ensuring Equal Rights and Opportunities for Women and Men for the period up to 2016 was adopted only in September 2013.

87. The expert survey determined that one of the major reasons leading to spreading of gender-based discrimination in the Ukrainian society is that all forms of discrimination remain unpunished in Ukraine.

88. The current Code of Ukraine on Administrative Offences cannot serve as an instrument to combat discrimination. With the exception of the responsibility for committing violence, it does not contain any provision stipulating responsibility for discriminatory actions or equality principle breach.

89. According to the Law of Ukraine on Ensuring Equal Rights and Opportunities for Women and Men persons guilty in breaching requirements of the legislation on ensuring equal rights and opportunities for women and men shall bear civil, administrative and criminal responsibility. However, the scope and kind of civil and legal liability are not determined by this or any other legislative act.

90. The following recommendations towards improving the National mechanism were defined during the expert survey.

91. In the legislative area: to adjust Ukrainian legislation to the principles of equality, international regulations and standards; to introduce complex amendments into the anti-discriminatory legislation with regard to the definition of discrimination, its interpretation and identification standards; to ensure general standards and principles of proving the presence of discrimination; to review criminal, civil and administrative legislation for the mechanisms of obligatory compensation of financial and moral damages caused to a victim, as well as from the point of view of the gender sensitivity; to introduce temporary special measures to ensure parity representation of women and men at all levels of decision-making.

92. In the institutional area: to reform the office of the Commissioner for Human Rights of the Verkhovna Rada of Ukraine (to revoke political appointment); to re-establish the

institution of gender advisors/female advisors at the executive agencies; to develop a system of necessary services and consultations for women in the existing service system.

93. In the educational and informational area: to conduct training on prevention of discrimination against women for police officers, prosecutor office employees, frontier guards and judges; to create an effective procedure of the notification about the cases of breaching equality and discrimination against women on the part of the law enforcement employees; to conduct special information campaigns among the population aimed at vulnerable groups of women; to introduce a specific course on the basics of gender knowledge into the educational programs of the educational institutions of all levels of accreditation; to provide extensive coverage of the results and suggestions of the gender investigations among the members of parliament, officials of any level, attracting attention to urgent issues and using public control for compliance thereof.

94. In the monitoring and evaluation area: to improve gender statistics collection and to permanently restore major analytical publications on gender problems; to monitor the implementation of gender policy.

***To the clause 20 of the CO on the results of the implementation of the program over the period of 2006-2010***

95. In 2011 the network of women's organizations "Women's Consortium of Ukraine" carried out monitoring of the State Program on Gender Equality in the Ukrainian Society (up to 2010).

96. During the implementation of the State Program there were some positive practices that require further spreading among interested individuals and organizations.

97. However, the State Program did not become an effective instrument for the implementation of gender policy, and did not ensure the integration of gender approaches into the work of national and local authorities. The low priority of gender policy in Ukraine was provoked, in particular, by the lack of funding of the State Program and regional programs.

***To the clause 21 of the CO on the adoption of a new national program***

98. In September 2013 the State Program on Ensuring Equal Rights and Opportunities for Women and Men up to 2016 was adopted. The State Program was developed on the basis of the CO, Millennium Development Goals, results of the state and public monitoring of the previous State Program and the best international practices.

99. However, out of the planned UAH 5.9 million within four years UAH 1.3 million will be provided from the state budget, and UAH 1.8 million – from the local budgets. The amount of financing of the previous Program was almost on the same level, though a significant share of extrabudgetary funds were involved.

***To the clause 49 of the CO regarding ratification of the International Conventions***

100. Ukraine signed the Convention of the European Council on Preventing Violence against Women and Domestic Violence (the Istanbul Convention) in 2011. As the ratification of this Convention stipulates introduction of certain amendments to the legislation of Ukraine on these issues, a working group has been established by the MSP to develop amendments to the legislation to bring it in line with the Convention. The working group included representatives of the central executive authorities, the Supreme Court of Ukraine, international and public organizations. The Council of Europe project "Preventing Violence against Women and Domestic Violence in Ukraine" is being implemented in Ukraine since 2013.

101. A package of changes is being prepared for introduction to the legislation of Ukraine, which is to be submitted for consideration to the Verkhovna Rada of Ukraine along with the Draft Law of Ukraine on Ratification of the Convention of the European

Council on Preventing Violence against Women and Domestic Violence and bringing it in line with the international legislation requirements.

***To the clause 47 of the CO regarding the information on implementation of the Beijing Declaration and the Platform for Actions***

102. After adoption of the Beijing Declaration and Platform for Action Ukraine has reached a certain progress in the area of contributing to gender equality and extension of the rights and opportunities for women. The major achievements include creation of the regulatory base on the issues of gender equality; development of the national mechanism for ensuring equal rights and opportunities for women and men; strengthening the potential of the public organizations, dealing with the gender equality problems; development of gender education; creation of the system for preventing and combating gender violence.

103. Notwithstanding the evident achievements, the main problems remain the same, i.e., lack of political will to implement gender transformations at the management level of the legislative and executive bodies and at the level of local authorities; the low representation level of women in public and political life; persistent stereotypes regarding women' and men' roles in the society and family; the high level of gender segregation (horizontal and vertical) on the labor market; difference in wage rates, unequal opportunities for access to the economic resources, as well as differences in the qualitative characteristics of employment and social status of women and men; insufficient legal awareness of citizens on gender discrimination issues.

104. Ukraine sees the following priorities towards reaching gender equality within the framework of the current discussions on the Goals of Post 2015 Sustainable Development Agenda: to increase the responsibility of the governments for the financing of events aimed at reaching gender equality and extension of rights and opportunities for women; to ensure inclusion of gender aspects into all projects, programs and, in general, into the activity of international organizations and donor institutions; to support female leadership in all areas and at all levels; to actively involve men into the advancement of gender principles and combating violence against women; to increase women's role in peacekeeping and safeguarding all over the globe; to carry out surveys; to develop and implement international programs, targeted at extending women's access to small and medium business; to include gender aspects into the events on environment protection; to include gender approaches into the healthcare policy and popularization of the healthy lifestyle.

***To the clause 48 of the CO regarding implementation of the Millennium Declaration***

105. Ensuring gender equality represents the Third Goal of the MDG for Ukraine. Their aim is to ensure gender correlation on the level at least 30 - 70% of each sex representatives at the representative authorities and at the highest levels of the executive authorities, as well as a two-fold decrease of the differences in the income of women and men.

106. The Ministry of Economic and Social Development annually monitors execution of the Goals till 2015, ensures their consideration in strategic and program documents of the Government. In September 2013 during the 68<sup>th</sup> UN General Assembly session, the National Report "Millennium Development Goals. Ukraine 2013" was presented. Ensuring gender equality represents one of the goals, the achievement of which till 2015 is practically impossible. But within the period of 2000-2013 it was possible to nearly double the gender correlation among the highest civil servants and, thus, almost to reach the planned index. By the rest of the indices the progress is worse. The difference in the average wage rate for women and men has decreased only by ¼ (not ½ as planned), and in the gender correlation of members of parliament at the Verkhovna Rada of Ukraine and members of parliament at the local authorities the changes have almost been absent.

107. In 2010 the intergovernmental dialogue on the Post 2015 Development Agenda was initiated. The Ministry of Economic and Social Development in cooperation with the National Institute for Strategic Studies and the Ptoukha Institute for Demography and

Social Studies of the NAS of Ukraine have prepared the new report “Post-2015 Ukraine: The Future We Want”. The document includes the issues on ensuring gender equality. In particular, the Section 2.1 “Equality of opportunity and social justice: Building an equitable, socially inclusive society where exclusion and marginalization are impossible” reflects the issues of gender inequality in the employment area and difference in wage rates of women and men.

***To the clause 46 of the CO regarding consultations and cooperation with NGOs on the issues related to the implementation of the Convention and preparation of the periodical report***

108. The preparation of this Report became the interdepartmental and cross-sectoral process, which involved central executive authorities, research institutions, public organizations and international agencies. The coordination was carried out by the MSP. The working group was created for preparation of the report. It held 3 meetings to discuss common achievements, problems and priorities, 5 thematic roundtables and a number of consultations discussing individual components of the report.

**Article 3**

109. Over the reporting period the following legislative acts have been adopted.

110. *The Verkhovna Rada of Ukraine:*

- 2010 – ratification of the European Council Convention on Combating Trafficking in Human Beings;

111. Adoption of the Laws of Ukraine:

- 2011 – on Combating Trafficking in Human Beings;
- 2012 – on Principles for Preventing and Combating Discrimination in Ukraine and on Employment of Population stipulating equal opportunities for all citizens (including without regard to gender) to free choice of activity.

112. The amendments were introduced:

- to the Family Code of Ukraine, which increased the minimum marriage age for women to 18 years. Thus, this age became equal to the minimum marriage age for men.
- 2012 and 2014 – to the Law of Ukraine on Ensuring Equal Rights and Opportunities for Women and Men;
- 2014 – to the Law of Ukraine on Political Parties in Ukraine, which stipulate that the quota size determining the minimal level of women representation in the electoral list of parliamentary candidates of Ukraine from a party in the national-level district should be at least 30 percent of the total number of candidates in the electoral list.

113. *The Cabinet of Ministers of Ukraine:*

- 2010 – approval of the Plan of Events for National Campaign “Stop Violence!” for the period till 2015;
- 2012 – approved: Decree on the National Anti-Trafficking Coordinator and Decree on the Approval of the Provision about the establishment and operation of the Unified State Registry of Trafficking Crimes;
- The State Target Social Program on Combating Trafficking in Human Beings for the period till 2015.

Approved: Defining procedure of the trafficked persons status; Procedure of paying one time financial assistance to persons who received status of trafficked persons;

Procedure of interaction between entities that perform measures in the sphere of counteraction to trafficking in human beings.

- 2013 – The State Program for Ensuring Equal Rights and Opportunities for Women and Men for the period up to 2016.

The State Target Social Program on Combating Trafficking in Human Beings for the period till 2016, the main directions of which are creating conditions for the development of family; formation of conscious and responsible attitude to parenthood; implementation of the mechanism of complex assistance to families in difficult life circumstances, target assistance and social services; preventing antisocial manifestations in the family, especially violence.

- 2010 – the Expert Council for consideration of complaints against sex-based discrimination – was created at *the MFYS* (at that time being the central executive authority responsible for gender policy);
- 2013 – *the MSP* approved: the standard for rendering of services in the sphere of counteraction to trafficking in human beings, the standard for rendering services of social integration and reintegration of persons who suffered from trafficking in human beings, and the standard for rendering services of social integration and reintegration of children who suffered from trafficking in human beings.

The Program for training specialists employed in the area of combating trafficking in human beings, which is currently being implemented by local executive authorities.

The Methodological recommendations on working with persons who suffered from trafficking in human beings.

***To the clause 26 of the CO regarding information and sex-disaggregated data about the kinds of violence against women and the number of women who appeared to be victims of such violence***

114. The observation on the lack of information and sex-disaggregated data about the kinds of violence against women and the number of women, who appeared to be victims of violence, remains unresolved.

115. Statistical court reports on domestic violence are collected, but they require improvement and changes. Thus, in the statistical reports on domestic violence, except for completed criminal proceedings, there is no information on the number and sex of persons (adults and children) who suffered from violence or information on the kind of domestic violence. Available statistical reports do not allow to comprehensively analyze causes and circumstances of committed offences.

116. The government statistics also does not show much about the prevalence of domestic violence. Out of 11 international statistical indicators on violence only 4 are collected in Ukraine starting from 2010.

117. In the absence of statistical data, within the scope of the preparation of this report some sociological researches have been conducted that allow determining the level of domestic violence in the country. The depersonalized data on the clients of crisis centers helps to define the correlation of different kinds of violence and social and demographic characteristics of its victims.

118. The most widespread kinds are physical violence (82%) and psychological violence (80%). Less often women complain on economic (51%) and sexual violence (11%). Usually, violence is complex, 43% of clients have suffered from at least three kinds of violence (physical, psychological, economic).

119. The principal social and demographic characteristics of clients at the specialized centers:

120. The average age is 35.5 years, although the youngest client was 15 years old, the oldest – 83 years old. 60% of the clients were in the centers together with children, including 35% - with one child, 25% - with several children. The obtained data disproves the widespread opinion that uneducated women are more likely to suffer from violence: 31% of the clients have higher or undergraduate education, 55% - secondary education and only 14% have incomplete secondary education.

121. The majority of clients belongs to economically active population (79%), but only a small part of them is working (27%), and yet a smaller part has an income to provide financially oneself and children. Many women are on maternity leave or are actually unemployed. Every fifth woman does not have any occupation/profession.

122. Almost one-third of the clients is from countryside.

123. Only 40% of the clients had their own housing.

124. The research showed that families of origin of women who suffered from violence are often anti-social: every two out of three clients do not have family connections; only half of women have support from close social environment.

125. The women coming to the institutions have low self-esteem – about 90% were lacking self-confidence.

126. Only a quarter of clients suffered from violence for less than one year, almost half of clients suffered for several years, the rest – for 10 years and more.

***To the clauses 26, 27 of the CO regarding the fact that the majority of punishments for domestic are fines and necessity for ensuring effective measures of punishment in cases related to domestic violence***

127. Data on further application of fines as the most widespread form of punishment in domestic violence cases support the CO No. 26: in 2010 a fine was used as punishment in 87.7% of cases, in 2012 – in 88.3% of cases.

128. In March 2013 the Government submitted for consideration to the Parliament the Draft Law on Preventing and Combating Domestic Violence, which was adopted by the Verkhovna Rada at the first reading. The new draft law uses a notion not of “family”, but “domestic” violence, which provides the possibility for a wider application; a scope of persons falling under the law has been extended; a list of bodies and institutions responsible for preventing and combating violence has also been extended; a greater attention has been paid to the protection of the rights and assistance to various categories of persons who suffered from domestic violence, to the clear division of authorities among different state agencies, and to the measures for preventing domestic violence. The draft law cancels such form of punishment as a fine.

***To the clause 29 of the CO regarding the obstacles for women in the access to the services of the shelters and social centers for domestic violence victims***

129. The research data of the centers that aid violence victims demonstrates that a lot centers (almost one third) is targeted at various categories of clients.

130. The other identified factors limiting access of women who suffered from violence to the services of the specialized establishments are the low level of awareness among women about such institutions, the services and conditions of service rendering; the low level of trust of women who suffered from violence to any social institutions; the lack of available places at the institutions; the limited financing of the centers.

131. A lot of centers don't accept women with serious health problems: HIV, tuberculosis, psychological diseases, drug addiction, etc. Every 4<sup>th</sup> center limits the age of

clients – 18-35 years. There are no centers aiding the elderly women who suffered from violence, as well as women requiring additional care (with musculoskeletal system disorders, etc.).

132. In 2013 the International Charity Foundation “Ukrainian Foundation for Public Health” and “The Right to Health” in cooperation with the MSP launched the pilot project “social apartment” in Kyiv City as a way of rehabilitation for mothers who suffered from violence. Women with HIV or those who were drug addicts can also be accommodated in the social apartment.

133. Various health and age limitations of clients have justification, but other centers should be opened, which would provide all women with the possibility to apply for aid, regardless of the age, health condition and availability of places in the institutions.

***To the clause 29 of the CO regarding training of social workers on issues of rendering services to the violence victims, so that they would be able to adequately aid the victims***

134. Preparation of a specialist to work with the violence victims and offenders is stipulated by the Action Plan of the National Campaign “Stop Violence!” up to 2015 and the State Target Program for Family Support till 2016. They include complex activity for specialist training on issues of preventing and combating violence; carrying out informational events, production and distribution of social advertising, elaboration of minimal service standards for persons who suffered from violence, development and implementation of the corrective programs for persons who committed violence.

135. In 2013 the MSP developed the Training program on issues of preventing domestic violence for social workers, social work specialists and other specialists who render social services. The Agency conducts skill development training for specialists who work in the field of domestic violence prevention, including management and specialists of the regional social services centers for family, children and youth, child services, etc.

136. In 2013 the International Charity Foundation “Ukrainian Foundation for Public Health” in cooperation with the MSP, the International Humanitarian Center “Rozrada”, the All-Ukrainian Public Center “Volunteer” under the auspices of the organization “UN Women” have developed the complex Program for correctional and rehabilitation work with young girls (14-18 years) and women who suffered from violence. The Program includes methodological description of work on diagnostics, motivation consulting, individual and group work. The specialized course for combating domestic violence has been introduced for the students of public security police faculties of the MIA higher educational institutions and skill development programs for acting district police officers are provided on a permanent basis.

137. The survey data received from the management of the centers rendering services to women who suffered from violence is less optimistic: in every sixth center, no specialist received training over the period of 2013-2014. Opportunities for training employees of the centers of municipal and state ownership are limited, meanwhile, non-state centers are highly loaded with various types of training, which demonstrates the lack of coordinated actions between local authorities and public sector in this direction.

***To the clause 27 of the CO regarding research on violence against women***

138. 10 studies have been conducted and 4 methodological manuals have been published in Ukraine since 2010 (*Annex 9*).

139. The problem for the specialists employed in the area of preventing domestic violence is the accessibility to the results of this research, as the major part of them is not published or published in limited number of copies, the practice for preparing digests on new research and familiarization of the interested civil servants and practical workers are absent.

***To the clause 26 of the CO regarding effectiveness of the legislation for preventing domestic violence***

140. The dynamics of the statistical data on domestic violence (*Annex 9*) shows that all parameters have a trend towards increase or remain at a high level. However, as of today the population attitude towards domestic violence have changed, which represents a positive trend and certifies that the population increasingly perceives domestic violence as a negative. Meanwhile, the number of violence victims sent to specialized rehabilitation centers is growing.

141. The data of the mass social survey conducted in the process of preparation of this Report showed that 1% - 3% of the interviewed women aged 16 years and more had a personal experience of violence. 3% of the respondents reported cases of psychological violence, 2% - of physical violence. The information about economic and sexual violence was provided by less than 1% of women – these forms of violence are less often determined by the respondents as violence facts, and the issue of sexual violence is a taboo in society, which leads to the problem suppression. 2% to 17% of the respondents informed their closest circle of friends and relatives about the cases of various forms of domestic violence, and the most frequent answers again were physical and psychological violence.

142. The data in *Annex 9* shows that considerable work is carried out with persons who have committed violence. In 2013 the regulations of the Criminal and Procedural Code of Ukraine on detention of an offender were changed, and now it is actually prohibited to detain an offender away from the family for more than three hours. This reduces the possibility to ensure security for domestic violence victims.

***To the clause 34 of the CO regarding poverty and mass misery among women***

143. According to the National report on Millenium Development Goals (2013), gender factor insignificantly affects the parameters of poverty. However, there are certain categories of women, such as elderly women, for whom poverty is a huge problem.

144. Due to the complicated political and economic situation in the country the last government initiatives, in particular, the Law of Ukraine on Preventing Financial Catastrophe and Creating Opportunities for Economic Growth in Ukraine, adopted on March 27, 2014, may increase the risks of poverty for women. These initiatives stipulate reduction of the number of public sector workers and refusal to increase the minimum wage for one year, which shall significantly affect salary level in the public sector where a share of women amounts to 70% - 90%.

***To the clause 42 of the CO regarding information on vulnerable groups of women, such as women-migrants, women-refugees, women of Roma nationality and others and their discrimination on grounds of sex, race or ethnicity, disability, age or sexual orientation***

145. Among the interviewed women 2% to 3% responded that they have personally faced discrimination, 11% of women have suffered from at least one of six investigated kinds of discrimination, 5% - of multiple discrimination. The spreading of discrimination may be more significant due to the taboo problem, inability of respondents to identify discrimination. From the listed forms of discrimination the respondents more often have faced gender discrimination in the process of employment. In job advertisement the employer's requirements to gender or the advantages for a specific gender are often stated - 14% of the respondents have noted this fact referencing their personal experience or experience of their relatives/friends. 10% of the responses referred to such manifestations of discrimination as underpayment and insufficient representation of women in the big and medium businesses in comparison with men.

146. Over the reporting period scientific research has been conducted in some categories of women pertinent to the risk groups, primarily with the technical support of the United Nations Population Fund.

147. Women staying in places of imprisonment. Currently in Ukraine approximately 7 thousand women stay in places of imprisonment. According to the data of the Commissioner for Human Rights of the Verkhovna Rada in some detention facilities the adequate conditions for the imprisoned women have not been created: the facilities of the reception center are not properly equipped and require reconstruction, the majority are unsuitable for use.

148. The bathrooms in reception center are neglected. Medical assistance in the detention facilities of the State Penitentiary Service of Ukraine does not comply with the appropriate medical standards.

149. Elderly women in Ukraine. The share of women aged 65 years and older compose 28% of women's population of Ukraine, and 20% of men, respectively.

150. There is a serious problem as to the availability of qualified medical assistance for the elderly population. The shortage of funds on medicines, medical services, lack of necessary medical equipment and long queues in medical institutions are the predominant evaluations of quality and availability of medical services in Ukraine among the unemployed retired people. The problem of territorial availability of medical assistance for elderly is the most urgent for the rural population, but is still less pressing than the problem of financial unavailability of medical services.

151. The elderly are one of the most vulnerable categories regarding poverty risk. The risks of deprivation poverty for women are more than half as much as many than for men: every tenth household of single man and every sixth household of single woman are poor. Only cohabitation with children and younger persons balance men and women in their level of poverty.

152. The first study "Gender aspects of ageing in Ukraine. The elderly women in the social and demographic structure of population" has been conducted in Ukraine. Specific character of social role of an elderly person in the Ukrainian society was analyzed. The most negative characteristics of the retirement age are "diseases, malaise, weakness" and "financial problems, low pension", and the biggest advantage – "free time availability".

153. Women of Roma ethnicity. In course of several studies, it was revealed that the Roma ethnicity women in Ukraine are subject to multiple/cross discrimination on the grounds of gender and ethnic factor. They face discrimination, inhuman and humiliating treatment on the part of doctors and hospital personnel, sometimes they are refused in medical assistance.

154. The report "Everyday practices of institutional discrimination: Ukrainian dimension", prepared by the Center for Society Research in 2013, emphasizes that the discrimination of the Roma in the Ukrainian society is caused generally by their social and economic situation. The direct discrimination of the Roma is usually demonstrated by the refusal in access to different benefits or in collaboration with them because of their ethnicity.

155. The direct discrimination is often institutional, as it is caused by the different public institutions: healthcare, education, job market, law-enforcement agencies.

156. On April 8, 2013 the Decree of the President of Ukraine "On Strategy of Protection and Integration of the Roma Minority into the Ukrainian Society for the period till 2020" was issued. This Decree stipulates the measures on provision assistance to the Roma communities and alleviation of discrimination of the Roma women.

157. HIV positive women. According to the research "Gender aspects of rendering of services to PLWH" conducted by the GFK UKRAINE for the All-Ukrainian Charity Organization "All-Ukrainian Network of PLWH" (December 2012), 8% of women and 4% of men confirm that they have got HIV-positive status as the consequence of violent acts, another 12% of women and 9% of men admit the possibility, that they can be violence

victims. 26% of the employees of the HIV service organizations in their work have faced situations when the violence cause HIV transmission to women.

158. According to this research, the employees of the HIV service organizations more often face violence against women, than against men: cases of psychological violence (70% referred to incidents with women, 46% - with men), physical violence (57% and 35%, respectively), economic dependence (49% and 23%), contraceptive sabotage (54% and 15%), compelling abortion (46%) or childbirth (31%), and less mentioned compelling drug use (15% and 13%).

159. In the course of research "Prevention of violence against women in complicated life circumstances: development status and activity maintenance", conducted in 2012, 100% of the interviewed HIV-positive women responded that they suffer from violence related to their HIV status. Within the scope of the project of the ICF "Ukrainian Fund for Public Health" with the support from the institution "UN Women" and in cooperation with the All-Ukrainian Charity Organization "All-Ukrainian Network of PLWH", the component of service integration for HIV-positive women regarding prevention of violence and its inclusion into the work of the HIV service organizations is being worked on.

160. The increased violence vulnerability of the HIV-positive women influences their access to services and life quality. Very often HIV-positive women are drug users and commercial sex workers who suffer from violence. Besides, the specialists identify pregnant women and women with children as the categories most vulnerable to violence.

161. The HIV-positive women often refused in the services of assisted reproductive technologies, especially in vitro fertilization (IVF). The regulatory acts of Ukraine stipulate HIV infection as a contraindication to the infertility treatment in women by means of assisted reproductive technologies for budget funds.

162. To overcome the problem of discrimination and violence against HIV-positive women it is required to extend the work on organizing informational and educational events on preventing violence in society and elimination of stigmatization and discrimination against PLWH; organizing informational events for women living with HIV and vulnerable to HIV (especially among the IDU and CSW) on prevention of violence with recommendations and information at to what should be done and where the victims of the violence should apply; carrying out trainings for the PLWH on partner relations between a man and a woman, overcoming of gender stereotypes towards men's dominance and rights of men on violent actions; providing the legal consultations and crisis psychological consultations to the women who suffered from violence; creating rehabilitation centers available for the HIV-positive violence victims, including those with children; adding services for violence prevention regarding HIV-positive women into the work of HIV-service organizations.

163. In Ukraine discrimination against women by sexual orientation and gender identity does not receive sufficient attention. This leads to the problem suppression, "invisibility" of such discriminated groups as lesbians, bisexual and transgender women, their legal vulnerability, and ignoring homophobic and transphobic attitudes in the society.

***To the clause 44-45 of the CO regarding provision of the sufficient statistical information on women's status in all areas covered by the Convention***

164. The state statistic authorities of Ukraine perform collection, generalization and publication of the data received in 113 state statistic observations (based on the results of 2013) by 35 sections of the economic, social, demographic, ecologic and other areas of statistics. The collection and procession of the statistical data was carried out in 2013 according to 145 reporting forms and 23 questionnaires for target state statistical observations, which included up to ten thousand parameters. The parameters with the difference by sex, which are the basis for gender statistics development, were included in 24 forms of the state statistical observations (21% out of total forms). The parameters of

state statistical observations, aimed at collecting of information on social and demographic issues directly relating to the individual characteristics, usually stipulate the possibility of their differentiation by gender and preparation of publication on gender topics.

165. Moreover, the SSS widely uses administrative data of authorities in its information and publication work, cooperates with more than 30 authorities, and receives from them information in 300 forms of administrative reporting, 75 of which (25% of total quantity) contain parameters on gender differentiation.

166. The statistical digest “Women and Men in Ukraine” is published biannually.

167. National system of gender statistics includes 115 absolute and estimated parameters, which comply with the European and international statistical standards.

168. The new indicators of gender equality represent a set of 123 parameters, recommended for use in member-states of the Conference of European Statisticians (CES). The parameters are grouped by the scheme of the Beijing Action Platform and are divided into 47 main and 76 additional parameters.

***To the Clause 45 of the CO regarding strengthening of the data collection system to assess the trends on issues related to women and progress of ensuring actual equality for women***

169. SSS has conducted work on revising and defining priority directions in order to improve the gender statistical methodology. The national base of gender statistics was assessed regarding its compliance with the needs of national customers and recommendations of international organizations. Expert poll was carried out to assess conditions and perspectives of this statistical area. The recommendations on priority directions of gender statistics development in Ukraine were prepared based on results of the analysis.

**Article 4**

***To the clause 23 of the CO regarding quota allotment for representation of women at the highest levels***

170. The draft law supposed to introduce amendments into the Laws of Ukraine on Ensuring Equal Rights and Opportunities for Women and Men, on Election of Members of Parliament of Ukraine, on Election of Members of the Verkhovna Rada of Ukraine, Autonomous Republic of Crimea, Local and Rural Councils, and Settlement and City Heads to ensure certain level of representation of parliament candidates of that sex which is less represented in the electoral lists, was registered at the Parliament in October 2013.

171. In 2013 the Law of Ukraine on Introduction of Amendments into Certain Laws of Ukraine on Ensuring Equal Rights and Opportunities for Women and Men introduced changes to the Law of Ukraine on Political Parties in Ukraine, according to which the amount of quotas determining the minimal level of women’s representation in the electoral list of parliamentary candidates of Ukraine on behalf of a party in the nationwide district should make at least 30% of the total quantity of the candidates in the electoral list. The law does not include provisions for single-member districts, does not clarify numerical order of female candidates in the party lists, does not include strong enforcement mechanisms, but it is still a positive step forward. No other quotas regarding women’s representation were approved.

172. Ensuring transparent financing of the political life is a very important aspect in promoting gender equality. Transparency would positively affect the balance of women’s representation.

173. The representatives of the authorities in question, CSO leaders should conduct educational and explanatory work with the members of parliament on gender issues. The

necessity for quota allotment should be supported not only by the obligations of Ukraine (in particular, CEDAW, Beijing Declaration and Millennium Development Goals), but also by international and national examples of the influence of increased women's representation in various fields of decision-making in various countries, industries, and communities.

***To the clause 23 of the CO regarding temporary special measures for the benefit of women suffering from various types of discrimination***

174. The temporary special measures for the benefit of women, suffering from various types of discrimination, such as Roma, have not been prepared and discussed yet.

175. In May 2014 the MSP under the auspices of the UN Population Fund has organized a roundtable "Women from risk groups regarding various types of discrimination". It was the first time when a list of women's categories belonging to the risk groups was created; it included: unemployed women; rural women; elderly women; women-migrants; women-refugees; women belonging to the category "displaced citizens"; Roma nationality women; HIV-positive women; IDU women; CSW; disabled women; lesbians, bisexual, transgender women. The roundtable results showed that primarily non-governmental organizations deal with women of these risk groups. There are no statistical data on them, and empirical data are incomplete and could not be subject to complex analysis.

176. 11% of women aged over 16, upon their confession, had the experience of discrimination, and 5% of women had a numerous discrimination experience. Extrapolating these percents into the absolute figures one may state that over 1.5 million of women have the experience of discrimination, and over 700 000 of women have the experience of numerous discriminations. However, the elaboration of measures (temporary included) to eliminate discrimination against them is under discussion.

177. A substantial contribution into the investigation of the risk group women is made by the UN Population Fund. The surveys targeted at women position on labor market, elderly women, Roma nationality women, and clients of the crisis centers for women – violence victims etc. have been conducted under its auspices over the recent years. The results of the surveys have attracted the attention of the authorities and population.

***To the clause 3 of the Article 4 of the Convention***

178. All state measures aimed at maternity welfare given in the previous Report still prevail. Implementation of the state policy for active social aid for families in complicated life circumstances has been started in 2012. The state budget have granted a subsidy to introduce 12000 positions for the social work specialists into the staff structure of the social services centers for family, children and youth and to strength material and technical base of the centers. It gave a possibility to strengthen considerably the social work with various categories of families: a number of families that started receiving social services have increased by factor of 5, by factor of 3 – has been covered with social support. However, in 2014 a state subsidy has not been granted, financing of the social work specialists has been entrusted upon the local budget, and, as a result, a considerable amount of them has been winded up. Along with that the functioning of the social work specialists in many cities and villages gave positive results, in particular, in prevention and counteraction of family violence that is why local authorities raise money to finance such specialists.

179. It would have sense if the MSP contributed to the development of the institute of the social work specialists to work in the communities, as well as to train acting employees of the social area in practical skills of ensuring equality of rights and opportunities for women and men, of rendering aid to persons suffered from any type of discrimination.

**Article 5**

***To the clause 25 of the CO regarding preservation of the traditional stereotype beliefs about the role and obligations of women and men in a family and society in general***

180. The problem of preserving gender stereotype still remains topical. The work for counteracting stereotypes reproducing gender inequality is unsystematic and is more formal in its nature.

181. In 1999 the Institute for Sociology of the Academy of Sciences carried out investigation of gender stereotypes among the population of Ukraine, in 2007 within the "Equal Opportunities" UNDP the second large gender research "Gender Stereotypes and public attitudes to gender issues in the Ukrainian society" was conducted, the results of which could have become a basis for the further monitoring, however, as of today, the monitoring of the gender stereotypes has not been carried out on the national basis.

***To the clause 25 of the CO regarding creation of the discriminatory image of women in the mass media and advertising campaigns and regarding measures to eliminate stereotype beliefs related to vulnerable groups of women***

182. The legislation of Ukraine (the Laws on Information, on Printed Media, on Tele and Radio Broadcasting, on Advertising etc.) does not stipulate any limitations for women and men. Moreover, the Law on Advertising prohibits any contents of discriminatory beliefs based on gender.

183. The State Program for the period up to the year 2010 scheduled MSM monitoring to reflect women' and men' role all fields of life. Such monitoring is carried out by the International Women' Rights Center "La Strada Ukraine". The monitoring is also carried out by the public organizations on the local level, in particular, in Vinnytsia and Poltava Region. The content-analysis of the mass information is also included into the programs for carrying out trainings for civil servants.

184. In 2011 women public organizations along with the "Program for equal opportunities and rights for women in Ukraine" of the UNDP, EU, the Heinrich Böll Foundation and the Ukrainian Marketing Association developed Standards for non-discriminatory gender-based advertising, which were approved by the advertisers association. The standards were registered by the marketing experts and advertisers of the leading agencies. In 2012 the Standards were registered at the Ukrainian Scientific-Research and Training Center of Standardization, Certification and Quality Problems.

185. State Program for ensuring equality of women and men for the period up to 2016 stipulates information campaigns with the participation of MSM, cultural and educational institutions to overcome stereotype beliefs about the role of women and men. The State Committee for Television and Radio Broadcasting of Ukraine, the National Television and Radio Broadcasting Company of Ukraine and regional television and radio broadcasting companies broadcast programs to highlight gender problems, violence problems against women and human trafficking, create gender culture and to highlight events to implement state programs for gender equality, family support, counteract human trafficking and National plan of actions "Stop Violence". The informational materials aimed at targeting and eliminating stereotypes and creating gender equality culture within the society are manufactured and distributed within the regions of Ukraine. The information campaign on issues of creating gender equality culture in the society was carried out in 2013 within the framework of cooperation with the International Women' Rights Center "La Strada Ukraine". A manual "Gender for media" was published for journalists in 2013 under the auspices of the Heinrich Böll Foundation in Ukraine.

186. However, the listed above events to eliminate patriarchal stereotypes have no desired effect: the legislation does not stipulate sanctions in case of gender discrimination, which makes it ineffective; the results of the MSM monitoring show that mass and advertising media are overloaded with sexism and gender discriminatory images, infringing rights of women and resulting in reproduction and deepening of the negative gender stereotypes, sexual objectivation of women and excuse of violence.

187. The results of the survey of the Mass Media Institution (2013) certify that men are the heroes of the published editions, on the average, in 80% of cases, and only in 20% of cases MSM materials are devoted to women. The women are more often mentioned in not serious publications, society columns, rumors of family life of the famous people, and dress description. 82% of all experts are represented by males and only 18% are women. Women in the majority of cases act as experts in medicine, culture and law, but almost do not comment policy and economics.

188. In 2014 the National Democratic Institute of Ukraine with financial support from the Government of Sweden initiated two campaigns aimed at informing society about importance of women's political leadership ("Women – 50% of success of Ukraine") and decrease of manifestations of sexism in media ("Povaga"). The first campaign is conducted in cooperation with Western-Ukrainian center "Women's perspectives" and Vinnytsya oblast CSO "Vidkryte suspilstvo" in Vinnytsya and Lviv oblasts, the second campaign – jointly with CSO "Institute for Development of Regional Press" all over Ukraine.

189. The technology of MSM and advertising media monitoring has been elaborated and approved; the Standards of non-discriminatory gender-based advertising have been elaborated and approved; basic data to monitor gender stereotypes also exist; educational programs for schools and higher educational establishments have been elaborated and approved; 12 educational and research gender centers function.

190. To reach positive changes in the beliefs of population about the role and obligations of women and men in family and society in general it is necessary: to elaborate and approve criteria for the population gender stereotype monitoring in Ukraine; to carry out work to change the population gender stereotypes upon this monitoring results; to widespread the Standards of non-discriminatory gender-based advertising among the larger quantity of the MSM; to introduce the effective mechanism to appeal the advertising discriminatory against women; to conduct gender monitoring of the MSM and advertising with a large-scale distribution of its results; to include into the journalist training gender modules, to correct the contents of school programs and manuals to create equality of rights and opportunities for women and men; to continue work on preparation of the teaching staff on issued of gender equality and making amendments in textbooks to eliminate gender stereotypes; to elaborate and pass specific measures to counteract stereotype beliefs related to vulnerable groups of women such as Roma, LGBT, rural women, disabled women, elderly women etc.

## **Article 6**

191. Ukraine has adopted a number of important legislative documents, targeted at strengthening battle with human trafficking over the reporting period: ratified the Convention of the European Council on counteracting human trafficking; adopted the Law of Ukraine on counteracting human trafficking; the Decree of the Cabinet of Ministers of Ukraine on the national coordinator in the area of counteracting human trafficking. In 2012 the State targeted program for counteracting human trafficking over the period of up to 2015 has been adopted. In 2012 the Procedure for determining the status of a person suffered from human trafficking; the Procedure for payment of the single material assistance to persons suffered from human trafficking; Provision on establishing and functioning of the Unified State Register of Human Trafficking Crimes; the Procedure for counteraction of the subjects carrying out activity in the area of counteracting human trafficking have been approved. In July 2013 MSP has approved a range of Standards related to the activity of specialists in this domain, in particular: the standard for rendering services on social preventive measures against human trafficking, a standard for rendering services on social integration and reintegration of persons suffered from human trafficking and a standard for rendering services on social integration and reintegration of children, suffered from human trafficking; the program for training specialists, working in the area of

counteracting human trafficking; methodological recommendations on work with the persons, suffered from human trafficking.

192. According to MIA data the quantity of crimes related to human trafficking is being constantly decreasing (Annex 9); a National hotline to counteract human trafficking operates; the state pays out a single material assistance to the victims. However, not each victim can identify her/himself with the victims suffered from human trafficking, as they do not possess enough information about this phenomenon. Primarily, this relates to rural and distant mountain area population, where there are no social services workers.

193. However, the notion of “human trafficking” in Ukraine is inheriting new forms. If earlier this notion included only sexual slavery, today it also includes sexual exploitation, labor exploitation, pulling of children and adults into the vagabondism and beggary, illegal organ transplantation, pornography etc. In terms of the extent degree the most urgent problem is the labor exploitation – slave labor, both in agriculture and industry with the labor exploitation inside the state being increasingly widespread. The second place is occupied by the sexual exploitation, the third one – by human trafficking to use the organs and to be pulled into the beggary.

***To the clause 30 of the CO regarding root causes of human trafficking***

194. The analysis of the situation with human trafficking in Ukraine certifies that the major and primary cause of human trafficking is the disproportion of the socioeconomic development of certain regions all over the globe. This led to the situation when all countries of the world can be divided into two parts. The first part – the donors-states – states, which citizens become victims of the human trafficking. As a rule, these are the states with the underdeveloped economy and low level of social protection of the population. The second ones are the states-recipients (states, the territory of which a “human commodity” is being imported into), which include states with a high socioeconomic development level.

195. The mechanism to carry out human trafficking presupposes introduction of the notion “transit country”. It is a state through the territory of which human trafficking victims are being transported into the recipient state. Predominantly, the states with high level of corruption and relative “transparency” of boards are used as transit countries.

196. The growth of unemployment, corruption, constant and fast decline in living standard of the population, exit of the state onto the world market of goods and services exchange created favorable conditions for the widespread of human trafficking in Ukraine. A significant role in this situation belongs to the peculiarity of the geographic position of Ukraine and “transparency” of its boards. All that together resulted in Ukraine being a cross-road of the world routs for human trafficking victims transportation.

197. Disproportion of the socioeconomic development of separate regions of Ukraine led to the situation, when separate regions became the recipients of the human trafficking victims.

198. As of today Ukraine is a donor-state, transit-state and a recipient-state of human trafficking.

199. Almost one half (46%) of the centers for women rehabilitation are meant for giving assistance to women-human trafficking victims.

200. It is required to elaborate specific measures, which would allow limiting to use Ukraine as a transit-state; decrease a number of victims-human trafficking among the Ukrainians; would make more rigorous requirements to the national employers, to exclude the possibility of human trafficking inside the state; would improve the system of socio-psychological assistance to human trafficking victims.

***To the clause 30 of the CO regarding international cooperation in the area of human trafficking counteraction***

201. The international cooperation in the area of human trafficking is carried out along with the Office of the special representative of the OSCE on issues of counteracting human trafficking and Coordinator of the OSCE projects in Ukraine. The direction of cooperation is: to prevent human trafficking; to reinforce the prosecution and criminalization of such crimes; to give assistance to the victims, as well as to prevent family violence and to ensure gender equality.

202. The Coordinator of the OSCE Projects in Ukraine in cooperation with the MSP over the period of 2009-2011 have conducted approbation in two spheres of the state mechanism for redirecting victims of trafficking in human beings, the results of which became the basis of the development and adoption of the state Procedure for cooperation of the subjects occupied in the area of combating trafficking in human beings. The main partners on behalf of Ukraine are the MSP, MIA and other executive authorities.

203. The topic of combating trafficking in human beings was also one of the priorities of the Ukraine's chairmanship in the OSCE in 2013. Upon the initiative on behalf of Ukraine the OSCE Action Plan for combating trafficking in human beings approved in 2003 has been revised. At the end of 2013 the suggestions of the Ukrainian experts were taken as a basis for the addition to this plan.

204. The international cooperation in Ukraine is also implemented along with the International Migration Organization. The Representative Office of the IMO in Ukraine revealed and gave assistance in 2013 to 929 victims of human trafficking (48% of them – were women), the assistance to whom was rendered through the representatives of public organizations of the All-Ukrainian coalition to counteract human trafficking in Ukraine. Since 2002 within the framework of the IMO programs in Kyiv exists a medical rehabilitation center of the IMO to give assistance to the victims.

***To the clause 30 of the CO regarding financing of the human trafficking counteraction***

205. One of the unresolved problems of the human trafficking area remains insufficient financing for the implementation of the State program and other measures, which is first and foremost connected with complicated socioeconomic, foreign-policy and financial situation of Ukraine.

## **Part II**

### **Article 7**

206. The legislative guarantees for provision of equal opportunities for women and men to vote in any kind of elections and public referenda, to be elected to any publicly elective authorities; to participate in the formulation and implementation of the governmental policy and occupy any public posts, to fulfill any public functions at any level of public administration; to participate in the activities of the non-governmental organizations and associations engaged in the matters of public and political life of the country as described in the aforementioned reports have not been changed during the reporting period.

***To the clause 32 of the CO regarding underrepresentation of women at the high level in the elective and appointive authorities***

207. As has been stated in the paragraph “Temporary special measures” the draft laws on implementation of gender quotas have been introduced for several times in recent years during the sessions of the Verkhovna Rada of Ukraine, in particular, with regard to the members of parliament of any level.

208. During the reporting period the proportion of women has increased slightly among the members of management board of the central bank; principal ministers; ministers of the Government; high-ranking public officers.

209. At the same time a certain share of women don't know their rights to be represented in the business (79%), at the high posts of public authorities (75%), in the political parties on an equal basis with men (73%). The representation of women at any level of power requires not only the presence of special quotas for this purpose, but the desire of women to occupy these posts and possess the corresponding leadership qualities, knowledge, skills, experience etc. Therefore it is necessary to select and train women that possess necessary qualities for the work in the public authorities and to recommend them for these positions.

#### **Article 8**

210. Currently, the ratio of men and women in the Ministry of Foreign Affairs of Ukraine is approximately 70% to 30% respectively in the total number of the employees. Among the managing staff of the Ministry: the post of the First Deputy Minister is occupied by a woman. The posts of middle management are occupied by 21 women (20%), the posts of senior management are occupied by 7 women (25%).

211. In the foreign diplomatic institutions of Ukraine the managing posts are occupied by 5 women: Ambassador Extraordinary and Plenipotentiary, Consul General and 3 heads of consular institutions.

#### **Article 9**

212. Aforementioned data testifies that effective legislation of Ukraine on citizenship and effective international treaties of Ukraine corresponds to the article 9 of the Convention in full force and effect. The situation has not changed during the reporting period.

### **Section III**

#### **Article 10**

213. During the reporting period in Ukraine the gender balance at the educational level has been preserved: in the terms of education generally women are equal to men, even predominating in several cases; women enjoy equal rights with men to access to the education, obtaining of educational documents in the educational establishments of any kind, accreditation level and form of ownership both in the cities and villages; women have the right to the equal with men access to the academic programs, literature, examinations, equal qualification of teaching staff, obtaining the qualification, study rooms, receipt of scholarship and other kinds of financial assistance.

#### ***To the clause 25 of the CO regarding preservation of the stereotypes in the schoolbooks***

214. According to the data of the MES among the higher educational establishments of the III-IV accreditation level, almost in 60% of the establishments special courses on gender issues are taught; in 24% of the higher educational establishments the authorial gender programs are prepared, instructional researches on gender issues have been issued for 102 higher educational establishments. 12 educational and research gender centers in nine districts and regions are functioning at the higher educational establishments.

215. The scientific researches in gender studies are spreading increasingly in academic and university centers of Ukraine.

216. In 2009 the MES adopted the Order on implementation of the principles of gender equality in education. In terms of its implementation the examination of academic programs, materials and books has been carried out; educational courses on gender equality issues for the students of senior high school and higher educational establishments have

been elaborated. The large-scale arrangements have been effected on promotion of gender sensitivity and awareness for more than 25 000 of teachers. The lessons of gender equality and other arrangements, aimed at the formation of gender equality culture, are held at schools periodically, research and practice conferences on gender range of problems are arranged, competitions, festivals, workshops and other interactive activities on equality issues.

217. These measures have not become systematic and the education is still the medium of gender stereotypes transmission. The Government, public and international organizations proceed with their work regarding resolving this problem, particularly through the implementation of the State Program.

218. However, gender academic programs yet don't have a significant impact on the patriarchal stereotypes.

219. There are only 16% of men engaged in the process of school education that usually occupy leadership positions. That is why girls of school age perceive men as the only managers, because such pattern they observe within the walls of their educational establishment.

## **Article 11**

### ***To the clause 34 of the CO regarding actual state of women on the labor market***

220. Women in Ukraine make up 48% of the economically active population. At the age of 25-39 years women's economic activity is more than 90% and general index of women's economic activity is 58% (*Annex 9*). The level of women's economic activity in cities and villages is 63% and 68% correspondingly. But discrimination in the labor market remains the urgent problem for the Ukrainian women.

221. The most obvious manifestation and result of gender inequality in the labor sphere is significant gender gap in the level of employment revenue that accumulates and reflects the influence of other inequality aspects: gender-based occupational segregation, manifestation of discrimination practice by employers, limiting influence of the family obligations on the opportunities in the professional self-actualization of the employees, roles of the dominating gender stereotypes regarding distribution of social roles in society etc.

222. In spite of the positive dynamics during last decade the average salary of men in Ukraine is 23% higher than average women's salary. However, 87% of women don't even know that inequality in labor compensation is a violation of their rights. For example, the legislation of Ukraine prohibits over 500 professions for women, which limits their opportunities.

223. Highly motivated for entrepreneurial activity Ukrainian women are not yet sufficiently involved in business – the overall score of Ukraine according to Policy Index in small and medium business is 1.5 out of 5 possible. This is not only the fact that discriminates women, but also the result of ineffective strategies from the point of view of Ukraine's economic potential.

224. In the small and medium business women suffer from discrimination: don't have any employment record books, no contracts or labor agreements have been concluded with them, inasmuch the owners don't want to pay the taxes from their salaries, social payments and vacations etc.

225. It occurs due to the fact that women have more vacations, child care leaves, sick leaves, have the child care leave from 3 to 6 years and lose their professional qualification therefore have slow career progression etc. The consequence is absence of labor experience, sick-leave payments, annual vacations and other types of social security. During the 2012 inspection of the State Inspection of Ukraine on Labor (of 2.5 thousand of the enterprises), more than 900 violations were detected in the sphere of employed

women's rights – late payment of child care leave pays, engagement of pregnant women and mothers of the children under 3 years old in work prohibited by the law, nonpayment of sick-leave payments etc.

226. The situation is remedied gradually. Since January 1, 2013 the Law of Ukraine on Employment of the Population has been in force containing regulations that introduce gender principles in the employment securing and assistance in the employment. It is an express prohibition to specify in the job advertisements the limitations of age and sex of the candidate; broadening of the categories of citizens that have additional employment guarantees: one of the parents or person replacing him/her if he/she performs maintenance of children (5% quota of work seats); compensation to the employer in the process of employment of noncompetitive citizens (in particular, single mothers) at the new place, etc. However, the new law does not clearly define the role of civil society in the field of employment: Article 52 of the Law establishes an actual monopoly of trade unions and employers to public control in employment. These limits unnecessarily eliminate CSO supervision over the observance of rights of different categories of workers, inhibit trilateral cooperation (state - business - civil society) in promoting initiatives in the field of women's entrepreneurship, especially those coming from CSOs.

227. The Law of Ukraine on Collective Contracts and Agreements (Articles 7 and 8) specifies that mutual obligations of the parties shall be established and regulations shall be governed, particularly regarding provision of the equal rights and opportunities for women and men.

228. The MSP has elaborated the list of additional initiatives in the sphere of gender equality and reintegration of mothers to the professional life after return from the child care leave as to granting young mothers an opportunity for free education, retraining or advanced training during the child care leave; encourage employers to hire women after the maternity leave and those who can't find the job through the employment service; to strengthen responsibility of employers in case of discrimination during acceptance for employment, to grant to mothers an opportunity to use one year of the three-year leave at any time until the child reaches the age of 8 years, for example, in the first year of school; to grant an opportunity to the mothers staying in child care leave to work distantly.

229. In order to improve the position of women in the market, it is reasonable to implement flexible forms of labor organization; development of service sector; different forms of gender assignment of quotas or determination of objective percentage tasks on participation of both genders at the leadership positions; popularization of the examples of high achievements of women in the sphere of public administration, examples of successful combination of career and family life by famous public persons; preventive measures against gender discrimination of employers expressed by reward for equal work; policy of salary legalization in the private sector of economy; activation of women in the assertion of own labor rights etc.

## **Article 12**

### ***To the clause 38 of the CO regarding women's reproductive health (unwanted pregnancy, abortion)***

230. Ukraine is currently implementing a program "Reproductive Health of the Nation". At present, the family planning system includes regional (city) centers for family planning and human reproduction and family planning offices in each region. Activities of family planning system are to prevent the main factors of reproductive health disorders - infections, sexually transmitted diseases, including HIV/AIDS and unwanted pregnancies interrupted by abortion.

231. According to the MHC data the level of legal abortions procured in MHC institutions has decreased from 9.45 in 2010 to 7.39 in 2013 (per 1000 women of

childbearing age). This moved Ukraine in WHO ranking from the list of countries with high abortion rates to the countries with an average prevalence of abortion.

232. Multiple Indicator Cluster Survey of households held in 2012 (MICS-2012) confirmed a strong tendency to reduction of the incidence of abortion and increase of delivery frequency. There was also a decrease in the number of pregnancies among girls and adolescent girls.

233. The proportion of women who made at least one abortion increases from 3.5% at the age of 20-24 years to 38.8% at the age of 45-49 years. In part, this reflects the tendency towards increase of the probability of getting pregnant, because some young women have had no sexual relations.

234. Naturally, with increase of the age, the proportion of the women who had an abortion increases. In the group of 40-49 years, almost every second woman had the experience of abortion.

235. Among childless women only 7.1% had an abortion, among those who have one child - 27.8%. One in three of those who reported experiencing of abortion, had two children, and 28.1% - three or more.

236. Only 4.2% of respondents who reported an abortion have been never married/never lived in an informal marriage.

237. The average number of abortions that women have ever had is 1.6.

238. According to the MICS-2012, the abortion rate for the three years preceding the survey, was the highest in the age of 25-29 years (15.5 per 1000 women). This is the period when the majority of women are sexually active, and a woman's body is physiologically ready for fertilization and childbearing. Another factor is relatively smaller probability of young woman to have somatic and reproductive disorders, preventing conception.

239. The total abortion rate (per 1000 women of childbearing age) is 8.5 per 1000 women of the reproductive age. High rates were observed in large cities (10.6), the lowest - among rural women (5.3).

***To the clause 38 of the CO regarding the lack of information and data on women's health, including, in particular, mortality rates among women and their causes and indicators of diseases that mainly affect women and girls***

240. The rate of malignant neoplasm of breast is increasing among the female population: from 61.7 per 100 000 of population in 2008 to 67.9 in 2013; mortality of women who die from the breast cancers: from 32 per 100,000 of population in 2008 to 33 in 2013; the mortality of women who die from malignant neoplasm of the cervix: from 8.8 to 8.9; mortality of women who die from cancer of the corpus uteri from 7.7 to 8.5.

241. In the structure of cancer incidence among women the largest proportion are women with breast cancer. Breast cancer incidents among all cancer incidents diagnosed among women in 2012 was 23.1%.

242. Breast cancer is the first leading cause of death from cancer pathology among women of working age. Every woman with breast cancer loses 17-18 years of life, and all the deaths from this disease lead to an annual loss of 35 thousand of man-years in the most productive period.

243. The dimensions of the problem dramatically grow in relation to the absence of well-functioning system of mass diagnosis, prevention and mammography services. As a consequence, the cancer is mostly diagnosed at late stages, which increases the risk of mortality to 30%.

244. At present, the legal framework for prevention, diagnosis and treatment of precancer and cancer of breast is partially regulated by the laws of Ukraine: The Basic Law on Health

Care, on Medicines, on Narcotic Drugs, Psychotropic Substances and Precursors and some other regulations. There is also National Cancer Control Program for the period up to 2016.

245. However, these legislative acts do not provide for the issue of system solutions to assist a woman, who has been diagnosed with breast cancer, from diagnosis, treatment to rehabilitation, prosthetics.

246. This has been repeatedly emphasized by representatives of public organizations of disabled people in Ukraine, including Ukrainian public organization of disabled women - breast cancer survivors "Donna", which comprises more than 150 thousand women.

247. It is advisable to ensure the review and amendments to relevant regulatory legislation that would normalize relations, rights and obligations of agencies and institutions, which control breast precancer and cancer to create conditions for reducing the mortality of women and the preservation of a healthy gene pool of the nation.

***To the clause 38 of the CO regarding high levels of the HIV/AIDS***

248. In recent years Ukraine has seen a steady positive trend towards decreasing proportion of new incidents of HIV among young people. The number of officially registered cases of HIV among persons aged 15 - 24 in 2013 compared with 2005 decreased from 2775 to 1534, by 1.8 times.

249. Reduced extensive index, which is the proportion of incidents of HIV among the age group of 15 - 24 from the total number of incidents of first-ever diagnosed HIV, characterizes the features of HIV epidemic among young people and may indicate stabilization of the overall epidemiological situation in the country. There is a certain stabilization in the incidence per 100 000 of population: 46.5 (2011); 45.5 (2012) and 47.5 (2013).

250. Implementation of measures to prevent HIV transmission from mother to child has made it possible to achieve certain success. Since 2003, the rate of voluntary HIV testing among pregnant women has been consistently above 95%. Coverage of preventive antiretroviral treatment for women whose pregnancy was diagnosed HIV infection increased from 9% in 1999 to 95.0% in 2011. This activity resulted in significant, more than 7-fold, reduction in the rate of HIV transmission from mother to child, from 27.8% in 2001 to 3.73% in 2011. However, the incidence of HIV transmission from mother to child, among active IDU mothers is 3 times higher than the overall rate of transmission of HIV from mother to child in 2011 - 11.7% vs. 3.73% respectively. This indicates the lack of integration of services for HIV-infected pregnant IDUs, limited access to services for them and still high levels of stigma towards the representatives of the groups vulnerable to HIV.

***To the clause 38 of the CO regarding increased mortality among the women for reasons directly related to alcohol abuse***

251. The mortality rate of the population from the incidents of poisoning and effects of alcohol during the reporting period ranged within the following range: 2010 - 8.4 per 100 000 of population; 2011 - 8.0; 2012 - 10.1; 2013 - 8.8. On average this figure for rural areas exceeds that for city areas by a factor of 1.5.

252. Mortality from alcohol poisoning is accounted for the fact that almost a third of strong alcoholic beverages is produced in the informal sector of the economy.

253. The incidence of mental disorders from alcohol (alcoholism and alcoholic psychoses) among the female population for 2008 - 2013 (per 100 000 of the concerned population) decreased significantly: 2008 - 35.84; 2009 - 28.07; 2010 - 24.53; 2011 - 24.23; 2012 - 24.55; 2013 - 24.15.

254. The prevalence of mental disorders from alcohol (alcoholism and alcoholic psychoses) among the female population for 2008 - 2013 per 100000 of population has also

been reducing: 2008 – 336.74; 2009 – 331.13; 2010 331.16; 2011 – 330.07; 2012 – 328.9; 2013 – 327.45.

***To the clause 39 of the CO on the need for special attention to the high-risk groups in the strategies for the prevention of the HIV/AIDS***

255. HIV epidemic in Ukraine is mainly concentrated among the IDU, CSW and their sexual partners, as well as among MSM. According to the data of the sentinel surveillance for HIV, conducted as a part of the integrated biological and behavioral research for 2011 among risk groups, 21.5% of IDUs, 9.0% CSW and 6.4% of MSM are living with HIV.

256. As a full-blown epidemic of HIV through the IDUs in Ukraine has been developing since 1995, and the majority of IDUs are engaged in sexual relations, the level of sexual transmission of HIV is increasing. The epidemic spreads from IDUs (mostly men) to their sexual partners, the proportion of HIV-infected women is increasing. At the end of 2011 the proportion of HIV-infected women made up 45.0% of all persons registered at the dispensary.

257. It is believed that the infection rate among women attending antenatal clinics for pregnancy accurately reflects the level of HIV prevalence and tendencies of the epidemic among general population. In addition, this group of women is a selection that is representative for the analysis of the epidemiological situation among the reproductive share of the population. Over 2009-2013 there is a positive trend towards elimination of the level of HIV among pregnant women according to the primary testing results: 0,55%; 0,48%; 0,47%, 0,45%, 0,39%.

258. Due to the implementation of measures aimed at suspending HIV epidemic, the rates of HIV incidence increase have been declining since 2006. For the first time, in 2012 in Ukraine there was registered a certain decrease of new cases of the HIV-infection by 1.6%. According to the 2013 data an increase of persons diagnosed with HIV-infection for the first time – 21 631 (47.6 per 100 000 of the population, increase rate: + 4.6%). High HIV status among CSW in Ukraine is explained by the active participation of female IDUs in the sex industry. However, from the point of view of the possibility to generalize the HIV epidemic, the way of infection of CSW does not really matter, because the infection risk of clients of CSW does not depend on the route of infection of the representatives of these services.

259. In 2009 the prevalence of HIV among prisoners has been studied in Ukraine for the first time. According to the study, in 2009 the HIV infection rate made up 15%.

260. The HIV/AIDS reduction strategy is one of the priorities of the state policy. The Government has undertaken a number of strategic commitments and in collaboration with international and non-governmental organizations is making efforts for their implementation and addressing the epidemic of HIV infection. Objectives of the UN strategy implementation regarding overcoming of the HIV-infection epidemics in the world for 2011-2015 are laid in the Statewide Target Social Program for Counteracting HIV-infection/AIDS for 2014-2018. However, given to the complicated socioeconomic state and reforming of the healthcare system in the regions the achievement of the Strategy targets mentioned up to the year of 2015 to the full extent is impossible. As of the beginning of September 2014 the Project of the Statewide Target Social Program for Counteracting HIV-infection/AIDS for 2014-2018 has been approved by the Cabinet of Ministers of Ukraine, but has not been considered by the Verkhovna Rada of Ukraine.

***To the clause 39 of the CO regarding women's health***

261. Non-compliance with the modern requirements of the current Ukrainian health care model appears to be a problem, which is specified in the following forms:

262. Reduced availability: free medical care is very conventional, government guarantees are not balanced with their financial security. 20.5% of the households cannot receive

adequate medical care. The share of the private household spending per capita on health care is more than 40% of the total financing of the sector. 10% of the total health care costs are shadow payments.

263. The lack of protection of the population against the financial risk of the industry: medicine is focused on solving its own problems, not the problems of the population. Budget expenditures for financing cover approximately 58% salaries of health care workers. Capital expenditures (new construction, purchase of equipment, repair) cover less than 8%.

264. Poor quality of healthcare services: the average life expectancy at birth in Ukraine is 10 years lower than in the majority of the developed European countries. There is a high level of the overall mortality, high mortality among men of working age, increased incidence of socially dangerous diseases such as tuberculosis.

265. Unavailability of the qualified medical care for the elderly population: Elderly people often suffer from the inability to pay for medications, medical supplies, hospital treatment, conduct vital operations etc. In particular, deprivation in healthcare is perhaps the most common type of discrimination suffered by the elderly. In this case, the most vulnerable are elderly women living alone.

266. To solve these problems it is necessary to ensure equal and fair access of all citizens to the health services, their high quality and efficiency, while maintaining a socially acceptable level of public guarantees, gradually, upon the condition to reform the existing budget of the healthcare system, to create a foundation for further introduction of the compulsory health insurance.

267. It is necessary to develop and implement health insurance for the needs of women with low incomes. Also a healthcare system of reaction to the gender-based violence has to be established.

### **Article 13**

268. As the authors of the previous report stated, the current legislation of Ukraine in terms of ensuring equal access to social benefits and privileges to women and equal rights for family help meets modern requirements.

269. Also no reasons and facts of discrimination were revealed according to the claim c) “the right to participate in activities related to recreation, sports and all aspects of cultural life”.

270. At the same time the claim b) of the Article 13 on the right to bank loans, mortgages and other forms of financial credit is not fully implemented in Ukraine. According to the study of gender equality in the entrepreneurship carried out by the International Finance Corporation (IFC) it is more difficult to start a business for women in Ukraine because of lack of access to the resources. It is more difficult for a woman to get a bank loan. Privatization in Ukraine is actually passed by the women – 95% of the capital is concentrated in the hands of men, and only 5% - of women. Today, only 22% of businesses in Ukraine are owned by women.

## **Part IV**

### **Article 14**

271. The main problems of rural women, described in the 6-7 periodic Reports, haven't been fundamentally changed. A comprehensive study of the situation of rural women has been conducted within the framework of the UNDP project “Democratization and Human Rights in Ukraine”. A primary objective of the study was to analyze the situation of rural women in respect for their rights and participation in civil and political life of the villages

and communities, specified in the article 14 of CEDAW, to develop recommendations for the empowerment of women living in rural areas.

**Article 15**

272. General information provided in the 6-7 periodic Reports on the state of Ukraine providing equality of women and men before the law; giving them the same civil capacity and the same opportunities to exercise it; invalidity of all documents that restrict the legal capacity of women; the same rights concerning the movement of persons and the freedom to choose their residence and domicile, remained unchanged.

**Article 16**

273. The Family Code of Ukraine meets the requirements of the Article 16 of CEDAW, as was described in detail in previous reports to the Committee.

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