

**Economic and Social Council**

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Committee on Economic, Social and Cultural Rights**List of issues in relation to the sixth periodic report of Ukraine*****I. General information**

1. Please indicate whether the Covenant has been invoked in, and applied by national courts of law and provide examples of such cases. Please also inform whether the State party is considering ratifying the Optional Protocol to the Covenant.

II. Issues relating to the general provisions of the Covenant (arts. 1-5)**Article 2, paragraph 1 – Maximum available resources**

2. Please provide annual comparative statistical data for the reporting period on the percentage of the gross domestic product (GDP) and the State budget allocated to various sectors related to economic, social and cultural rights.

Article 2, paragraph 2 – Non-discrimination

3. Please provide information on the implementation of the Law on the principles of prevention and combating discrimination in Ukraine (entered into force on 4 October 2012) and clarify whether the law provides for a definition of discrimination consistent with article 2, paragraph 2, of the Covenant, including direct and indirect discrimination. Please also inform the Committee of the status of draft law No. 2342, "On amendments to some legislative acts of Ukraine on prevention and combating discrimination in Ukraine".

4. Please indicate (a) whether discrimination in employment on grounds of age, sexual orientation and nationality is prohibited; (b) what categories of employment, if any, are closed to non-nationals.

5. Please provide further information on steps taken to combat discrimination against Roma and Crimean Tatars in the fields of education, employment, housing and health.

* Adopted by the pre-sessional working group at its fifty-second session (2-6 December).



Please report details on the budget allocated for the implementation of the Strategy on the Protection and Integration of Roma in Ukraine up to 2020 and the National Action Plan on Roma Inclusion, indicators used to monitor progress and on any interim results achieved so far. Please also indicate the measures taken to provide all Roma with personal documents necessary for the enjoyment of their rights under the Covenant.

6. Please provide information on steps taken to combat and prevent social stigma and discrimination against persons living with or affected by HIV and AIDS, persons with disabilities and lesbian, gay, bisexual and transgender (LGBT) persons. Please specify the measures taken to ensure their enjoyment of the rights enshrined in the Covenant, including access to employment, social security, health care and education.

Article 3 – Equal rights of men and women

7. Please provide updated information on measures taken to increase the representation of women in Parliament, the Government, and in senior positions in the public service and their impact thereof.

8. Please provide information on concrete measures taken to address the persistent wage gap between women and men.

III. Issues relating to the specific provisions of the Covenant (arts. 6-15)

Article 6 – The right to work

9. Please provide updated information on the unemployment rate disaggregated by sex, age, ethnic group and rural/urban areas and the impact of measures aimed at reducing unemployment among youth, women, Crimean Tatars and the Roma, including through the State Employment Policy up to 2014 and the National Tripartite Accord on Employment and Jobs.

10. Please indicate how the quota of employment of persons with disabilities of 4 per cent in public and private companies and institutions is enforced in practice and its effectiveness in improving access to employment for persons with disabilities.

11. Please specify what measures are in place to reduce the extent of the informal economy and to guarantee access of persons employed in the informal economy to basic services and social protection and the enjoyment of their rights under the Covenant.

Article 7 – The right to just and favourable conditions of work

12. Please indicate the current level of minimum wages and clarify whether it is periodically reviewed with a view to ensuring that it provides for a decent living for workers and their families. Please outline the measures taken to ensure that the minimum wage for workers in the coal sector is in compliance with the level set out in the mine sector collective agreement. Please also provide information on measures taken to address the problem of wage arrears.

13. Please clarify whether a procedure for monitoring the compliance of employers with the legislation on advertising vacancies is in place and whether the State Labour Inspectorate can, in practice, take measures against those breaching the said legislation and impose appropriate sanctions, and provide relevant statistics. Please also report on the

activities of the State Labour Inspectorate aimed at reducing the number of violations of the labour legislation, in particular illegal dismissal, compliance with minimum wages and remuneration for work.

14. Please provide further information, including relevant statistics, on measures taken to address the high rate of accidents and work-related illnesses, on the enforcement of rules governing occupational safety and health in practice, and on the monitoring system and sanctions that are applied.

Article 8 – Trade union rights

15. Please clarify the requirements for the registration of trade unions and the obstacles that may be encountered in the registration process and provide information on the exercise of the right to strike in practice, including data on the number of strikes. Please indicate the specific categories of public servants whose right to strike is restricted or prohibited. Please also provide information on the legal and policy frameworks concerning the right to collective bargaining, including limitations on this right.

Article 9 – The right to social security

16. Please explain whether the revised amounts of social security benefits, as indicated in the State party report, enable a decent living for the recipients and their families. Please provide updated information on the reform of the pension insurance system and indicate whether minimum old age pensions are sufficient to ensure a decent living.

17. Please provide further information on the social assistance schemes, and clarify whether self-employed persons who are not eligible for the mandatory sickness and pension insurance and persons in need of income support, including asylum seekers and refugees, have access to these benefits.

18. Please report on developments, if any, in introducing a contributory national health insurance system.

19. Please provide updated information on the impact of the reform of the social services system (State party's report, E/C.12/UKR/6, para. 279) on the enjoyment of the right to social security by everyone.

Article 10 – Protection of the family, mothers and children

20. Please provide information on the measures taken, legislative or otherwise, to combat domestic violence and ensure that perpetrators are adequately sanctioned and victims have access to effective means of redress and immediate protection, including through a sufficient number of shelters available throughout the country.

21. Please provide information on the impact of the National Strategy for the Prevention of Child Abandonment until 2020 on the decrease of the high number of children deprived of a family environment and on the promotion of family-type care for such children. Please also report on efforts to address the situation of street children, including ensuring their protection, rehabilitation and social reintegration.

22. Please report on targeted measures taken to combat child labour and the impact thereof. Please clarify whether the prohibition on the employment of children under the age of 15 applies to all economic sectors, all places of work, and all forms of economic activity. Please also clarify the definition and scope of "light work" for children and indicate the

measures taken to ensure its effective monitoring by labour inspection services, including in the informal economy.

23. Please indicate whether progress has been made in combating trafficking in persons, particularly trafficking of children for labour or sexual exploitation, and provide information on the number of trafficking cases reported, the sentences imposed on perpetrators and the redress and compensation offered to victims.

Article 11 – The right to an adequate standard of living

24. Please provide updated statistical data, on an annual basis since 2009, on the percentage of the population living below the poverty line, disaggregated by sex, age, rural/urban population, and ethnic group, as well as information on the evolution of the consumer price index. Please provide information on measures taken to combat poverty, especially in rural areas and among the disadvantaged and marginalized groups, including Roma, persons with disabilities, families with three or more children and with children under the age of 3, families with unemployed members, households comprised of older persons, single-parent households and immigrant families.

25. Please clarify whether the domestic criteria for adequate housing are in line with article 11 of the Covenant and the Committee's general comment No. 4 (1991) on the right to adequate housing. Please indicate the measures taken to improve the substandard housing conditions of many Roma and Crimean Tatars and ensure legal security of tenure and to provide adequate housing to refugees and asylum seekers, including unaccompanied children.

Article 12 – The right to physical and mental health

26. Please provide information on the reform of the health-care system and its impact on the enjoyment of the right to health by everyone in accordance with article 12 of the Covenant and taking into account the Committee's general comment No. 14 (2000) on the right to the highest attainable standard of health. Please outline the concrete measures taken to improve the quality and availability of health-care services, especially in rural areas and for disadvantaged and marginalized groups. Please also report on measures taken, and their impact thereof, to address the problem of inadequate infrastructure of the primary health-care system, the high health-care costs, the persistent shortage of certain drugs and the significant drop in vaccination coverage.

27. Please provide information on measures taken to reduce high HIV infection rates and to address the limited coverage of adequate testing, periodic shortages of antiretroviral (ARV) drugs, lack of laboratory monitoring and low antiretroviral therapy (ART) coverage. Please also provide information (a) on the budget allocated to support the HIV prevention programmes, in particular opioid substitution therapy (OST) and needle and syringe exchange (NSE) programmes; (b) on the geographical coverage of OST programmes and on their availability for drug dependent persons in detention facilities, including pretrial detention centres and prisons.

28. Please report on concrete measures taken, and their impact thereof, to address the prevalence of tuberculosis (including the high multidrug-resistant tuberculosis (MDR-TB) and the reported lack of anti-TB drugs, deficient infection control activities, low impact of detection efforts and inadequate service delivery at the primary health-care level.

29. Please provide information on measures taken to address the prevalence of hepatitis C and ensure access to adequate treatment and care for all in need, including

through the Government Programme for Prevention, Diagnosis and Treatment of Viral Hepatitis for 2012-2016.

30. Please provide information on measures taken to further decrease maternal mortality and infant and child mortality rates, to ensure access to sexual and reproductive health services by all sections of the population, and to provide sexual and reproductive health education, in particular for adolescent girls and boys.

Articles 13- 14 – The right to education

31. Please provide information on dropout rates at various levels of education, including statistical data disaggregated by age, sex, nationality and urban/rural areas. Please report on measures taken to eliminate indirect costs (e.g. expenses for schoolbooks, uniforms, transport, special fees such as exam fees, contributions to district education boards etc.), in particular in primary education.

32. Please provide information on measures taken to address the reported segregation of Roma children in education and their overrepresentation in special education schools. Please report on steps taken to ensure an inclusive education for children with disabilities and to provide access to education to children with intellectual and serious physical disability. Please also indicate what steps have been taken to facilitate access to schooling for asylum-seeking and refugee children, including unaccompanied children.

33. Please report on measures taken to mitigate the negative effects of the reduction in educational facilities on children's access to education, in particular in rural areas.

Article 15 – Cultural rights

34. Please provide further information on the measures taken to provide Crimean Tatars with appropriate opportunities to preserve, develop, express and disseminate their language, culture and religious practices.

35. Please indicate what measures have been implemented to promote and facilitate access to the Internet and to cultural activities, including concerts, theatre, cinema, sports events, and to ensure that access to the Internet and cultural activities are affordable for all segments of the population.
