



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

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## Committee on the Elimination of Discrimination against Women

### List of issues and questions prior to the submission of the ninth periodic report of Ukraine\*

#### General

1. Please provide information and statistics, disaggregated by sex, age, disability, ethnicity, religion and location, on the current situation of women in the State party, to enable monitoring of the implementation of the Convention. In accordance with the State party's obligations under articles 1 and 2 of the Convention and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, as well as in the light of the Committee's previous concluding observations ([CEDAW/C/UKR/CO/8](#), para. 50),<sup>1</sup> please indicate how the State party intends to improve the collection and analysis of data pertaining to the areas covered by the Convention, so as to improve policymaking and programme development and measure progress made in the implementation of the Convention and the promotion of substantive equality between women with men, including with regard to the specific areas covered herein.

#### Current context

2. In view of the ongoing armed conflict in parts of the territory of the State party and the temporary occupation and unrecognized annexation of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, by the Russian Federation (see General Assembly resolution [68/262](#) and, most recently, resolution [74/168](#)), please provide an update on the implementation of the Committee's previous concluding observations (para. 11). Please also describe the impact that the establishment of several institutions mandated to combat corruption has had on fighting impunity and on ensuring the prevention, investigation, prosecution and punishment of any acts of violence perpetrated against women and girls, including in the context of the armed conflict ([HRI/CORE/UKR/2018](#), paras. 20 and 52–53).

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\* Adopted by the pre-sessional working group on 6 March 2020.

<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the Committee's previous concluding observations.



**Women and peace and security**

3. Please inform the Committee about the impact of the national action plan on the implementation of Security Council resolution 1325 (2000) on women and peace and security and about the impact of other measures to implement the Committee's previous concluding observations regarding the meaningful participation of women in the peace process, reconstruction efforts and transitional justice mechanisms at all levels (para. 13 (a)–(c)). Please also describe the impact of the various measures indicated in the follow-up report of the State party to strengthen gender equality in the security and defence sectors and to increase the access of women to professions in those sectors (CEDAW/C/UKR/CO/8/Add.1, pp. 2–5).

**Conflict-related sexual violence**

4. Please describe the measures taken to implement the 2019 strategy for the prevention of and response to conflict-related sexual violence in Ukraine, in particular with regard to the provision of referral mechanisms, forensic testing, medical treatment and other support services, including shelters, for women who are victims of conflict-related sexual violence. In the light of the Committee's previous concluding observations (para. 15 (b) and (c)), please inform the Committee about the measures taken to provide capacity-building for judges, prosecutors, police officers and other law enforcement officers on the strict application of relevant criminal law provisions and on gender-sensitive investigation and interrogation methods, with the aim of preventing revictimization. In the light of the Committee's previous concluding observations (para. 15 (e) and (f)), please describe the steps taken to provide reparations, including compensation, to women who are victims of conflict-related sexual violence.

**Women living in conflict-affected areas and internally displaced women**

5. In the light of the Committee's previous concluding observations (para. 17), please provide updated statistical data on the situation of women living in conflict-affected areas and of internally displaced women, including women from non-government-controlled areas of Donetsk Province and Lugansk Province and Crimean Tatar women, and their access to health services, education, food, shelter, freedom of movement, registration services, social benefits, sustainable employment opportunities and justice, and describe the specific steps taken to improve that access, including by facilitating the residence registration process. Please also provide updated statistical data on the mental health services available to women affected by the armed conflict. Please further provide information on proactive measures taken to prevent women living in conflict-affected areas and internally displaced women from being forced into prostitution.

**Access to justice**

6. Please provide information on the measures taken to ensure that women, including internally displaced women, Roma women, women with disabilities, rural women, older women, lesbian, bisexual and transgender women and women living with HIV, are aware of their rights under the Convention and of the legal remedies available to them. In the light of the Committee's previous concluding observations (para. 19), please also provide information on the measures taken to eradicate barriers impeding women's effective access to justice, including financial barriers, corruption and the gender stereotypes employed by law enforcement officials, and indicate the number of beneficiaries of free legal aid.

**Definition of discrimination and legislative framework**

7. In the light of the Committee's previous concluding observations (para. 21 (a) and (b)), please indicate any measures taken to harmonize the State party's anti-discrimination legislation, including with regard to a definition of discrimination against women that is in accordance with article 1 of the Convention, and to fully implement laws in accordance with women's rights under the Convention, in particular at the local level. Please also provide information on the assessment of gender equality in national legislation and its impact on gender mainstreaming in the State party's legislation, as well as statistical data on relevant criminal and administrative cases with respect to discrimination against women.

**National machinery for the advancement of women**

8. With regard to the appointment of a government coordinator of the national gender equality policy on 1 March 2017, in accordance with resolution No. 117 of the Cabinet of Ministers, and the establishment of the position of Government Commissioner for the Gender Equality Policy on 9 June 2017, in accordance with decree No. 390, please provide information on their mandates, the human, technical and financial resources allocated to them and the impact of the establishment of both positions on the effective coordination of the Government's gender equality policies, in particular at the regional and local levels. Please also provide information on the implementation and impact of such policies, including the programme on equal rights and opportunities for men and women for the period 2017–2021, the gender action plan of the Ministry of the Interior and the strategy on gender equality for the period 2019–2021 of the Ministry for the Development of Communities and Territories. In the light of the Committee's previous concluding observations (para. 23 (b)), please describe the efforts made to ensure that gender mainstreaming is consistently applied to the development and implementation of all laws, regulations and programmes in all ministries, including through effective monitoring, accountability mechanisms and gender-sensitive budgeting.

**Temporary special measures**

9. Please provide information on the measures taken to promote and accelerate the achievement of substantive equality between women and men, including through the adoption and implementation of temporary special measures, in particular in favour of disadvantaged groups of women. In the light of the Committee's previous concluding observations (para. 25), please specify the steps taken to encourage the use of temporary special measures, including the adoption of legislation to encourage their use in both the public and private sectors and the implementation of initiatives aimed at raising the awareness and building the capacity of all relevant State officials and policymakers with regard to such measures. Please also provide information on the enforcement, monitoring and outcomes of any existing temporary special measures, supported by statistical data, including with reference to the quota enshrined in the Electoral Code.

**Stereotypes and harmful practices**

10. Please indicate whether the State party has adopted a comprehensive strategy to eliminate patriarchal attitudes and stereotypes that are discriminatory towards women, as previously recommended by the Committee (para. 27 (a)), and provide an update on the status of the 2018 draft national advocacy and communication strategy on gender equality. In the light of the Committee's previous concluding observations (para. 27 (b)), please also indicate the measures taken to address stereotypical portrayals of women in the media. Please provide information on the measures taken

to harmonize relevant legislation and to prevent sexism, in line with article 5 (a) of the Convention and Recommendation CM/Rec(2019)1 on preventing and combating sexism, adopted by the Committee of Ministers of the Council of Europe.

### **Gender-based violence against women**

11. In the light of the Committee's previous concluding observations (para. 29 (a)), please describe the steps taken to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. Please explain the impact of the measures taken to implement Act No. 2229 of 7 December 2017 on preventing and combating domestic violence, which is described in the follow-up report of the State party ([CEDAW/C/UKR/CO/8/Add.1](#), pp. 7–10), and the measures taken to implement the State programme on preventing and combating domestic and gender-based violence for the period 2018–2023. Noting the information provided in the follow-up report regarding the amendments to the Criminal Code and the Code of Criminal Procedure of 11 January 2019 (*ibid.*, pp. 6 and 11), please specify whether marital rape is explicitly prohibited and provide updated statistical data on violence against women, disaggregated by age, ethnicity, disability status, type of violence and the relationship between the perpetrator and the victim, as well as the number of prosecutions and convictions involving violence against women, including gender-based violence, domestic violence, femicide, stalking and sexual harassment in public. Please also describe the mechanisms in place for registering cases of gender-based violence.

12. Please inform the Committee about measures taken to institutionalize and strengthen the mobile domestic violence response teams and the mobile brigades providing accessible social and psychological assistance to victims of domestic violence, as described in the follow-up report of the State party (*ibid.*, pp. 6–7 and 9–10). Please explain the impact of the various measures to integrate training on sexual and gender-based violence into the curricula of law enforcement officials, as described in the follow-up report (*ibid.*, pp. 2–3 and 7), as well as any steps taken to provide psychologists, social workers and other relevant professionals with training on the prevention of gender-based violence and the rehabilitation of victims. In the light of the Committee's previous concluding observations (para. 29 (b), (d) and (f)), please elaborate on the measures taken to prevent violence against women and to ensure that women who are victims of violence have access to immediate means of redress and protection.

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

13. Please provide data, disaggregated by relevant factors, on the number of investigations, prosecutions and convictions in cases of trafficking-related crimes at all levels (national, regional and local), as well as on the number of women and girls who are victims of trafficking and have been provided with services tailored to their specific needs, in particular rehabilitation and reintegration services, including skills training to facilitate their reintegration into the labour market. In the light of the Committee's previous concluding observations (para. 31 (a) and (b)), please also provide information on the measures taken to further strengthen anti-trafficking legislation and on the financial and human resources allocated for the implementation of such legislation, including to the national referral mechanism for victims of trafficking in persons and the newly established amalgamated territorial communities. In the light of the Committee's previous concluding observations (para. 31 (d)), please explain what measures have been taken to protect women and girls in prostitution from trafficking and exploitation and to provide exit programmes, alternative income-generating opportunities and support services to women in prostitution.

**Participation in political and public life**

14. In the light of the Committee's previous concluding observations (para. 33), please provide information on the measures taken to adopt and implement temporary special measures to increase the representation of women in elected and appointed political and public positions at all levels, in particular in decision-making positions, including in the newly established amalgamated territorial communities, the Government, the parliament, municipalities and the diplomatic service, and to raise awareness among politicians, the media, teachers and the general public about the importance of the participation of women in political life and the representation of women in decision-making positions, especially women facing intersecting forms of discrimination. Please also provide information on the measures taken to allow internally displaced women, women belonging to national minorities, women with disabilities and women residing in territories outside the effective control of the State party to participate as voters and candidates in elections, and provide statistical data on the numbers of them elected to political positions during the 2019 elections. Please further provide information on the implementation of the quota enshrined in the Electoral Code.

**Education**

15. Please provide information on measures taken to address the Committee's previous concluding observations in the area of education (para. 35), in particular on measures taken to ensure that school textbooks and curricula at all levels of education (preschool, school, university and scientific and social research), especially "life skills lessons", are free from gender stereotypes. Please also provide information on the measures taken by the State party to retain in school and increase the enrolment of Roma girls, ensure their high-quality education and end their segregation within schools.

**Employment**

16. In the light of the Committee's previous concluding observations (para. 37 (a) and (f)), please elaborate on specific proactive measures taken to address the high concentration of women in low-paid jobs, including in the informal sector, and to improve their access to full-time employment in the formal sector and to trade unions, explaining in particular the concrete steps taken to support single mothers, Roma women and women who live in conflict-affected areas and/or are internally displaced. Please describe the steps taken to combat horizontal and vertical occupational segregation, including following the revocation in December 2017 of decree No. 256 of 1993 establishing the list of heavy work and work in harmful and dangerous working conditions prohibiting the use of women's labour, and to raise awareness among women and employers about that change. Please also provide information on the status of the revision of the 1971 Labour Code, the proposed and existing legislation on trade unions and the measures taken to ensure that legislation is fully in line with international standards on women's work and gender equality in the labour market.

17. In the light of the Committee's previous concluding observations (para. 37 (b)), please provide information on the measures taken to reduce and eradicate the gender pay gap and to ensure full respect for the principle of equal pay for work of equal value in both the public and private sectors. Please also provide information on measures taken to implement the Committee's previous concluding observations (para. 37 (d)) and to prevent and monitor discrimination and the sexual harassment of women in the workplace, including data on the number of complaints lodged, as well as on cases filed with the competent authorities and courts and their outcomes. Please explain whether the State party intends to ratify the International Labour Organization

(ILO) Maternity Protection Convention, 2000 (No. 183), and provide information on the implementation of the ILO Workers with Family Responsibilities Convention, 1981 (No. 156), in particular with regard to the protection of pregnant women and the establishment of childcare institutions.

### **Health**

18. In the light of the Committee's previous concluding observations (para. 39 (a), (b) and (d)), please provide updated information on the provision of high-quality health-care services, including reproductive health-care services, for women, in particular rural women, women living in poverty, Roma women, internally displaced women and women living in conflict-affected areas. Please also provide an update on measures taken to address the recommendations in the Committee's previous concluding observations regarding measures to combat HIV, alcoholism and drug consumption among women (para. 39 (c)) and to ensure that women living with HIV have access to health care and other services without facing discrimination. Please further provide statistical data on the situation of women living with HIV and/or using drugs, including women who are victims of violence or abuse, in particular at the hands of an intimate partner, and the support that they receive, especially with regard to the establishment of dedicated rehabilitation centres and shelters. In addition, please provide information about the criminalization of obstetric violence and efforts to reduce infant mortality.

### **Economic and social benefits**

19. Please provide information on the specific measures taken to reduce poverty and facilitate access to appropriate services for disadvantaged or marginalized groups of women, in particular single mothers, older women, rural women, unemployed women, women engaged in unpaid care work, Roma women, internally displaced women and women living in conflict-affected areas, who are more likely to depend on social benefits. Please also inform the Committee about the measures taken to boost entrepreneurship among women, increase their access to credit and create an empowering and safe environment for women in business.

### **Roma women**

20. Please explain how the strategy on the protection and integration of the Roma national minority into Ukrainian society for the period until 2020 and its action plan has had an impact on the situation of Roma women and how the strategy is aligned with other gender equality policies. Please indicate the measures taken to ensure that Roma women do not face discrimination and other barriers in their applications for identity documents, including birth certificates, their access to education, professional training, employment, health, housing and social benefits, and their participation in political and public life. Please provide statistical data on any incidents of hate speech and hate crimes against Roma women and information on the measures taken to prevent and address such incidents.

### **Rural women**

21. Please provide statistical data on the situation of rural women, disaggregated by age, ethnicity and disability, in particular with regard to the ongoing decentralization process. In the light of the Committee's previous concluding observations (para. 42 (a), (b) and (d)), please provide information on the measures taken to ensure that rural women: (a) have access to justice, appropriate services, health care, education, housing, formal employment, skills development and training opportunities, including with regard to the use of digital technology, income-generating opportunities and microcredit; (b) can own, use and access land, are included in

sectoral agricultural development programmes and have access to financial support and technical resources; and (c) are able to effectively participate in decision-making processes regarding the social and economic development of rural areas.

#### **Women and girls with disabilities and older women**

22. Please provide information on the measures taken: (a) to eliminate intersecting forms of discrimination against women and girls with disabilities and older women; (b) to ensure their participation in political and public life, their access to education, professional training, employment, health, housing and social benefits and their protection from violence or abuse; and (c) to create accessible infrastructure in schools, universities, the labour market and the private and public sectors.

#### **Lesbian, bisexual and transgender women and intersex persons**

23. Please clarify whether the State party's anti-discrimination laws, in particular Act No. 5207-VI of 6 September 2012 on the principles of preventing and combating discrimination in Ukraine, explicitly protect lesbian, bisexual and transgender women and intersex persons, whether the prohibition of hate crimes in the State party's national legislation covers hate crimes committed against those persons, whether gender reassignment is legally recognized and which steps have been taken to prevent intrusive medical or surgical treatment without prior, free and informed consent. In the light of the Committee's previous concluding observations (para. 46), please indicate any measures taken to provide training and guidelines to law enforcement officials on non-discrimination and the protection of lesbian, bisexual and transgender women and intersex persons, in particular during public protests and events, to ensure the investigation and prosecution of any acts of hate speech and violence against lesbian, bisexual and transgender women and intersex persons and to provide shelter and assistance to lesbian, bisexual and transgender women and intersex persons who are victims of violence.

#### **Marriage and family relations**

24. Please provide information on the measures taken to implement and enforce the minimum age of marriage of 18 years, in particular with regard to Roma women and girls. In the light of the Committee's previous concluding observations (para. 48 (c)), please also specify whether gender-based violence against women in the domestic sphere is taken into consideration in judicial proceedings concerning child custody and visitation.

#### **Additional information**

25. Please provide any additional information deemed relevant with regard to legislative, policy, administrative and any other measures taken to implement the provisions of the Convention and the Committee's concluding observations since the consideration of the previous periodic report, in 2017. Such measures may include recent laws, developments, plans and programmes, recent ratifications of human rights instruments or any other information that the State party considers relevant. Please also provide information on the measures taken to integrate a gender perspective into all efforts aimed at achieving the Sustainable Development Goals. Please note that, further to the issues raised herein, the State party is expected, during the dialogue, to respond to additional questions relating to areas covered by the Convention.