



**Permanent Mission of Ukraine**  
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The Permanent Mission of Ukraine to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and, referring to the Office's letter of 20 December 2021 has the honour to transmit herewith the information provided by the Ministry of Social Policy of Ukraine in connection with the preparation by the Special Rapporteur on violence against women, its causes and consequences of a thematic report with the focus on violence against indigenous women and girls.

The Permanent Mission of Ukraine to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Enclosed: as stated, on 6 pages.



Geneva, 31 January 2022

**Office of the United Nations  
High Commissioner for Human Rights**

Geneva

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**Information provided by the Ministry of Social Policy of Ukraine  
in connection with the preparation of the thematic report by the Special  
Rapporteur on violence against Women, its Causes and Consequences**

*On the issue of conflict-related sexual violence.*

In the context of the armed conflict in eastern Ukraine, as well as the occupation of part of Ukraine by the Russian Federation, domestic and sexual violence has no national or ethnic boundaries. Representatives of different ethnic groups suffer from violence to the same extent.

At the same time, women remain more vulnerable to the negative effects of armed aggression. According to official statistics, the majority of internally displaced persons, unemployed internally displaced persons, victims of gender-based violence and other vulnerable groups are women.

Forced displacement has a negative impact on all citizens, but given the manifestations of discrimination and gender stereotypes, the impact on women is much greater. It manifests itself in more difficult employment opportunities, lower incomes, greater dependence on social benefits, higher unpaid domestic work and reduced participation in social and political life.

The report of the National Monitoring System for Internally Displaced Persons conducted by the International Organization for Migration (September 2020 - March 2021) indicates a slight transition of women of working age from economically inactive to economically active group in the economic crisis. In March 2021, the share of employed women aged 20 to 64 was 55%, which was higher than in the first quarter of 2020 (50%). At the same time, in January - March 2021, the share of women engaged in housework, childcare or other persons was 16%, which is 4% less than in the first quarter of 2020 (20%) and the third quarter of 2019 (20%) .

The spread of acute respiratory disease COVID-19 caused by the coronavirus SARS-CoV-2 in Ukraine has become another security challenge. In these circumstances, the issue of access to information, justice, education, employment, medical and social services, and integration into society is particularly acute for vulnerable groups of women.

One of the problems is gender-based violence, including conflict-related sexual violence.

Taking into account the needs and problems of women affected by the conflict, as well as women's involvement in the settlement of international armed conflict, is essential for elimination of the consequences of the armed aggression of the Russian Federation against Ukraine and protection of the human rights in Ukraine. Article 4 of the UN Convention on the Elimination of All Forms of Discrimination against Women provides for temporary special measures aimed at accelerating the establishment of de facto equality between women and men (these measures must be abolished once the goals of equal opportunities and equal relations have been achieved).

An important step in combating sexual violence related to armed conflict was the adoption in April 2019 by the UN Security Council of a resolution on the prevention of sexual violence during armed conflict.

According to the resolution, the UN Security Council calls on the parties to ensure that ceasefire and peace agreements include provisions in which sexual violence in conflict and post-conflict situations is classified as prohibited, and ensure the presence and constructive participation of women in political processes and in the process of restoring peace in parts of the eastern regions. First of all, the document is aimed at ensuring responsibility for such crimes.

The Cabinet of Ministers of Ukraine approved the National Action Plan to implement the recommendations set out in the concluding observations of the UN Committee on the Elimination of Discrimination against Women to the Eighth periodic report of Ukraine on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women until 2021 (order of the Cabinet of Ministers of

Ukraine dated 05.09.2018 № 634-r), the second National Action Plan for the implementation of UN Security Council Resolution 1325 "Women, Peace, Security" for the period up to 2025 (order of the Cabinet of Ministers of Ukraine dated 28.10.2020 № 1544-r).

These documents set out specific measures to prevent gender-based violence in the context of the armed conflict in Ukraine.

"Women and men are free from violence, including military and armed conflict, have equal access to justice and participate equally in peacebuilding and post-conflict reconstruction" is one of the strategic goals of the draft State Strategy for Equal Rights and Opportunities for Women and Men until 2030, developed by the Ministry of Social Policy together with other interested stakeholders.

A number of important changes have also taken place at the legislative level. The Law of Ukraine dated December 27, 2019 № 2689 establishes liability, in particular, for sexual violence related to the conflict. The law supplemented the Criminal Code of Ukraine with an article on the criminal liability of military commanders, other persons acting as military commanders and other commanders. The article provides for the implementation of the institution of responsibility of commanders and other superiors under Article 28 of the Rome Statute of the International Criminal Court.

The Law of Ukraine dated June 1, 2021 № 1604-IX "On amendments to the Code of Ukraine on Administrative Offenses to increase liability for domestic violence and gender-based violence" improves the legal regulation of bringing to administrative responsibility servicemen and other persons subject to disciplinary statutes for domestic violence, gender-based violence, failure to comply with an urgent injunction or failure to notify the place of their temporary stay.

Ukraine has introduced a system for preventing and combating domestic and gender-based violence, where due attention is paid to responding to each case of violence and their prevention. Renewal of the system, expansion of the network of services and increasing their accessibility for victims began as part of the humanitarian response to the fighting in eastern Ukraine, and later intensified after the adoption of the Law of Ukraine "On Preventing and Combating Domestic Violence" and "On Amendments to the Criminal and Criminal Procedure Codes of Ukraine for the purpose of implementing the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence".

The common idea and principles of these laws are aimed at creating an effective system for preventing and combating domestic violence and gender-based violence in accordance with the standards of the Istanbul Convention.

Articles 4 and 5 of the law "On preventing and combating domestic violence" define the basic principles and main directions of state policy in the sphere of preventing and combating domestic violence.

The law also expands the range of persons whose violence is considered domestic violence; expands the list of actors involved in preventing and combating domestic violence and violence based on gender and their powers; and provides for broad public involvement in this process. The range of responsible subjects was expanded: health care, education, justice, and the role of law enforcement and social services was strengthened. These innovations created conditions for effective prevention of violence and systematic development of a network of modern specialized services for victims.

The adoption by the government of Ukraine of a number of strategic documents demonstrating the obligations undertaken by the state to ensure the safety and well-being of women and girls, including indigenous peoples, who suffer most from violence.

One such strategic document is the State Social Program for the Prevention and Counteraction of Domestic Violence and Gender-Based Violence until 2025 (hereinafter referred to as the Program).

In particular, one of the measures of the Program provides for expansion of the network of specialized support services for victims of domestic violence; in particular,

the creation of 450 new specialized services (shelters, mobile teams of social and psychological assistance, social and psychological day care centers/specialized services of primary social and psychological counselling) is provided for the next three years.

In 2021, the implementation of the state grant in 124 communities created 30 new shelters, 38 new day care centers, 58 new counselling services, 41 vehicles for mobile teams were purchased.

Currently, as of 01.01.2022, the provision of social services, including temporary shelter for persons in difficult life circumstances, in particular as a result of domestic violence and gender-based violence against them, is provided by 584 specialized support services for victims of domestic violence and/or gender-based violence, of which:

46 24-hour shelters (up to 90 days);

28 24-hour crisis rooms;

23 daytime social and psychological support centers for victims of domestic violence and/or gender-based violence;

49 specialized primary social and psychological counseling services for victims of domestic and/or gender-based violence;

478 mobile teams of social and psychological assistance to victims;

14 hotlines for preventing and counteracting domestic violence;

21 institutions and facilities for victims of domestic violence (social apartments, social and psychological assistance centers, a resource center for reconciliation and corrective and restorative programs, and emergency anonymous medical and psychological assistance centers for victims of domestic violence).

In order to further implement the subvention, the Ministry of Social Policy has already begun work on the approval of the Procedure and conditions for granting a subvention for a network of specialized services for victims in 2022. For this purpose, 235 million UAH are provided by the State budget.

Pursuant to the Presidential Decree, the Government adopted the "Plan of urgent measures for preventing and combating domestic violence, gender-based violence, protection of the rights of victims of such violence". The measures of the Plan are aimed at increasing the efficiency of response to the facts of domestic violence and development of the system of accessible specialized services for victims.

Access to free secondary legal aid for men and women victims of domestic violence, as well as for children has been expanded, whereas previously it was difficult to obtain it due to the absence of the specified group in the list of categories of citizens eligible for free secondary legal aid.

Also, in order to provide comprehensive support and socio-psychological rehabilitation of victims of domestic violence, a model program for victims was approved, aimed at getting rid of emotional dependence, insecurity and formation of the victim's ability to assert his or her dignity, protect their rights in private relations, including through authorized public authorities, local authorities. Now specialists and psychologists of local executive authorities, who have received appropriate training, will have a clear algorithm of actions to work with victims.

The Ministry of Social Policy together with the National Social Service regularly organizes training for specialists responsible for combating domestic violence and gender-based violence. Thus, during 2019 239 seminars and trainings for 8337 specialists of local state administrations were held, of which - 18 trainings for 472 specialists who implement programs for abusers who commit domestic violence (with the support of the FONON, the Project Coordinator of OSCE in Ukraine). In 2017-2020, the Ministry of Social Policy with the support of the OSCE Project Coordinator in Ukraine conducted trainings on the implementation of intervention programs for abusers (565 specialists participated, 24 specialists per 23 regions and the city of Kyiv were trained).

Since January 2020, a unified governmental state-wide telephone hotline 1547 has been operating to process appeals and messages about victims of human trafficking, domestic violence, gender-based violence, violence against children, or about the threat of such violence. In 2021, the work of the governmental Hotline has been improved. Each appeal will be promptly responded to, in particular, if a person is in danger; an emergency call to the police or/and ambulance will be provided.

In general, owing to the systematic activities in this area by all the institutions and departments involved, as well as civil society, the appeals of the victims to the hotline are growing, people's trust in state authorities is increasing.

As of 02.01.2022, the Government Hotline received 33,511 calls, of which 10,582 were concerning domestic violence.

In the regions of Ukraine and the city of Kyiv, 10,200 awareness-raising events were held to prevent and combat domestic violence.

In 2021, the structural units of the regional and Kyiv city state administrations recorded 284,221 reports, which is 7.2% more compared to the same period of the last year (211,362 appeals). Of these: 5334 reports were received from children, 233210 reports from women, which make 82,05 % of the total number. 265 complaints about domestic violence against persons with disabilities were recorded.

In each regional and Kyiv city state administrations, a deputy Head was appointed as a responsible person for coordinating measures to prevent and counter domestic violence and/or gender-based violence. Responsible persons have been appointed in all 129 district state administrations; 1338 responsible persons (97%) were appointed in 1372 local executive authorities; 1,496 specialists work in 1392 territorial communities to prevent and combat domestic violence and gender-based violence.

In 2021, in 3,832 villages and 3,771 townships, persons were appointed responsible for receiving and registering applications and reports of domestic violence and / or gender-based violence, coordinating responses to the facts of such violence, providing assistance and protection to victims, work with offenders on the territory of the respective village/township.

In all regions and the city of Kyiv 25 coordinating councils and 760 local coordinating councils (commissions) have been created and are functioning to combat domestic violence and gender-based violence.

#### *Concerning the prevention and counteraction of violence against children.*

The protection of children from violence and the safety of the child in the internet space is an important priority for the Government, which aims not only at countering the manifestations of violence against children, but also at creating effective mechanisms for protecting the rights of children in the internet space.

Ukraine has ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

The UN Convention on the Rights of the Child obliges states to take all necessary legislative, administrative, social and educational measures to protect children from all forms of violence or abuse, lack of care, neglect or ill-treatment and exploitation, including sexual crimes against children and child trafficking.

Taking into account the provisions of the Council of Europe Policy Guidelines on Comprehensive National Strategies for the Protection of Children from Violence, adopted by the Committee of Ministers of the Council of Europe, it is necessary to develop and implement a comprehensive National Strategy for the Protection of Children from All Forms of Violence, which will enable creation of a platform for interaction in the prevention and protection of children from violence.

Relevant for Ukraine is the adaptation and implementation of the Council of Europe standard for provision of help to children – Barnahus, an interdisciplinary and intersectoral specialized center for working with children - victims of violence or with children who have witnessed such crimes. The introduction of this standard on the basis of centers for the social and psychological rehabilitation of children is being considered.

The Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine on the Implementation of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention)" was adopted. This Law amended the Criminal and Criminal Procedure Codes of Ukraine, the laws of Ukraine "On the Protection of Childhood" and "On the Protection of Public Morality".

In pursuance of this Law, the Decree of the Cabinet of Ministers of Ukraine dated July 28, 2021 No. 775 «On Amendments to the Procedure for Ensuring Social Protection of Children in Difficult Life Circumstances, including Children Affected by Abuse» was adopted, which improved the mechanism for detecting children affected by from sexual violence, as well as the procedure for mandatory informing of workers in contact with children about the protection of children from all forms of violence and exploitation.

The procedure for ensuring social protection of children in difficult life circumstances, including victims of child abuse, which was approved by the Resolution of the Cabinet of Ministers of Ukraine dated 01.06.2020 No. 585, provides for:

expansion of the circle of entities that will identify children who are in difficult life circumstances, strengthening their interaction to ensure the best interests of the child;

identification of the factors, conditions and circumstances in the presence of which the relevant entities will take measures to provide assistance and protection to the child within their authorities;

improvement of the procedure for considering appeals and reports about children in difficult life circumstances, including those who have been subjected to abuse/domestic violence / human trafficking, which will allow prompt response to such cases;

features of the work of specialists in case of detection of cases of bullying against a child and to introduce a mechanism for implementing programs for children who have suffered from abuse, as well as for children who commit domestic violence or bullying.

The Ministry of Social Policy has also developed a draft program for the socio-psychological rehabilitation of children who have fallen into difficult life circumstances, including in connection with child abuse, in particular domestic violence, as well as a result of domestic violence against a child. This program includes a component for working with child abusers to correct their behaviour, and is also aimed at providing social and psychological assistance in accordance with the needs and its rehabilitation.

#### *The state policy in the sphere of prevention and combating human trafficking.*

According to a study by the International Organization for Migration (IOM), in 2021 every fourth Ukrainian is ready to accept a risky job offer abroad or in another locality. Thus, 24% of the population of Ukraine belong to the vulnerable group (persons who tend to accept at least one risky job offer abroad or in other localities within Ukraine).

The main trends in labour migration show an increase in the estimated number of external labour migrants from 1,051,000 to 1,167,000 people, an increase in the share of migrants working abroad informally from 30% to 42%, an increase in the share of people willing to accept a risky job offer abroad from 13 % to 20%, and about 2 million Ukrainians have lost their jobs due to the COVID-19 pandemic.

IOM estimates that 46,000 Ukrainians suffered from human trafficking during 2019-2021 (29,000 abroad, 17,000 in Ukraine).

The Ministry of Social Policy is the national coordinator in the field of combating human trafficking, which prepared a number of legal acts approved by the Government:

- to prevent labour exploitation, the conditions for conducting economic activities for the provision of intermediary services for employment abroad have been improved, the protection of the rights of persons employed abroad has been increased, and the responsibility of licensees has been strengthened;

- to prevent the sexual exploitation of children, the Unified Register of Persons Convicted of Crimes against the Sexual Freedom and Sexual Inviolability of a Minor or Minor has been introduced and liability has been increased for crimes committed against the sexual freedom and sexual inviolability of a minor or minor;
- issues of organizing the provision of social services, optimizing the activities of local centers of social services have been resolved;
- a mechanism has been defined for attracting social service providers on a contractual basis to meet the needs of individuals / families in social services at the expense of budgetary funds and to compensate providers for the cost of social services.

Amendments have been made to the Criminal Code of Ukraine on the protection of children from sexual abuse and sexual exploitation. Natural or unnatural sexual intercourse with a person under the age of sixteen, committed by an adult, shall be punishable by restriction of liberty for a term of up to 5 years, or imprisonment for the same term. The same actions committed by close relatives or family members, by a person who is entrusted with the responsibility of raising the victim or caring for him, or if they caused infertility or other serious consequences, are punishable by imprisonment for a term of 5 to 8 years with deprivation of the right hold certain positions or engage in certain activities for up to 3 years or without it.

From 2012 to November 2021, the status of a victim of human trafficking was established for 1057 people (of which 536 people suffered from labour exploitation, 232 from sexual exploitation, 98 people were involved in criminal activities, 91 people were used in armed conflicts, 59 people were forced to beg , 16 cases of the sale of a minor child, 11 people suffered from a mixed form of exploitation (labour and sexual), organs were seized from 10 people, 3 people were used in the porn business, 1 case was illegal surrogate motherhood).

In order to strengthen the anti-trafficking policy, a draft resolution of the Cabinet of Ministers of Ukraine «On Approval of the State Target Social Program for Combating Human Trafficking for the Period up to 2025» has been developed, which provides for the main directions for the implementation of state policy in the field of combating human trafficking for the next five years. The adoption of the program will improve the mechanism for preventing human trafficking, increase the efficiency of identifying perpetrators of such crimes, as well as ensure the protection of the rights of victims of human trafficking and the provision of assistance to them.

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