# The Committee on the Elimination of Discrimination Against Women (CEDAW)

**Ukraine**

The National Assembly of People with Disabilities of Ukraine (NAPD) brings together 120 disabled people’s organizations (DPOs) founded by people with disabilities. These DPOs are based in different regions of Ukraine and represent the interests of women, men, children and young people with disabilities, i.e. they advocate for their rights, contribute to policy-making in different fields, provide services and hold awareness-raising events and advocacy campaigns. NAPD is the largest association of persons with disabilities in Ukraine.

The information presented to the CEDAW Committee is based on the findings from the monitoring of the observance of the rights of women and girls with disabilities that was conducted in 2019 by women’s DPOs in 10 regions of Ukraine with the support from the UN Women programme.[[1]](#footnote-1)

**List of issues and questions that may be considered by the CEDAW Committee in drafting the list of issues for the Government of Ukraine regarding their report on the progress in the implementation of the CEDAW.**

**General comments**

The National Assembly of People with Disabilities of Ukraine is particularly concerned that the needs of women with disabilities continue to remain unaddressed; the national programmes “fail to see” girls and women with disabilities as a target group; legislative and regulatory changes still do not guarantee that the rights of women with disabilities are taken into account in the implementation of decentralization, education, healthcare, and social sector reforms; they face numerous forms of discrimination in their daily lives; gender policies do not integrate the issues of disability.

Since Ukraine ratified the CEDAW, the State has not conducted any analysis of the observance of the rights of women and girls with disabilities pursuant to this treaty.

The gender statistics lacks data about women and men with disabilities.

**Issues and questions for the Government:**

1. Please, state the measures adopted by the State to include the issues of the rights of girls and women with disabilities into programmes, strategies, legislative and regulatory acts pertaining to gender equality.
2. Please, provide information about the systemic approach of the State to ensuring that officials and professionals in different sectors are aware of gender equality and disability issues.
3. Please, state the steps taken by the State to involve women with disabilities to the development of policies on gender equality, including women with disabilities from rural areas and from among internally displaced persons.
4. Please, provide information about the implementation of para. 43 “Women with disabilities and older women” of the Concluding observations of the CEDAW Committee to the 8th periodic report of Ukraine.

**Non-discrimination**

With legislation and regulations in place and the existence of programmes and strategies to ensure equality of men and women and human rights, women with disabilities are still subject to different kinds of discrimination, which limits their rights to access healthcare services, justice and employment, their opportunities to take part in political life; they are denied access to information, education, healthcare, social services.

NAPD is concerned that older women with disabilities are often discriminated against in terms of service provision and remain below the poverty line, particularly those in rural areas.

Being impoverished and unable to leave their homes (poor roads, lack of accessible transport, telephone, financial means), rural women with disabilities are cut off from information, services, and help. This is particularly relevant for Donetsk and Lugansk regions where hostilities take place.

Article 161 of the Criminal Code of Ukraine envisages a fine or a term of imprisonment for deliberate actions intended to limit directly or indirectly the rights of citizens on the grounds of their disability or any other grounds. [[2]](#footnote-2) Over the entire period since this Article was enacted, no one has been prosecuted for offences linked to disability-based discrimination.

The Procedure for anti-discriminatory review of draft regulations to be conducted by executive bodies[[3]](#footnote-3) does not specify any criteria to identify discriminatory factors, and, therefore, such review of draft regulations occurs only formally.

The Ukrainian administrative or civil law does not include any procedures to bring to account for refusing to provide a reasonable accommodation.

The issue of discrimination against women with disabilities on the grounds of their disability receives practically no consideration from the state authorities; *it is likely that officials fail to recognize it*, which indicates the existence of stereotypes and mental barriers regarding this group of women.

**Issues and questions for the Government:**

1. Please, state whether the standards of the UN Convention on the Rights of Persons with Disabilities have been taken into account in the implementation of the CEDAW.
2. Please, state whether there is a mechanism in place to monitor the impact of gender-based budgeting on the rights of women and girls with disabilities.
3. Is there a system in place to collect data about girls and women with disabilities, specifically regarding incidents of disability-based discrimination? What measures are being taken to improve prevention of discrimination against women and girls with disabilities?
4. Does the State have any mechanisms within administrative or civil law for brining to account for a refusal to provide a reasonable accommodation?
5. Please, state the arrangements to ensure the participation of women’s DPOs in the implementation of CEDAW.
6. Please, state the measures (political, economic, social) adopted by the State to ensure equality of girls and women with disabilities.

**Stereotypes**

NAPD is concerned about the existence of discriminatory stereotypes regarding women and girls with disabilities, their role and place in family and community life; opportunities of maternity, raising children, access to education and employment.

**Issues and questions for the Government:**

1. Please, provide information about awareness-raising campaigns that were conducted by the State and aimed at overcoming stereotypes and bias regarding women and girls with disabilities.
2. Please, provide information about campaigns conducted in media that were aimed at elimination of discrimination against women and girls (kind of discrimination, target audience).

**Health**

NAPD is concerned that during the gender accessibility audit of healthcare facilities the survey of girls and women with disabilities revealed evidence of denying treatment, inability to receive services due to the lack of architectural access to facilities and rooms, absence of information in accessible formats, and accommodated equipment. Due to the lack of physical access and outdated equipment at public healthcare facilities, their gynecological offices are inaccessible for women with disabilities, first of all those using wheelchairs and older women. Women and girls cannot afford to use the services of private healthcare facilities due to their high cost.

Women and girls highlighted communication barriers that limit access to services, insufficient skills related to disability practices (of lack thereof[[4]](#footnote-4)) among healthcare providers, which undermines the quality of services; existence of stereotypes among healthcare providers regarding girls and women with disabilities; the absence of educational programmes on reproductive health and sex education for girls and women with disabilities, or families that raise girls with disabilities.

**Issues and questions for the Government:**

1. Please, provide information about ensuring access to primary healthcare services for girls and women with disabilities on an equal basis with others, specifically in the area of sexual and reproductive health (urban / rural areas; percentage of primary healthcare facilities that provide family planning services; percentage of accessible gynecological offices; percentage of architecturally accessible facilities).
2. Please, provide information about the availability of rehabilitation services and assistive devices to civilian victims – girls and women who became disabled during the hostilities in the east of Ukraine.
3. Please, state the programmes, strategies that include the issues of sexual and reproductive health of women and men with disabilities.
4. Please, provide information how the healthcare reform policies address the issues of girls and women with disabilities.

**Access to employment**

The key policy issues regarding job placement and employment for girls and women with disabilities are as follows: absence of a unified strategy, policy on the national and regional level regarding employment for women and men with disabilities; existence of stereotypes among employers (e.g. that it’s too expensive to equip workplaces; it’s inefficient / non-productive to hire them; they are “often sick and it’s difficult to dismiss them”); lack of comprehensive support for young people with disabilities; lack of candidates with relevant education and professional training among girls and women with disabilities; no monitoring or assessment of the current programmes; absence of effective stimuli to encourage businesses to employ women with disabilities; lack of supported employment opportunities for persons with intellectual and mental disabilities.

Another concern is related to the absence of community-based services for children with disabilities, which leads to social isolation of their mothers who are busy round-the-clock looking after their children and have no chances of self-actualization.

**Issues and questions for the Government:**

1. Please, state the measures that were aimed at increasing the employability of women with disabilities in the open labour market.
2. Please, state the measures that were adopted to provide for supported job placement for women with intellectual and psychosocial disabilities in the open labour market.
3. What specific measures are being taken by the State to ensure re-training and further employment for women who became disabled as a consequence of the armed conflict in the east of Ukraine?
4. What measures are taken by the State to support mothers who raise children with disabilities to facilitate their employment?

**Family**

In Ukraine there is practically no patronage for families of non-hearing and blind people who raise children without disabilities or timely support and assistance when a child is born; or support programmes for parents (siblings) who raise children with disabilities.

1. What measures are taken by the State to support mothers with disabilities who raise children?
2. Please, state the arrangements that have been created in the country to ensure a timely placement of a child coming from a family of deaf parents into a setting with his/her peers to support his/her development?
3. Please, provide information on how patronage services are provided to families where both parents or the single mother are (is) non-hearing, blind and raise(s) children without disabilities.
4. Please, state the legislative provisions that guarantee the right of men and women with disabilities to exercise their right to guardianship, adoption. Please, provide information about the cases when parents with disabilities were refused to adopt a child; about cases when children were removed from their families due to disability of both parents or one parent.

**Violence**

The majority of the state agencies do not keep statistics of reports of violence and abuse received from women and girls with disabilities; facilities for victims of violence remain architecturally inaccessible; information is not provided in accessible formats, although legislation guarantees it; there has been no research into the situation of women with disabilities who serve sentences for crimes.

The issue of abuse, violent acts against girls and women with disabilities is not studied at the state level. In the majority of cases it is DPOs who take care of this group of women and girls.

**Issues and questions for the Government:**

1. Please, provide information about women with disabilities who serve prison sentences: how the individual rehabilitation programme is implemented; the availability of technical and hygienic rehabilitation means; use of reasonable accommodation; access to information for the blind and non-hearing?
2. Please, provide information about the conditions for girls and women with disabilities at psychiatric hospitals, psychoneurological institutions; facts of investigations into cases of violence and abuse against them and the measures taken.
3. Please, state the measures that are taken to ensure (architectural, information) accessibility of shelters/centres for victims of violence. How many shelters/centres are accommodated/accessible for women and girls with disabilities? Are rehabilitation services at shelters/centres accessible to women with different kinds of disabilities?
4. Please, provide information about training taken by law enforcement staff on specific issues to consider when working with women and girls with disabilities who are victims of violence.
5. Please, state whether the legislative and regulatory framework provides for an integrated approach to overcome violence against women with disabilities: investigation, prosecution, punishment of perpetrators; prevention; protection and support services for women with disabilities.

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1. <https://naiu.org.ua/zvit-za-rezultatamy-monitoryngu-pidgotovlenyj-v-mezhah-realizatsiyi-proyektu-advokatsiya-prav-zhinok-ta-divchat-z-invalidnistyu-rozbudova-potentsialu-ta-rozshyrennya-dostupu-do-derzhavnyh-poslug/> Ukr [↑](#footnote-ref-1)
2. The notion of the “grounds of disability” was included into this Article pursuant to the Law of Ukraine No. 1519-VII dated June 18, 2014. [↑](#footnote-ref-2)
3. Approved by the Government resolution No. 61 dated January 30, 2013. [↑](#footnote-ref-3)
4. The survey conducted at healthcare facilities in 10 regions indicated the lack of trainings / workshops for healthcare providers on strategies to support women and men with disabilities and on specific skills needed to care for women with disabilities, etc. [↑](#footnote-ref-4)