



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the combined sixth and seventh periodic report of Ukraine at the Committee's forty-fifth session, held in January – February 2010. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/UKR/CO/7). You may recall that in the Concluding Observations, the Committee requested Ukraine to provide, within two years, further information regarding the specific areas of concern identified by the Committee in paragraphs 31 and 33 of the Concluding Observations.

The Committee welcomes the follow-up report received on 10 September 2012, although it was received with a seven-month delay, under the CEDAW follow-up procedure (CEDAW/C/UKR/CO/7/Add.1). At its fifty-fourth session, held in February 2013 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 31** of the Concluding Observations “to address the root causes of trafficking”: The State party failed to provide information on this recommendation. The Committee did **not receive sufficient information** to assess whether the recommendation has been implemented.

Regarding the recommendation “to accelerate adoption of legislation on trafficking”: On 20 September 2011, the State Party adopted the Trafficking in Persons Act containing comprehensive measures aimed at preventing and combating trafficking in persons and assisting victims. Subsequently, a series of statutory regulations have been adopted in implementation of the Trafficking in Persons Act. The Committee considers that the recommendation has **been implemented**.

Regarding the recommendation “to provide sufficient funding for the effective implementation of the State Programme for the Prevention of Trafficking in Persons in Ukraine and of other measures aimed at combating human trafficking”: The State party indicated that it set up a special Government social programme on combating human trafficking on 21 March 2012 which includes funding of more than 7 million hryvnias. While the State party mentioned the adoption of a new programme and provided information on the funding of this new programme, it failed to indicate the distinction between the funding allocated to prevention of trafficking and the funding allocated to other activities. The Committee considers that the recommendation has been **partially implemented**.

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Regarding the recommendation “to regularly monitor the impact of the measures aimed at combating human trafficking”: The State party failed to provide information on this recommendation. However, information before the Committee indicated that the State programme on combating trafficking provides for the establishment of a uniform system of monitoring and evaluating the activities undertaken at national and regional level. The Committee considers that the recommendation has **been implemented**.

Regarding the recommendation “to take all appropriate measures, including allocating sufficient funding and establishing additional shelters for the rehabilitation and social integration of women and girl victims of trafficking”: The State party indicated that the State Programme for the Prevention of Trafficking in Persons (funded of about USD 800,000) includes support for the victims. The State party also stated that it had introduced amendments to the 2012 State Budget Act providing for additional funding for employment of extra social workers in regional social service centres. While noting that the State Programme for the Prevention of Trafficking in Persons has a component related to the support of the victims, the Committee notes that the State party failed to provide information on the amount foreseen for the rehabilitation and social integration of women and girls victims of trafficking and to indicate whether the funding has been effectively provided. The State party also failed to indicate whether additional shelters have been established. The Committee considers that **it did not receive sufficient information** to assess whether the recommendation has been implemented.

Regarding the recommendation “to ensure a systematic investigation, prosecution and punishment of traffickers, including through enhanced international cooperation”: The State party failed to provide information on the actions taken in this regard. However, information before the Committee refers to a low level of efficiency of the police in combatting human trafficking and a low efficiency of the judiciary. The Committee considers that the recommendation has **not been implemented**.

Regarding the recommendation “to provide information about the number of victims as well as the number of investigations and their outcome”: The State party provided information on the number of victims and the number of offences, however, it failed to provide information on the number of investigations and their outcome. The Committee considers that the recommendation has been **partially implemented**.

The Committee recommends that the State party provide, **in its next periodic report**, additional information on actions taken to:

- 1) Address the root causes of trafficking
- 2) Ensure that the funding foreseen for special Government social programme on combating human trafficking is effectively allocated to it;
- 3) Ensure the effective implementation of the component of the State programme on combating trafficking which provides for the establishment of a uniform system of monitoring and evaluating the activities undertaken at national and regional level;
- 4) Ensure that the funding foreseen for the component of the State Programme for the Prevention of Trafficking in Persons related to the support to victims is effectively allocated and that additional shelters for the rehabilitation and social integration of women and girl victims of trafficking are established
- 5) Ensure a systematic investigation, prosecution and punishment of traffickers, including through enhanced international cooperation; and
- 6) Provide information about the number of investigations and their outcome.

Regarding the recommendation made **in paragraph 33** of the Concluding Observations “to take measures to increase the representation of women in elected and appointed bodies through, inter alia, the implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation No. 25, in order to realize women’s right to equal participation in all areas of public life, particularly at high levels of decision-making”: The State party indicated that a new bill provides for the appointment of members of the Cabinet of Ministers by the Prime Minister, taking account of the level of representation of each sex. The State party also stated that it developed a framework for a new Government programme which includes fostering women’s leadership skills and encouraging them to take part in decision-making .However, the State party failed to indicate whether the above-mentioned bill has been adopted. In addition, the State party failed to take measures that specifically aim at increasing the representation of women in elected and appointed bodies. The Committee considers that the recommendation has **not been implemented**.

Regarding the recommendation “to accelerate the adoption of legislative initiatives for ensuring equal opportunities for women and men in the electoral process and in the composition of the Parliament, such as the Bill No. 1232, introduced in 2007”: The State party mentioned the drafting of a bill to amend the Parliamentary Elections Act, in order to ensure equal representation and introduce a gender quota. However, the State party added that this bill had to be reviewed when the Parliamentary Elections Act was adopted, and that the gender quota was not introduced. The Committee considers that the recommendation has **not been implemented**.

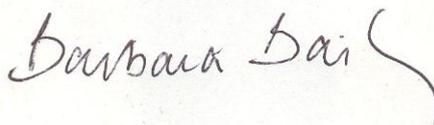
The Committee recommends that the State party provide, **in its next periodic report**, additional information on steps taken to:

- 1) Take specific measures to increase the representation of women in elected and appointed bodies through, inter alia, the implementation of temporary special measures; and
- 2) Accelerate the adoption of legislative initiatives for ensuring equal opportunities for women and men in the electoral process and in the composition of the Parliament, referred to in paragraph 27 of the State party’s follow-up report.

The Committee looks forward to pursuing its constructive dialogue with the authorities of Ukraine on the implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Barbara Bailey
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women