

I. Joint submission of non-governmental organizations to the Universal Periodic Review – UPR (Third cycle)

II. Prepared by the coalition of non-governmental organizations:

Kyiv Gender Studies Institute, Charitable Organization, <http://ugn.org.ua/>

"Bureau of Social and Political Developments" Non-governmental organization, <http://bureau.in.ua/>

"Labor Initiatives" (Trudovi Inytsyatyvy) Non-governmental organization, <http://trudovi.org/>

Confederation of Free Trade Unions of Ukraine (Youth Committee), <http://www.kvpu.org.ua/uk/>

III. Information about organizations that present this submission

"**Kyiv Gender Studies Institute**" is a non-governmental expert organization operating since 1999 with the aim of the study and implementation of the principles of gender equality and non-discrimination in Ukrainian society. It brings together experts in social and political sciences. Directions of activities of the Institute are as follows: conducting gender expertise, analytical studies, implementation of programmes aimed at ensuring the rights and raising the status of women in Ukraine, consulting activities,

Institute's specialists collaborate with international and governmental agencies: the Ministry of Social Policy of Ukraine, the Ministry of Education and Science of Ukraine, specialised Committees of the Verkhovna Rada of Ukraine, regional state administrations, and with Ukrainian research and educational institutions. The Institute has an extensive partner expert network throughout Ukraine. Since 2012, the Institute opened the internship program.

Non-governmental organization "Bureau of Social and Political Developments" deals with the issues of reformation in social sector and social dialogue. It was founded in June 2013 by bringing together experts from various industries to create a platform for elaborating a common vision concerning reforms in social sphere. Bureau's experts have created and organize activities of the Coordinating and Expert Council for Social Policy of the Perspective Social Studies Centre under Ministry of Social Policy and the National Academy of Sciences of Ukraine. Since 2014, it is a part of the Eastern Partnership Civil Society Forum (Ukrainian National Platform of CSF) and of the EU-Ukraine Civil Society Platform (CSP). The Bureau is a member of the European Social Network (ESN).

Labor Initiatives is a non-governmental organization committed to the promotion and protection of labour rights and rule of law in Ukraine and regionally. Established in 2014, Labor Initiatives has a legal clinic and workers' rights center that provides workers with free consultations on various labor issues. Labor Initiatives lawyers conduct monitoring of changes in legislation related to workers' rights, freedom of associations and peaceful assembly. The organization also conducts trainings and seminars to promote labor rights and freedom of association. Labor Initiatives partners with both internationally recognized national trade union centers in Ukraine, the Confederation of Free Trade Unions of Ukraine and the Federation of Trade Unions

Confederation of Free Trade Unions of Ukraine (hereinafter referred to as CFTUU) was established in 1998, is a member of the International Confederation of Trade Unions, the successor of the Association of Free Trade Unions of Ukraine, which appeared as a result of first workers' strikes in Ukraine. The Confederation consists of 10 largest independent trade unions in Ukraine and the confederation of free trade unions from fifteen regions of Ukraine. Trade unions of CFTUU act on the basis of social partnership and tripartite system, cooperate with the state executive authorities and associations of employers, take an active part in negotiations on the General, industry-specific and regional agreements and collective labor contracts. In 2004, Chairman of the Confederation of Free Trade Unions of Ukraine Mykhaylo Volynets received the George Meany and Lane Kirkland Reward for Dedication, Courage and Leadership in Defending Human Rights.

IV. Organization's contacts coordinating the submission: Charitable Organization Charitable Partnership Kyiv Gender Studies Institute

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V. Methodology and sources:

The information message is written on the basis of papers concerning violations of women's rights collected by 14 organizations-authors during preparation for Ukraine's reporting for implementation of the Convention on the Elimination of All Forms of Discrimination against Women (February 2017).

Data collection was accompanied by broad national consultations, and negotiations with experts, representatives of other NGOs, trade unions and women's organizations of Ukraine.

Evaluation of human rights in the fields available in the recommendations No. 97.47, 97.48, 97.52.97.53 relating to Discrimination against women; Right to just and favourable conditions of work; Institutions & policies – General; Participation of women in political and public life

1. **In Ukraine feminization of poverty is still going on, and there are no state system actions with regard to the interests of girls and women in the labour market.** Although the access of women to the paid labour market and social assistance is a key element in combating their impoverishment. The level of women's access to the labour market is falling, and women's unemployment rate and number of women in the shadow economy and informal labour market are growing. Significant groups of women experiencing multiple discriminations are separating, and they are particularly discriminated in their labour rights. Women's youth has the worst employment chances and access to the education, which in the future will provide them with work places and decent salaries. Rural women of working age, who comprise a third of all Ukrainian women of the same age, are almost deprived of possibilities for official employment and, in further, any social guarantees and retiring pensions.
2. **Labour legislation for women is unbalanced and is not a part of the entire system.** It combines equality approaches to labour relations with the model that protects "natural purpose of women" or explicitly discriminate the women.
3. **The initiated system reform in the country, in particular, in the labour field, occurs without regard to the gender approach or involvement of specialists.** A number of regulations that are discriminatory against the women has been already adopted. The updated Tax Code of Ukraine has a negative impact on women-entrepreneurs of small and medium businesses. In the new draft Labour Code, which is now under consideration in the Verkhovna Rada of Ukraine, there is no provision on non-discrimination of women in the labour market. The initiated large-scale preparation of Pension Reform administered by the Ministry of Social Policy (in charge of gender equality and protection of women's rights) already contains provisions for raising retirement age of women that do not consider their double productive and re-productive activities, as well as gender gaps in payments for the work. Having already adopted the Law of Ukraine on Transition to the Mandatory State Pension Insurance (No. 1086 dated 14 January 2015), whereas significant groups of women such as rural women, women of Roma nationality, other vulnerable groups do not have and will not have a source of funds for the payment of insurance contributions and will not have any pensions. Furthermore, in 2016, the Ministry of Social Policy conducted a discriminatory, by its consequences, "verification of benefits to single mothers" after which welfare assistance was given to 400 thousand mothers instead of 600 thousand.
4. **Problem of equal pay for equal work is not recognized or suppressed.** Those documents, where principles of equal remuneration are declared, do not give a description of the mechanisms of determination of such equivalency. On a practical level, it is very difficult or practically impossible to determine the equivalency of two kinds of activities¹.
5. **Lawfully unregulated women's house work.** The labour legislation regulates the women's rights only in the public sector, and does not concern the women's unpaid housework. Its defined as a "female" problem.. Since the most part of women's unpaid housework is formally considered as "unemployment", the housework is not deemed as the productive work, although it plays a decisive role for the physical survival of many families in Ukraine².

Recommendations

- I. There is an immediate need to visualize zones of violation of the labour rights of women; as well as their real productive and reproductive loading throughout the country. Otherwise, it is impossible to develop appropriate measures to observe the women's rights in the labour market and to combat poverty. This requires systematic interaction between statisticians and managers dealing with gender equality (the State Statistics Service; the Ministry of Social Policy; the State Employment Service of Ukraine, State Labour Service; Office of the Commissioner for Human Rights of the Verkhovna Rada; expert governmental and non-governmental organizations; trade unions).
- II. It is necessary to include gender experts and to provide gender expertise of legislative proposals to reform the labour sector and social assistance. Since the gender-blindly approach that is now used can be critical by its social consequences.
- III. To develop and to implement specific programs to combat discrimination on the labour market for certain categories of women and vulnerable groups. To develop plans for the implementation of EU

¹ Analytical report based on the results of the study of conditions for the development of economic opportunities for women in Ukraine as the factor promoting gender equality, p. 204

² Analytical report based on the results of the study of conditions for the development of economic opportunities for women in Ukraine as the factor promoting gender equality, p. 199.

directives regarding gender equality on the labour market and in access to services (under the terms of the EU-Ukraine Association Agreement for 2014-2017). To envisage such measures in the State program for ensuring equal rights and opportunities for women and men for the period until 2021, which is under preparation now.