

**Implementation status of recommendations of CRC Concluding observations on Ukraine  
adopted at 1611th meeting, held on 3 February 2011**

№	CRC recommendations	Implementation status of the recommendation	Comments
7.	<p><b>The Committee's previous recommendations</b> The Committee urges the State party to take all necessary measures to address those recommendations from the concluding observations of the second periodic report under the Convention and the initial report under the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography that have not been implemented or sufficiently implemented, including those related to allocation of resources, data collection, harmonization of national legislation with the Convention and its Optional Protocols, torture and ill-treatment, administration of juvenile justice, children deprived of their family environment, sexual exploitation and abuse, and children of minority groups, and to provide adequate follow-up to the recommendations contained in the present concluding observations.</p>	Not fulfilled	The Alternative report on Ukraine's compliance with the provisions of the UN Convention on the Rights of the Child for the period from 2011 to 2018 emphasizes the presence of problems noted in Concluding Observations. Certain trends towards the solution of some of them takes place. Nevertheless the Committee's previous recommendations cannot be considered fulfilled even partially.
9.	<p><b>Legislation</b> The Committee urges the State party to undertake a comprehensive review of all domestic legislation so as to ensure its full compliance with the Convention. The Committee further recommends the State party to consider adopting a comprehensive Child Rights Act which fully incorporates the provisions of the Convention and its Optional Protocols.</p>	Partially fulfilled	The comprehensive review of national legislation has been carried out, but the legislation still does not fully comply with the provisions of the Convention on the Rights of the Child.
12	<p><b>Coordination</b> In the context of the ongoing administrative reform, the Committee urges the State party to:</p> <ul style="list-style-type: none"> <li>- Undertake a comprehensive functional review of its central and local Government institutions responsible for children's rights and ensure that responsibilities are well delegated and clearly defined within the new structure;</li> <li>- Ensure continuity in the implementation of key Government child policy priorities, in particular the Child Care Reform;</li> <li>- Ensure effective coordination of child policies by the Ministry of Education and Science, Youth and Sports pursuant to the reform, and in this regard review the role and authority of the Inter-agency Commission for the Protection of Childhood, including by considering</li> </ul>	Not fulfilled	<p>Within the framework of administrative reform and decentralization reform, there is no clarity and separation of functions at both national and local levels. The lack of coordination made the children hostages of the ongoing reforms, certain children remained unprotected.</p> <p>In numerous initiated reforms, the child protection issue is absent (particularly in decentralization reform, including deinstitutionalization process, medical reform, police reform).</p>

	<p>appointing a high-level State authority as its Chair and by making it a permanent body to ensure effective cross-ministerial coordination;</p> <p>- Seek technical assistance from the United Nations Children's Fund (UNICEF) in the consideration of the above recommendations.</p>		
14	<p><b>National Plan of Action</b></p> <p>The Committee urges the State party to ensure effective implementation of the National Plan of Action for Children (2010-2016) and, in particular, to:</p> <p>-Allocate sufficient funding to the annual State Programmes for the implementation of the National Plan of Action until 2016 and ensure funding to it as a separate line in the Budget Law for each year;</p> <p>- Ensure effective monitoring of the implementation of the National Plan of Action for Children, including by ensuring coordination of activities by the Inter-agency Commission on Protection of Childhood.</p>	Not fulfilled	<p>The Government with at least six months delay approved the annual action plans for the National Plan of Action on the Implementation of the UNCRC for the period until 2016.</p> <p>The report on the results of the implementation of the Plan was presented with significant delay and did not become the subject of wide public discussion.</p>
16	<p><b>Independent monitoring</b></p> <p>The Committee strongly recommends that the State party undertakes the necessary measures for establishing a separate independent national mechanism, in full accordance with the Paris Principles relating to the Status of National Institutions (A/RES/48/134, annex), to ensure comprehensive and systematic monitoring of children's rights. To this end, the Committee recommends that the State party considers adopting the Law on the Introduction of the Ombudsman for Children in Ukraine. The Committee recommends the State party to ensure that this national mechanism be provided with sufficient human and financial resources to ensure its independence and efficacy, in accordance with its General Comment No. 2 (2002) on the role of independent human rights institutions.</p>	Not fulfilled	<p>The institution of the Ombudsman of the President of Ukraine on the rights of the child is not in line with the Paris Principles on the Status of National Institutions for the Protection and Promotion of Human Rights dated 1991.</p>
18	<p><b>Allocation of resources</b></p> <p>The Committee urges the State party to improve its policies and analysis of resource allocation for children and to ensure that budget allocation at central and local levels is correlated with actual needs and implementation effectiveness. The Committee further recommends the State party to ensure that poverty reduction reforms focus on social assistance and benefits to low income families and child protection. In this endeavour, it urges the State party to ensure that poverty in families with children be addressed concretely in the Poverty Reduction and Prevention Programme 2010-2015</p>	Partially fulfilled	<p>In 2016, a Poverty Reduction Strategy was adopted, to be implemented by 2020. However, the strategies and action plans taken to address the needs of children are not sufficiently funded or not funded at all. There is no systematic work on the needs assessment of children.</p>

22	<p><b>Dissemination, training and awareness raising</b></p> <p>The Committee strongly recommends that the State party further increase the amount and quality of information material on the Convention for public dissemination. The Committee also encourages the State party to intensify training on the Convention for professionals working with and for children, with a focus on law enforcement officers, health professionals, social workers, teachers, immigration officials, members of the judiciary, and representatives of the media.</p>	Partially fulfilled	The awareness raising is fragmented and usually is initiated by CSOs and intergovernmental institutions.
24	<p><b>Cooperation with civil society</b></p> <p>The Committee recommends the State party to strengthen direct cooperation with civil society and reiterates its recommendation (CRC/C/15/Add.191, para. 24) that the State party seek and encourage the active and systematic involvement of civil society, including non-governmental organizations and associations of children, in the promotion and implementation of children's rights. This includes their participation in the planning stage of policies and projects and in the follow-up to the concluding observations of the Committee and the preparation of the next periodic report.</p>	Partially fulfilled	There are successful examples of State cooperation with CSOs/international organizations. But the dispersion of actions between the latter does not facilitate the coordinated activity of state authorities and their cooperation with civil society.
26	<p><b>Definition of the child</b></p> <p>The Committee urges the State party to amend the Civil Code to ensure that domestic legislation stipulates 18 years as the minimum age of marriage for both girls and boys. The Committee further recommends that the State party review its legislation with a view to increase the exceptional minimum age of marriage to sixteen years of age and clearly stipulate in law what such exceptional circumstances are. The Committee also calls upon the State party to establish a clear legal minimum age for sexual consent</p>	Fulfilled	
28	<p><b>Non-discrimination</b></p> <p>Take effective measures to combat racist and xenophobic activities among youth, including by identifying as priority programmes for State funding in support of children's and youth organizations those that promote intercultural dialogue, tolerance and respect for diversity;</p> <p>- Strengthen monitoring of the situation of children belonging to the above-mentioned groups and, on this</p>	Not fulfilled	The comprehensive anti-discrimination law "On Principles of Prevention and Counteraction of Discrimination in Ukraine" <sup>1</sup> was adopted on 06.09.2012. But the children are considered only in the general context of potential victims of discrimination. The practice shows the insufficient

<sup>1</sup> Law of Ukraine No. 5207-VI On Principles of Prevention and Counteraction of Discrimination in Ukraine dated 06.09.2012 Bulletin of the Verkhavna Rada, 2013, № 32, Art.412, <https://zakon.rada.gov.ua/laws/show/5207-17>

	<p>basis, develop a comprehensive strategy containing specific and well-targeted actions aimed at eliminating all forms of discrimination against these and other vulnerable groups of children;</p> <ul style="list-style-type: none"> <li>- Incorporate in domestic legislation the principle of non-discrimination and the prohibition of discrimination against children on any of the grounds spelled out in article 2 of the Convention.</li> </ul>		<p>work to protect children from discrimination.</p>
30	<p><b>Best interest of the child</b></p> <p>The Committee recommends that the State party establish systems and procedures for ensuring that the best interests of the child are adequately taken into account during State policy planning and programming. The Committee in particular recommends a review of legislation, policies and programmes relating to juvenile justice and the child care systems with a view to ensuring that the principle of the best interest of the child is fully integrated therein.</p>	Partially fulfilled	<p>A number of changes was made to legislation aimed at improving the situation in terms of the best interests of the child, the concept "ensuring the best interests of the child" was regulated as well. But in practice, the principle of the best interests of the child is not being always observed.</p>
32	<p><b>Right to life, survival and development</b></p> <p>The Committee recommends the State party to intensify its efforts to address infant, child and maternal mortality by strengthening prenatal, obstetric and neonatal health care services. The Committee further recommends the State party to increase the number of qualified health professionals working in prenatal, obstetric and neonatal care and ensure that they are trained on and promote child-responsive parenthood and health lifestyle. The Committee further recommends that the State party promote extension of the Baby Friendly Hospital Initiative (BFHI) in primary health care. In such efforts, the State party is urged to give priority to rural areas.</p>	Impossible to evaluate	<p>At present, the reform of the provision of medical services is going on. In addition, the statistics do not take into account the temporarily occupied territories.</p> <p>From 2014, the armed conflict in the east of the country added to the previously existing problems. There is a lack of a comprehensive program of assistance to affected children.</p>
34	<p><b>Respect for the views of the child</b></p> <p>In light of article 12 of the Convention, the Committee recommends the State party to:</p> <ul style="list-style-type: none"> <li>- Consider amending its Code of Civil Procedure to allow for the right of children who may be affected by judicial and administrative proceedings to express their views and to be heard;</li> <li>- Ensure that the new Concept of Development of Criminal Justice Regarding Juveniles formally includes the right of the child to express views and to be heard;</li> <li>- Review the Education Act to ensure that the right of children to be heard and express themselves is explicitly stipulated therein and that it provides for the establishment of students' councils;</li> <li>- Promote, facilitate and implement the principle of</li> </ul>	Partially fulfilled	<p>The right of children to be heard and express themselves is not explicitly stipulated in the Law of Ukraine "On Education". Article 45 of the Civil Procedural Code of Ukraine provides that a child may express his or her opinion directly or through a legal representative.</p>

	respect for the right of children to be heard within the family, in schools and in the community, and to ensure their participation in all matters affecting them.		
36	<p><b>Birth registration</b></p> <p>The Committee urges the State party to adopt positive incentives so as to ensure that free and compulsory birth registration is effectively made available to all children, regardless of ethnicity and social background. In this endeavour, the State party is recommended to abolish any punitive fines for the failure of parents to register their children. The Committee further calls upon the State party to intensify its awareness raising campaigns to encourage and ensure registration of all Roma children.</p>	Partially fulfilled	<p>From 2015, the Ministry of Justice of Ukraine launched a project to obtain birth certificates for the child in the maternity hospital, which facilitates access to the registration of the birth.</p> <p>The fines for untimely registration of the birth of a child have not been canceled. But civil registration authorities do not refuse to register the birth of a child if the fine was not paid by the parents.</p>
38	<p><b>Name and nationality</b></p> <p>The Committee recommends the State party to:</p> <ul style="list-style-type: none"> <li>- Amend legislation so as to guarantee by law and in practice the right of the child to a nationality and not to be deprived of it on any ground and regardless of the status of his/her parents;</li> <li>- Ratify the 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.</li> </ul>	Partially fulfilled	<p>The current legislation puts a child born on the territory of Ukraine in full dependence on the status of her/his parents. In particular, a child born on the territory of Ukraine who can not acquire the parents' citizenship because they have no documents identifying a person, becomes a stateless person her / himself.</p> <p>Both the 1954 and 1961 Conventions were ratified by Ukraine in 2013. However, the norms of these Conventions have not yet been fully implemented by the state. In particular, today the Ukrainian legislation does not stipulate the procedure for recognizing a person without citizenship.</p>
40	<p><b>Freedom of expression and of association and peaceful assembly</b></p> <p>In light of article 13 of the Convention, the Committee calls upon the State party to ensure that its domestic legislation expressly protect the right of the child to freedom of expression. The Committee further urges the State party to undertake a comprehensive review of the Act on Youth and Children's Public Organizations to ensure its compatibility with the right of the child to freedom of association and to peaceful assembly as guaranteed under article 15 of the Convention.</p>	Not fulfilled	<p>Establishment of children's political and religious organizations is prohibited by the Law of Ukraine "On the protection of childhood".</p> <p>Legislation does not regulate, how children can organize a peaceful assembly.</p>
41	<b>Torture or other cruel, inhuman or degrading</b>	Partially fulfilled	Unresolved problems of torture in

	<p><b>treatment or punishment</b></p> <p>The Committee urges the State party to take all necessary measures to prevent and eliminate torture and all forms of ill-treatment of children, and, in particular, to:</p> <ul style="list-style-type: none"> <li>- Initiate comprehensive trainings for members of the Militia and the Ukraine State Border Guard Services on the prohibition of torture and ill-treatment and on international standards relating to juvenile justice;</li> <li>- Strengthen independent monitoring of children deprived of their liberty, including by “mobile groups/teams” (see CCPR/C/UKR/6/Add.1 (2008) and CAT/C/UKR/CO/5 (2007)) or other mechanisms, until a National Preventive Mechanism is formally established by the State party under the Optional Protocol to the Convention against Torture;</li> <li>- Ensure prompt, independent and effective investigation of all alleged cases of torture or ill-treatment of children and, as appropriate, prosecute offenders;</li> <li>- Undertake a study on access to justice of children deprived of their liberty with a view to improve respect for legal safeguards against torture and ill-treatment;</li> <li>- End all forms of corporal punishment in the home and other settings by ensuring effective implementation of the existing legislative prohibition, including through awareness-raising campaigns and public education promoting positive and non-violent child-bearing.</li> </ul>		<p>penitentiary institutions for children and pressure during investigative actions lead to tragedies.</p>
44	<p><b>Family environment</b></p> <p>The Committee urges the State party to amend article 143, paragraph 3, of the Family Code in order to bring it in line with article 9 of the Convention. It urges the State party to intensify its efforts to provide the necessary support and resources to strengthen the family, in particular by moving from punitive measures with respect to neglect of parental duties to strengthening support systems and social benefits for families with children in order to enhance their capacity for the performance of their child-rearing responsibilities. In this regard, the Committee reiterates its previous recommendation to place children in alternative care or institutions only as a measure of last resort and if in the best interests of the child. The State party is recommended to put in place a system to effectively monitor and evaluate State services and support to families, including single</p>	Partially fulfilled	<p>The article 143, paragraph 3, of the Family Code has not been amended according to Committee’s recommendation.</p> <p>The process of deinstitutionalization has been initiated.</p> <p>The state has not introduced a system for monitoring and evaluation of the impact of the provided social services.</p>

	parents, in need.		
46	<p><b>Children, deprived of a family environment</b></p> <p>The Committee urges the State party to strengthen its deinstitutionalization policy in accordance with the State Programme for reforming the child protection system (Res no 1242 Cabinet of Ministers) and to:</p> <ul style="list-style-type: none"> <li>- Expand the placement of children in extended and foster families and other types of family type placements;</li> <li>- Strengthen the legislative and regulatory framework in order to facilitate family reintegration;</li> <li>- Effectively monitor all care arrangements for children, particularly the placement of children with disabilities or special needs in institutions, including by strengthening the technical, human and financial resources of the Children's Affairs Offices;</li> <li>- Take into account the United Nations Guidelines for the Alternative Care of Children (General Assembly resolution 64/142) and the Council of Europe Parliamentary Assembly Resolution 1762 (2010) on Children without parental care: urgent need for action in the implementation of the above recommendations.</li> </ul>	Partially fulfilled	<p>The process of deinstitutionalisation has been initiated, a patronage and mentoring system has been introduced.</p> <p>But there are no significant changes in the professional work aimed at increasing parental potential. Legally, there is no definition of services; the responsibility of the authorities for their creation and provision.</p>
48	<p><b>Adoption</b></p> <p>The Committee calls upon the State party to enact legislation to ensure that biological parents are fully informed of the process and implications of their consent to their child's adoption. The Committee further recommends the State party to accede to the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.</p>	Not fulfilled	Ukraine has not accede to the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.
50	<p><b>Abuse and neglect</b></p> <p>The Committee urges the State party to intensify efforts to prevent and combat all forms of abuse and neglect of children and to:</p> <ul style="list-style-type: none"> <li>- Ensure effective implementation of the Law on Protection of Childhood, including by improving public awareness of the law and by enhancing skills and the capacity among social workers and law enforcement personnel to detect and investigate violations of the law;</li> <li>- Adopt preventive measures such as counselling and parental skills training and conduct public education programmes about the negative consequences of abuse and neglect;</li> <li>- Provide adequate protection and services for recovery, such as psychosocial support to the child victim, the abusive or negligent parent and other</li> </ul>	Not fulfilled	<p>There is no clear coordination in combating violence against children, as evidenced by different interagency statistics. There is no common work with children who are victims or abusers.</p> <p>The topic of violence against children is almost absent in government's reports.</p>

	<p>family members;</p> <ul style="list-style-type: none"> <li>- Ensure that professionals working with children receive training on the identification of child abuse and neglect and on the obligation to report and take appropriate action in suspected cases of child abuse and neglect;</li> <li>- Provide adequate human, technical and financial resources to systematically collect and analyse comprehensive data on child abuse. It further recommends that such data inform the State party's structuring of appropriate measures for reducing the occurrence of abuse and neglect as well as establishing appropriate accountability mechanism for addressing instances in which it does occur;</li> <li>- Promote targeted awareness-raising on article 18 of the Family Code among children, parents and professionals working with children.</li> </ul>		
52	<p><b>Children with disabilities</b></p> <p>The Committee recommends that the State Party, in accordance with article 23 of the Convention and in cooperation with non-governmental organizations, to:</p> <ul style="list-style-type: none"> <li>- Develop a comprehensive policy for the protection of the rights of children with disabilities and their equal access to educational, social and other services in their own family and community environment. In this endeavour, the State party is recommended to address all priorities highlighted in the WHO European Declaration on the Health of Children and Young People with Intellectual Disabilities and their Families (endorsed by Member States of WHO European Region in 2010);</li> <li>- Develop and strengthen early intervention services for children with disabilities and support to their families to prevent institutionalisation of children, in cooperation with parents' organizations;</li> <li>- Establishing a monitoring system for residential institutions for children with disabilities which closely examines the situation of their rights in these facilities, as well as ensuring that monitoring favours participation of civil society organizations and incorporates concrete steps to follow up recommended actions.</li> </ul>	Not fulfilled	<p>There is no reliable and detailed statistics on children with disabilities, children with problems in their development, children with special educational needs, etc. Early intervention services are not introduced systemically all over Ukraine.</p>
54	<p><b>Health and health services</b></p> <p>In light of article 24 of the Convention, the Committee urges the State party to increase budgetary allocation to the health care sector and ensure transparency of funds. The Committee recommends that in the current health care reform, priority is given to the primary health care system and the quality of health services in</p>	Partially fulfilled	<p>Despite the fact that breastfeeding rates in Ukraine have really improved, there is some level of mistrust to the statistics provided by the state. Ukraine failed to comply with the recommendation to implement the</p>

	rural areas. The Committee further recommends the State party to strengthen promotion of breast-feeding and enforce the International Code of Marketing of Breast-milk substitutes. The Committee also urges the State party to recommit to child immunisation and provide factual information to the general public in this respect.		International Code of Marketing of Breast Milk Substitutes.
56	<p><b>Adolescent health</b></p> <p>The Committee strongly recommends that the State party undertake a comprehensive study on adolescent health problems and use this as basis for formulating adolescent-health policies and programmes in the school curriculum. The Committee recommends that such programmes focus on prevention of teenage pregnancies, unsafe abortions and sexually transmitted diseases, taking into account it General Comment No. 4 (2003) on adolescent health and development. It further recommends the State party to invest in adolescent health care personnel, facilities and services, especially in rural areas. The Committee further recommends the State party to take urgent measures to reduce maternal deaths related to teenage abortions and to ensure by law and in practice that the views of the child should always be heard and respected in abortion decisions. The Committee recommends the State party to seek technical assistance from UNICEF.</p>	Not fulfilled	Legislation of Ukraine does not prescribe a category of “adolescent”. There have been no studies of this population on the characteristics of their health and public funds for such studies have not been allocated accordingly. According to the MoH regulations the child's opinion about abortion is taken into account only from the age of 14 <sup>2</sup> . There is no publicly available data on adolescent abortions, programs aimed to prevent teenage pregnancies are not implemented.
58	<p><b>Mental health</b></p> <p>The Committee recommends that the State party develop a comprehensive national child mental health policy, along with all obligatory components of core recommendations by WHO, including mental health promotion, counselling, prevention of mental health disorders in primary health care, schools, communities, and child-friendly outpatient and inpatient child mental health services. The Committee also recommends the State party to strengthen efforts aimed at suicide prevention among children and youth, including by increasing available psychological consultation services and social workers in schools. The Committee recommends the State party to seek technical assistance from the World Health Organization (WHO).</p>	Not fulfilled	No comprehensive national policy has been developed regarding children's mental health.
60	<p><b>Drug, tobacco, alcohol and other substance use</b></p> <p>The Committee recommends that the State party, in</p>	Partially fulfilled	Work with the students to prevent the use of psychoactive substances

<sup>2</sup> Order of MoH of 24.05.2013 № 423, address of access: <https://zakon.rada.gov.ua/laws/show/z1095-13>

	<p>partnership with non-governmental organizations, develop a comprehensive strategy for addressing the alarming situation of drug abuse among children and youth and undertake a broad range of evidence-based measures in line with the Convention, and to:</p> <ul style="list-style-type: none"> <li>- Develop specialised and youth-friendly drug dependence treatment and harm reduction services for children and young people, building on recent legislative progress on HIV/AIDS and the successful pilot programmes for most at risk adolescents initiated by UNICEF;</li> <li>- Ensure that criminal laws do not impede access to such services, including by amending laws that criminalise children for possession or use of drugs;</li> <li>- Ensure that health and law enforcement personnel working with at-risk children are appropriately trained in HIV prevention and that abuses by law enforcement against at risk children are investigated and punished;</li> <li>- Intensify enforcement of the prohibition of the sale of alcohol and tobacco to children and to address root causes to substance use and abuse among children and youth.</li> </ul>		<p>is not systemic, often without the invitation of professional specialists. Practically there is no work with parents. Besides there are no standards for the provision of harm reduction services (secondary and tertiary prevention) among minors and young people in Ukraine, and similar programs are not funded by the state.</p> <p>Rehabilitation services for children, adolescents and young people are not developed. Most rehabilitation centers for people who use psychoactive substances are not free of charge.</p> <p>Harm reduction services for adolescents are available only in 8 regions of Ukraine.</p>
62	<p><b>HIV/AIDS</b></p> <p>The Committee, recalling its General Comment No. 3 (2003) on HIV/AIDS and the rights of the child, urges the State party to:</p> <ul style="list-style-type: none"> <li>- Ensure effective implementation of the National HIV/AIDS Programme 2009-2013 and the National Strategic Action Plan for HIV prevention among children and youth of risk groups by allocating adequate public funding and resources to these programmes;</li> <li>- Take all measures to implement the Law on Prevention of Acquired Immune Deficiency Syndrome (AIDS) and Social Protection of the Population, with special focus on respecting human rights of children and youth affected by HIV/AIDS or at risk of HIV/AIDS, including children in street situations and children suffering from substance abuse, and ensuring access to confidential and youth-friendly services;</li> <li>- Intensify information and awareness campaigns on HIV/AIDS and other sexually transmitted diseases to adolescents as well as to the general public.</li> </ul>	<p>Partially fulfilled</p> <p>From 2013 – the first part of recommendation is not fulfilled</p>	<p>National HIV/AIDS Programme 2018-2022 and the Action Plan for HIV prevention among children and youth of risk groups were not adopted.</p> <p>The "Strategy for Ensuring a Sustainable Response to Tuberculosis Epidemics, including Chemo-resistant, and HIV / AIDS for the Period up to 2020, and Approving a Plan of Action for its Implementation" were adopted<sup>3</sup>, however, neither vulnerable children, nor adolescents, nor youth, including drug users, were on the high-risk list<sup>4</sup>.</p> <p>No steps are being taken to introduce preventative measures for children and young people at risk at national level.</p>

<sup>3</sup> <https://zakon.rada.gov.ua/laws/show/248-2017-%D1%80>

<sup>4</sup> <https://zakon.rada.gov.ua/laws/show/z0323-13#n17>

64	<p><b>Standard of living</b></p> <p>In accordance with article 27 of the Convention, the Committee recommends the State party to designate the National Plan of Action for Children as a strategic policy tool for children in the implementation of the State Programme for Economic and Social Development and subsequent poverty reduction programmes. It further urges the State party to target its poverty reduction and protection strategies to the benefit of vulnerable families with children. With a view to effectively combat corruption, the Committee urges the State party to adopt without delay the Law on Principles of Prevention and Combating Corruption in Ukraine.</p>	Partially fulfilled	In May 2018, the State social program "NAP for the Implementation of the UNCRC" for the period up to 20215 was adopted. Its provisions contain priorities for the modern Ukraine in child protection. But socio-economic situation in the country regressed because of the conflict in the East of Ukraine: the number of families below the poverty line is constantly increasing (para 7.6. contains figures).
66	<p><b>Education, including vocational training and guidance</b></p> <p>The Committee recommends the State party to:</p> <ul style="list-style-type: none"> <li>f Ensure adequate funding for the public education system by increasing the percentage of GDP allocated to the education sector;</li> <li>- Undertake an analysis on causes and possible solutions to the general decrease in the number of educational establishments and the number of children attending school and other educational institutions;</li> <li>- Introduce inclusive education and promote social integration of children with special needs and ensure that vulnerable groups of children, including the abovementioned groups, are not discriminated against in the education system;</li> <li>- Improve availability, accessibility and the quality of pre-school and general education in rural areas;</li> <li>- The Committee encourage the State party to seek assistance from, inter alia, UNICEF and UNESCO.</li> </ul>	Partially fulfilled	<p>Some categories of children do not have equal access to education:</p> <ul style="list-style-type: none"> <li>- Children whose parents live without registration;</li> <li>- residents of the TOT (high education);</li> <li>- Children living along the contact line in Luhansk and Donetsk regions;</li> <li>- children with disabilities;</li> <li>- children whose parents have asked for protection in Ukraine.</li> </ul> <p>The level of education of Roma population is extremely low.</p>
72	<p><b>Asylum-seeking and refugee children</b></p> <p>The Committee recommends the State party to:</p> <ul style="list-style-type: none"> <li>- Adopt without undue delay the Refugees and Persons Deserving Assistance or Temporary Protection Act and ensure that the new law will guarantee that children of recognized refugees receive derivative refugee status;</li> <li>- Ensure that unaccompanied asylum-seeking children</li> </ul>	Partially fulfilled	The lack of ID from asylum seekers limits their children's access to social services and education in Ukraine, leads to difficulties in registering a child's birth, the impossibility of establishing a parenthood, correcting the mistakes made in the document on

<sup>5</sup> Resolution No. 453 of the CoM "On Approval of the State Social Program National Action Plan for the Implementation of the UNCRC for the period up to 2021" dated May 30, 2018, access address: <https://zakon.rada.gov.ua/laws/show/453-2018-%D0%BF>

	<p>are promptly appointed a legal representative in order to effectively access the asylum procedure, as well as assistance and protection, including access to free interpretation;</p> <ul style="list-style-type: none"> <li>- Ensure that no asylum-seeking or refugee child is deprived of his or her liberty;</li> <li>- Adopt the draft instruction on cooperation between State authorities regarding unaccompanied asylum-seeking children;</li> <li>- Take prompt steps to put in place an effective data collection and information storage system with respect to the registration of refugees and asylum-seekers and ensure that official statistics on asylum-seeking children and refugees comprise all persons under the age of 18;</li> <li>- Amend existing regulations to ensure birth registration and issuance of birth certificates to children of asylum-seekers born in the State party.</li> </ul>		<p>the birth registration of their child, obtaining an identification code , becoming a property owner, etc.</p> <p>The children of asylum seekers born in Ukraine are deprived cannot get social assistance for families with children. Due to the absence of the parents' ID, these children cannot obtain the citizenship of Ukraine; they do not have access to obtaining a registration by a citizen of Ukraine and, accordingly, cannot obtain passports.</p> <p>Durable solutions regarding IDPs are not implemented by the State as required by the Framework of Inter-Agency Standing Committee on durable solutions for IDPs</p>
78	<p><b>Sexual exploitation and abuse</b></p> <p>The Committee urges the State party to:</p> <ul style="list-style-type: none"> <li>- Continue and speed up its efforts in harmonizing national legislation with the Optional Protocol on the Sale of Children, Child Prostitution and Child Prostitution, in particular as it relates to child prostitution and all other forms of sexual exploitation of children;</li> <li>- Establish a system of data collection on child victims of sexual exploitation and abuse and other crimes under the Optional Protocol, including in the context of the DevInfo System, and proceed with plans of the Ministry of Internal Affairs to establish a data base in this respect;</li> <li>- Adopt the Package of Instructions to effectively prevent and combat offences under the Optional Protocol at local level, and address the underlying problem of poverty in all prevention and protection activities relating to sexual abuse and exploitation in this regard;</li> <li>- Strengthen the capacity of social workers and law enforcement agencies to detect and investigate cases of sexual exploitation and abuse and child pornography, including by increasing technical, human and financial resources to the Minors' affairs police units;</li> <li>- Increase the availability and accessibility of rehabilitation centres specialized in providing assistance to child victims of sexual exploitation and</li> </ul>	Partially fulfilled	<p>a large number of crimes of child sexual abuse remain latent, in particular, due to the lack of the procedural rights of juvenile prevention police officers to initiate and carry out secret investigations, to reveal these crimes in an operational manner; the loss of the evidence base is happening due to the procedural impossibility to make an urgent examination of the child to find the traces of the crime; the procedure for medical examination and assistance to children who suffered from indecent assault is not regulated; offenders are not detained and no precautionary measures are taken which allows the offender to influence the victims; the obligatory participation of a lawyer from the victim's side in criminal offenses where the child is a victim of domestic and sexual violence is not defined; the child faces repeated challenges to be interrogated and pass through other investigative actions, which negatively affects the child and</p>

	<p>abuse and other offences under the Optional Protocol;</p> <ul style="list-style-type: none"> <li>- Continue to seek the assistance of UNICEF and other partners for the implementation of the above recommendations.</li> </ul>		<p>leads to the psychological trauma.</p>
80	<p><b>Sale, trafficking and abduction</b></p> <p>The Committee recommends the State party to:</p> <ul style="list-style-type: none"> <li>- Take all necessary measures to implement the rules for implementation of the Convention on the Civil Aspects of International Child Abduction and report on them in its next periodic report;</li> <li>- Continue efforts of bringing national legislation relating to trafficking in and sale of children in line with the Optional Protocol;</li> <li>- Intensify public information and awareness campaigns on trafficking of children, focusing on the risks of being enticed through, inter alia, promises of work abroad, modelling, studies abroad, participation in beauty contests;</li> <li>- Strengthen investigation into all cases of alleged trafficking in children, including by allocating necessary resources to the Counter Trafficking and Cyber-Crime Department of the Ministry of Internal Affairs, and ensure that those responsible are brought to justice;</li> <li>- Seek technical assistance from UNICEF, the International Organization for Migration (IOM) and other partners</li> </ul>	Partially fulfilled	<p>National action plans for the implementation of the UNCRC do not include either measures for the training of rehabilitation and reintegration personnel or the implementation rules of the Convention on the civil aspects of international child kidnapping.</p> <p>The issue of aligning national legislation with the Optional Protocol on the sale of children, child prostitution and child pornography<sup>6</sup>, with respect to Articles 7, 8 and 9, remains relevant.</p> <p>Raising of awareness on human trafficking including children is mostly provided by CSOs, but this is not enough to cover all youngsters who are at risk.</p>
82	<p><b>Helplines</b></p> <p>The Committee recommends the State party to further strengthen and expand, in cooperation with non-governmental organizations, its helplines for children and ensure that they be 3-digit and tollfree for both the helpline and the caller and available 24 hours. The Committee further recommends that the State party raise awareness among children about available helplines by providing information on them in child-related programmes and schools.</p>	Partially fulfilled	<p>The work of the National hotline for the prevention of domestic violence, human trafficking and gender discrimination as well as the National Children's hotline is provided by "La Strada". The latter functions 4 hours a day.</p>
85	<p><b>Administration of juvenile justice</b></p> <p>The Committee urges the State party to put in place a juvenile justice system as outlined in the National Plan of Action for Children. To this end, it urges the State party to ensure that the new Concept of Development of Criminal Justice Regarding Juveniles in Ukraine, and the law to be adopted for its</p>	Partially fulfilled	<p>In Ukraine there is currently no holistic system of juvenile justice for children in conflict with the law. The work of the Interagency coordination council on juvenile justice issues on the draft law on juvenile justice which is to be</p>

<sup>6</sup> Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, access address: [https://zakon.rada.gov.ua/laws/show/995\\_b09](https://zakon.rada.gov.ua/laws/show/995_b09)

	<p>implementation, is fully in line with Convention and with other relevant standards, including the Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules), the Vienna Guidelines for Action on Children in the Criminal Justice System. The Committee recommends the State party to:</p> <ul style="list-style-type: none"> <li>-Ensures that the juvenile justice system in practice diverges from a punitive to a restorative juvenile justice system that promotes alternative measures to deprivation of liberty, such as mediation, diversion, probation, counselling, community service or suspended sentences, wherever possible;</li> <li>- Establish by law and in practice one minimum age of criminal responsibility in line with the Committee’s general comment No. 10 (2007) on the rights of the child in juvenile justice;</li> <li>- Consider abolishing, in line with the preceding recommendation, schools for social rehabilitation where children aged 11 to 14 can be remanded after having be found guilty for committing socially dangerous actions and develop alternative measures of care;</li> <li>- Strengthen the social support services, including through training and increase in the number of specialists from social centres for families, children and young persons, to ensure psychosocial rehabilitation and programmes for children in confl ict with the law;</li> <li>- Seek technical assistance from the United Nations Country Team, including UNICEF, as well as from the Offi ce of the High Commissioner for Human Rights (OHCHR) in the implementation of the above recommendations.</li> </ul>		<p>submitted in 2019 for consideration by the Verkhovna Rada of Ukraine, considers as positive.</p>
87	<p><b>Children victims and witnesses of crimes</b>  The Committee recommends that the State party ensure by law and in practice that all children victims or witnesses of crimes, e.g. children victims of abuse, domestic violence, sexual and economic exploitation, abduction and traffi cking, and witnesses of such crimes, are provided with the protection required by the Convention and that it take fully into account United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (annexed to Economic and Social Council resolution</p>	Not fulfilled	<p>There are no procedures for children – victims or children - witnesses of the crime, as they are of a general nature.  The peculiarity of the subject of the criminal process - the child, noted only in Art. 354 of Criminal Procedural Code "Features of Interrogation of a Minor Witness or Victim".</p>

	2005/20 of 22 July 2005). In this regard, the Committee reiterates its position that child victims and witnesses of crimes should never be treated as offenders by the authorities.		
89	<p><b>Children belonging to minority or indigenous groups</b></p> <p>The Committee urges the State party to:</p> <ul style="list-style-type: none"> <li>- Adopt without delay the draft Anti-Discrimination Bill, as recommended by the Committee on the Elimination of Racial Discrimination (CERD/C/UKR/CO, (2006), para. 18);</li> <li>- Undertake a comprehensive study on the situation of and enjoyment of rights of ethnic minorities in the State party and, on the basis of findings, develop interventions to ensure that its policies, measures and instruments apply without discrimination and aim to protect the rights of children belonging to all minorities and their rights under the Convention;</li> <li>- Intensify efforts to ensure the right to education for all children belonging to minorities, focusing on Roma and Crimean Tatar children, including by introducing inclusive education scheme in general and secondary education.</li> </ul>	Partially fulfilled	<p>In 2012 a Law of Ukraine "On the Principles of Prevention and Counteraction of Discrimination in Ukraine" was adopted. The Law covers direct and indirect discrimination, but does not distinguish the protection of the child rights as a subject of law.</p> <p>Despite the fact that many ethnic minorities live in Ukraine, the rights of the Roma population are more likely violated.</p>
90	<p><b>Ratification of international human rights instruments</b></p> <p>The Committee recommends that the State party ratify the core United Nations human rights treaties and their Protocols to which it is not yet a party, namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the International Convention for the Protection of All Persons from Enforced Disappearances.</p>	Partially fulfilled	<p>The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the International Convention for the Protection of All Persons from Enforced Disappearances are ratified by Ukraine. But many other important treaties are not signed by the state (listed in recommendation 5, Annex 3).</p>