

RECOMMENDATIONS

General measure of implementation

1. Ensure the full implementation of the recommendations of the Committee on the Rights of the Child according to previous reports on harmonization of legislation with the standards of the Convention and its Optional Protocols, paying special attention to the Optional Protocol on the Participation of Children in the Armed Conflicts.
2. Provide common means for the implementation of the Convention on the Rights of the Child through the development of the state policy on children where the child is given a key place and is a subject of rights recognized by adults and public authorities. To highlight the priority strategic directions, together with public organizations, international partners and donors, to formulate common goals and tasks in the field of child rights protection for the next 10 years.
3. Establish an integral social protection system for children in Ukraine by developing and adopting the unified comprehensive law, child rights standards and mechanisms to ensure them. To clearly define duties, functions and powers of state authorities' representatives and local self-government bodies in relation to child rights protection.
4. Create an effective coordinating body (agency) under the Government of Ukraine which would define directions, priorities for the activities, and would coordinate the work of the departments in the field of child rights protection. Ensure transparent activities of the Coordinating Body, including NGO engagement in discussing and analyzing the impact of reforms, public discussion of child rights policies.
5. To ratify the **Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption**
6. To ensure full implementation of:
 - **Council of Europe Convention on the Protection of Children from Sexual Exploitation and Sexual Abuse**, in particular Article 35 of the Convention;
 - **European Convention on the Exercise of Children's Rights** and **The Council of Europe guidelines on child-friendly justice**¹: to develop and implement child-friendly justice;
 - **1954 Convention on the Status of Stateless Persons** and the **1961 Convention on the Reduction of Statelessness** including: to introduce a procedure for identifying a person, a stateless person which will enable such persons to legally reside in Ukraine and obtain an ID document;
 - **UN Guiding Principles on Alternative Care for Children**²: to bring national legislation in line with in particular with regard to the definitions of "alternative child care", "institutional care", "childcare institution with living conditions close to family", decision-making on a child, mandatory review of such decisions and child participation

¹ Source link: <https://rm.coe.int/16804c2188>

² Source link: https://www.unicef.org/ukraine/ukr/100426-UNGuidelines-Ukrainian_nonofficial.pdf

- **Guidelines of the Inter-Agency Standing Committee on Long-Term Decisions for Internally Displaced Persons**³;
 - **PACE's Resolution of January 25, 2018, No. 2204 "Protecting Children Affected by the Conflict"**⁴;
 - **International Code of Marketing for Breast Milk Substitutes**⁵: to extend support for breastfeeding and strengthen control over advertising of breast milk substitutes and implementation;
 - **Minimum standards of the UN rules on the administration of juvenile justice.**
7. Introduce the Ombudsman's position on the Rights of the Child in accordance with the Paris Principles on the Status of National Institutions for the Protection and Promotion of Human Rights in 1991.
 8. Introduce a system of family courts in Ukraine in accordance with the best practices of other countries.
 9. Adopt the National Action Plan for the Implementation of the Convention on the Rights of the Child in the Law of Ukraine or the State Targeted Program.
 10. Conduct financing services for the child, rather than financing the facilities, and ensure equal access of the child to these services. Ensure the formation and development of the social services market through the introduction of practical mechanisms of social order.
 11. Develop a modern system of monitoring and evaluation of the quality of administrative and social services, their impact on the child and the family, the efficiency of their providers, providing for the mandatory involvement of public organizations in such monitoring.
 12. Analyze the functions of central and local authorities, services, institutions in the area of protecting the rights, freedoms and legitimate interests of children, adherence to the requirements of legislation on children in order to further define the legal basis for their activities. Create at the central level the Directorate General for the protection of the rights of the child. At the local level as a result of the decentralization reform to resolve the transfer of authority from the Children's Services Department of the Regional State Administrations to other bodies and services, in particular, in the part concerning adoption, creation of foster families and family-type orphanages.
 13. Ensure adequate and timely financing, as well as effective monitoring of the implementation of the state program and strategy in the field of child rights protection. Regularly assess the state child rights observance, in particular, freedom from discrimination, violence and ill-treatment.

General principles

³ Source link: <https://www.unhcr.org/50f94cd49.pdf>

⁴ Адреса доступу: <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=24495&lang=en>

⁵ Адреса доступу: https://apps.who.int/iris/bitstream/handle/10665/40382/9241541601_rus.pdf?sequence=2

14. Bring the official Ukrainian text of the Convention on the Rights of the Child in line with other UN Conventions, in particular, in the Convention on the Rights of Persons with Disabilities to use the term "child with disabilities" instead of the term "disabled child". Eliminate terminological inconsistencies in the legislation that result in discrimination, in particular, with respect to children with disabilities.
15. Ensure a child is involved in all processes concerning him/her personally, from the moment when he/she can express his/her opinion. Make appropriate changes to the procedural codes.
16. Provide the child with the right to choose a legal representative - an adult who the child trusts. Make appropriate changes to the procedural codes.
17. Ensure the effective enforcement of the court decisions that grant one of the parents the right to regular contact with a child.
18. Ensure the timely adoption of court decisions in cases where a child is threatened with domestic violence.
19. Ensure the development of student self-governance and other practices for children self-organization on democratic values and participation standards in accordance with the general comment No. 12 of the UN Committee on the Rights of the Child.

Civil rights and freedoms

20. Make changes at the legislation level according to which a child born in Ukraine from parents who do not have ID documents will be able to acquire Ukrainian citizenship, regardless of parents' status.
21. Harmonize the Laws "On Citizenship of Ukraine", "On State Registration of Civil Status Acts", "On Refugees and Persons in Need of Additional or Temporary Protection" in order to ensure the rights of children who have applied for protection in Ukraine and persons in need of additional protection, for birth registration, determination of origin and acquisition of citizenship of Ukraine by birth. To regulate the procedure for entering of parents' citizenship information in the birth certificate on the basis of a protection application certificate in Ukraine.
22. Cancel fines for late registration of child birth.
23. Make changes to the current legislation, which will eliminate the contradiction between the norm of Article 39 "Fundamentals of Ukrainian legislation on health care" and the Law of Ukraine "On Access to Public Information" and provide children with the opportunity to receive information about their health.
24. Introduce an administrative procedure for registering births on the GCA for children born on NGCA with making impossible trafficking of children.
25. Remove legal restrictions forbidding children under the age of 14 to create their own non-governmental organizations. Enhance the security of children's participation in peaceful meetings through police training on dealing with children-participants in peaceful gatherings.
26. Consider ensuring the child's privacy as one of the key to monitoring the rights of the child in detention places and to include this issue in the mandate of the national preventive mechanism.

27. Ensure real access of children to communication with the representatives of state and non-governmental commissions who are monitoring the rights of minors in the educational colonies of the state penitentiary service of Ukraine.
28. Strengthen the separation of the school from the church and the study of issues of universal values, tolerance, cultural studies and world history.
29. Implement international legal standards for the protection of the safety and rights of the child in the online space in the national legislation. To initiate national studies on the protection of the rights of the child in the online space and the cyber security of educational institutions.
30. Introduce into the code of journalistic ethics the principle of respect for the human dignity of the child. Add study on the rights of the child into the curriculum for journalists.
31. Strengthen training on the basics of Internet safety for children, parents / persons who substitute them, educators, in particular, on personal data protection through the development of methodological manuals, creation of information materials, introduction of cybersecurity and respect for human rights in the educational process.
32. Develop and approve methodological recommendations for the application of the norms of legislation on the protection of human rights in the online space and the protection of personal data in the activities of educational institutions, in particular, on educational institutions' websites and in social networking sites. Promote the provision of education institutions with licensed software, in particular antivirus.
33. Introduce professional training, retraining, professional development of psychologists, social pedagogues and other specialists in order to ensure their further work with refugee children, asylum seekers, internally displaced children. Develop and approve relevant guidance.

Violence against children

34. Create a holistic strategy for combating violence against children in Ukraine with the involvement of all relevant government bodies and representatives of the public sector. Agree subordinate acts between relevant ministries and improve interagency cooperation. Focus on early identification and response to violence.
35. Develop and adopt sub-normative acts that will ensure implementation of the Law of Ukraine "On Prevention and Combating Domestic Violence".
36. Approve the Procedure for accepting appeals and reports on domestic violence against children by adopting a resolution from the Cabinet of Ministers of Ukraine. Ensure proper identification and recording of each case of ill-treatment in relation to the child, make appropriate changes to the statistical reports from National Police of Ukraine, social service, medical and educational workers.
37. Develop clear standard operating procedures (algorithms) for social workers, police officers and doctors to respond to cases of violence by a legal representative against a child
38. Improve the system for the prevention and identification of children's ill-treatment, including prosecution of offenders in court and punishment of the perpetrators.

39. Introduce equipped rooms ("green rooms") for surveys and examinations among children.
40. Identify institutions that will provide qualified psychological support to children who have suffered from sexual exploitation and violence.
41. Conduct training for social workers, police officers, educational institutions, health care, penitentiary services, boarding schools and other professionals in the field of child rights protection on the identification of violence, effective response to such cases and prevention of violations of children's rights.
42. Ensure wide public awareness, first of all about children, about negative nature of child abuse and domestic violence, the need for careful attitude to this phenomenon and protection mechanisms.
43. Provide regular education and development of parenting skills, especially among families at risk. Conduct information campaigns to promote zero tolerance towards violence against a child, in particular, as one of the ways of upbringing.
44. To increase the capacity of the psychological service of educational institutions to timely identify and respond effectively to cases of psychological violence against children.
45. Start training for obstetrician-gynecologists, pediatricians and psychologists to work with women who have undergone a female circumcision. Conduct work on preventing violence against girls.

Family environment and alternative care

46. Bring in line Article 143 (paragraph 3) of the Family Code on the possibility of depriving a child with a disability in a maternity hospital with the Article 9 of the Convention.
47. Create an effective mechanism for protecting the rights and interests of unaccompanied or separated children-migrants in Ukraine and unaccompanied or separated children - citizens of Ukraine abroad. Initiate new bilateral international agreements in this area based on Convention on the Rights of the Child and General Comments of the Committee of the Rights of the Child and replacing the outdated Agreement on cooperation between the member states of the Commonwealth of Independent States on the return of minors to their permanent residence and other documents.
48. At the legislative level, in particular Article 34 of the Law of Ukraine "On Local Self-Government in Ukraine", to determine the list of basic social services to be provided at the community level and the minimum package of state-guaranteed social services for children and families with children.
49. Introduce local budgets for the development of social services for children and families.
50. Implement the procedure for the formation of a state order for training of specialists regarding the provision of services for children and families at the community level, training of specialists in the field of children's rights protection, including children with disabilities, in accordance with real quantitative needs. Develop a state

standard to determine the number of social professionals to the number of children in the community.

51. Develop and implement effective measures to monitor processes and overcome manifestations of hidden social orphanhood.
52. Ensure observance of child rights in the process of adoption, in particular taking into account her/his thoughts, as well as eliminating corruption schemes. Enable compulsory preparation of children and potential parents for adoption.
53. Ensure the priority of adopting children from institutions to children placed in family care. To abolish discriminatory legislation on the possibility of termination of the functioning of a family-type orphanage and foster family in the absence of assistance from foster parents in adopting their fostered children by other citizens.
54. Develop and approve the standard of social support and determine the indicators of the quality of the relevant social services regarding:
 - parents whose children were removed without deprivation of parental rights;
 - parents who are deprived of parental rights and intend to apply to the court on the renewal of parental rights;
 - families with children and single mothers who intend to leave the child in a maternity or other health facility;
 - parents whose children are educated in childcare institutions.

Disability, basic health and welfare

55. Provide statistical information on quantitative and qualitative indicators for children with disabilities, children with developmental problems and children with special educational needs.
56. Ensure all children with disabilities and their families are included in social protection programmes and social services according to their needs, including affordable day care services.
57. Expand economic opportunities, scholarships or social guarantees for parents / guardians, taking into account additional requirements for the care of children with disabilities.
58. Ensure effective inter-departmental cooperation to develop early identification and intervention services.
59. Ensure inter-departmental cooperation while assessing the needs of the child with disabilities, developing an individual rehabilitation program and follow-up, with particular attention to children affected by mines / explosive remnants of war. Provide a unified approach to the development of an individual rehabilitation program.
60. Actively involve affected by mines/explosive remnants of war in participating in government programs or initiatives on the economic and social integration of persons with disabilities.
61. Develop regulations for the professionals to inform parents about the child's diagnosis in accordance with modern ethical and medical deontology requirements.
62. Ensure the architectural accessibility of educational institutions and other facilities providing services for children with disabilities.

63. Legally provide an access to free medical care, including diagnosis, vaccination and treatment to individuals and their children who seek protection in Ukraine.
64. Improve the legislative protection of the right of HIV-infected children to health, access to health care and life. Develop and implement effective mechanisms for protecting the rights of the child to timely screening and adequate treatment at the local level.
65. Take effective measures to implement the "State Drug Policy Strategy by 2020". Develop the National Action Plan, mechanisms for its implementation, and provide adequate funding for activities, primarily those aimed at protecting the rights of the child.
66. Conduct research on the scale and causes of refusals to provide treatment to HIV-infected children. According to the results of the study, develop proposals for an action plan to overcome this problem.
67. Ensure implementation of the assigned functions at the state institution "Center for Mental Health and Monitoring of Drugs and Alcohol of the Ministry of Health of Ukraine" regarding the establishment and maintenance of a united base of rehabilitation centers of all forms of ownership, indicating those centers that provide services to women (incl. with children) and minors, as well as providing access to this information to the general population.
68. Develop and improve existing standards and protocols for the rehabilitation of juvenile drug users. Improve the quality of rehabilitation services for minors by developing effectiveness criteria, creating an adequate system of licensing rehabilitation services and monitoring the quality of services.
69. Establish systematic work on the prevention of dependencies at schools through training of psychologists, social educators and other relevant specialists, development of methodological recommendations, preventive work with parents and students in accordance with best international practices.
70. Increase the qualifications of medical staff regarding disclosure of HIV status for children and teenagers.
71. Conduct information campaigns on ways of HIV transmission, the importance of timely screening and the consequences of failure to treat HIV infection.

Education, leisure and cultural activities

(the right to education, including vocational training and orientation, human rights education and civic education)

72. To take all possible actions to immediately cease unlawful attacks and threats of attacks against schools, students, and teachers and to refrain from actions that impede children's access to education, as well as to announce endorsement of the *Safe Schools Declaration*⁶, which has been supported by more than 90 countries since its launch at the Oslo Conference on Safe Schools in May 2015.
73. Guarantee the right to receive pre-school and school education, regardless child or his/ her parents' place of residence or registration.

⁶ Адреса доступу:

http://www.protectingeducation.org/sites/default/files/documents/safe_schools_declaration_ukrainian.pdf

74. Create the appropriate conditions for the implementation of the right of residents from Temporary Occupied Territories (TOT) to receive education on the GCA through the introduction of positive actions (in particular, the simplified procedure for the admission of children to any higher education institutions in the GCA).
75. Solve the problem of insufficient number of preschool educational institutions by promoting the development of various forms of day-care and education of a child of preschool age.
76. Provide pre-school education to Roma children by creating alternative pre-school establishments (short-term preschool groups, mobile kindergartens, etc.). Inform parents about such opportunities.
77. Encourage the involvement of Roma community representatives in the educational process by creating a cultural mediator or educational assistant at schools in which Roma children study.
78. Provide teacher training to work in multicultural environment; to develop relevant innovative teaching methods in order to strengthen the integration of Roma children into the educational system.
79. Adopt the National Program on Human Rights Education with the further development of the state standards and the system of financial and operational support for its implementation. To involve NGOs in these processes.
80. Ensure conduct of the events to raise children's awareness about their rights.
81. Organize systematic compulsory education on human rights / child rights for all categories of pedagogical staff, involving specialists in the field of human rights / child.
82. Ensure the involvement of experts on human rights including non-governmental organizations with practical experience in human rights education and human rights activities to conduct the examination of school textbooks.
83. Enhance awareness of children with disabilities, their parents and the general public on the right of the child to education, including inclusive education, and to conduct a campaign to inform citizens about the benefits of inclusive education for the entire community. Eliminate barriers to inclusive education comprehensively to promote the development of "equal conditions", including when it comes to examinations and assessments.
84. Ensure access to education for asylum seekers in Ukraine, including vocational and higher education on equal footing with the citizens of Ukraine, in particular through the regulation of the documents list identifying a person in the USEED⁷. Develop clear guidelines for schools on enrollment, definition of prior education and training for refugee children and asylum seekers.
85. Include refugee children, children who need additional and temporary protection; children whose parents filed applications for recognition as refugees or persons in need of additional or temporary protection and children separated from their families, children of migrants, children of national minorities and indigenous

⁷ The Unified State Electronic Educational Database

peoples, in particular Roma and Crimean Tatars, gifted children into the categories of children with special educational needs leaving the list open⁸.

Special protection measures

86. Develop a state social standard for social integration and reintegration services for refugees and asylum seekers.
87. Introduce a mechanism for granting the status of a child deprived of parental care for children separated from the family who have applied for protection in Ukraine. To improve the mechanisms for determining the age and level of development of such children, taking into account the national and cultural characteristics of the child, as well as taking into account information about the country of origin.
88. Enable an individual who can actually confirm the knowledge of a rare language to be included in the Translator's Reference Information Register⁹.
89. Ensure adequate funding and implement the Action Plan for the implementation of the Strategy for the Integration of Internally Displaced Persons and the implementation of long-term decisions on internal displacement for the period up to 2020¹⁰.
90. Prior to the successful implementation of long-term decisions on temporarily displaced persons, provide internally displaced families with sufficient targeted assistance to meet housing and social needs. Attach the size of the targeted help of the internally displaced persons to the social state standard (living wage).
91. Improve the regulatory framework and its implementation mechanisms for effective monitoring and identification / recognition of new psychoactive substances to be drugs in accordance with the established list of drugs, psychotropic substances and precursors.
92. Strengthen control and improve the regulatory framework and its implementation mechanisms for effective monitoring, documentation and closure of drug sales through Internet sites and other Internet channels, in particular the Telegram messenger.
93. Take measures to strengthen the support of the National Children's "hot" line, to ensure its accessibility for children.
94. To amend the Criminal Code in order to strengthen the responsibility of individuals who encroach on the honor and dignity of children, receive sexual services from children, are involved in prostitution and trafficking.

⁸ In accordance with Part 8 of Article 19 of the Law of Ukraine "On Education", the categories of persons with special educational needs are determined by Acts of the Cabinet of Ministers of Ukraine. According to the Law on Education, a person with special educational needs is a person who needs additional permanent or temporary support in the educational process in order to ensure her/his right to education

⁹ Official portal of the State Migration Service, Reference and information register of translators, link: <https://dmsu.gov.ua/translate1/>

¹⁰ Order of the Cabinet of Ministers of Ukraine dated November 21, 2018 No. 944-p "On Approval of the Plan of Measures on the Implementation of the Strategy for the Integration of Internally Displaced Persons and the Introduction of Long-term Decisions on Internal Movement for the Period until 2020", link: https://www.kmu.gov.ua/ua/npas/pro-zatverdzhennya-planu-zahodiv-z-realizaciyi-strategiyi-integraciyi-vnutrishno-peremishchenih-osib-ta-vprovadzhennya-dovgostrokovih-rishen-shchodo-vnutrishnogo?fbclid=IwAR2Vc3fuTS0MKMKX85E8h3HPUX5_QkXhDzap2Vjx4f1J1IP3wGJP1IANc-I

95. Develop indicators for identifying trafficked children as part of the process of establishing the status of children affected by trafficking.
96. Ensure compulsory social rehabilitation of children involved in sexual exploitation or trafficking.
97. Introduce special training to juvenile policemen, investigators, psychologists, lawyers, prosecutors, judges on work with children who have suffered from crimes, including sexual violence.
98. Conduct information and awareness campaigns to prevent the risk of human trafficking and access to assistance.

Children in the armed conflicts, including physical and psychological rehabilitation and social reintegration

99. Systematize legislation and approaches for the protection of children affected by armed conflict, in particular by formally declaring (adopting) a state policy for all children affected by the conflict.
100. Introduce, at the level of state statistical reporting, the collection of information on the number of killed children and children who, as a result of armed conflict, were injured, contused, received disability, including the definition of their needs in accordance with the trauma.
101. Ensure the development and implementation of programs for rehabilitation and psychosocial support for children who have suffered as a result of hostilities and armed conflicts, including for children who participated in the activities of armed groups. Ensure continuous counseling and psychological support for children affected by mines / explosive remnants of war based on regularly monitored needs.
102. To amend the Law of Ukraine "On the Status of War Veterans, Guarantees of Their Social Protection"¹¹, which extend the status of persons with disabilities as a result of the war on individuals (children in particular) living in the territory of the occupied regions of Donetsk and Lugansk oblasts and wounded, contused or injured after December 1, 2014, as well as on civilians (children in particular) that have suffered health disorders as a result of diseases caused by military actions or their consequences on the territory of ATO and United Forces Operation.
103. Provide economic and social benefits for children affected by mines / explosive remnants of war in the process of developing sub-normative acts to the Law on Mine Action in Ukraine¹².
104. Conduct an assessment of the medical facilities of all levels in the Donetsk and Luhansk oblasts regarding the material and technical potential to support mine victims/ persons suffered from explosive remnants of war and the population affected by the conflict.
105. Conduct a clinical assessment of the psychological impact of armed conflict on different groups of the population¹³, which will be the basis of the state strategy

¹¹ Provided in Article 7 of the Law

¹² The document is available here: <https://zakon.rada.gov.ua/laws/show/2642-19>

for providing psychological assistance and psychosocial adaptation to mine victims/ persons suffered from explosive remnants of war. To conduct a study on the socio-economic impact of the incident on children affected by mines/ explosive remnants of war¹⁴.

106. In a longer term, to improve the system of provision and maintenance of prostheses, as well as the introduction of a wider range of technologies (for auxiliary devices inclusive), based on international experience.

¹³ Differentiated, for example, by age, geography, profession, socio-economic status. The assessment should be conducted in order to achieve a more informed understanding of the requirements for overcoming psychological trauma.

¹⁴ This is especially important in identifying educational perspectives and prospects for a future career and the lives of affected children.