The Permanent Mission of Ukraine to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and, referring to the Office’s letter of April 13, 2021, has the honour to transmit herewith the information provided by the Ministry for Reintegration of the Temporary Occupied Territories of Ukraine and The State Emergency Service of Ukraine in connection with the preparation of the thematic report according to resolution 45/29 entitled «Promoting, protecting and respecting women’s and girls’ full enjoyment of human rights in humanitarian situations».

The Permanent Mission of Ukraine to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Enclosed: as stated, on 5 pages.

Y. Y.

Geneva, June 28, 2021

Office of the United Nations
High Commissioner for Human Rights

Geneva

geneva.mfa.gov.ua
Information provided by the Ministry for Reintegration of the Temporary Occupied Territories of Ukraine and the State Emergency Service of Ukraine in connection with the preparation of the thematic report according to resolution 45/29 entitled «Promoting, protecting and respecting women’s and girls’ full enjoyment of human rights in humanitarian situations»

Regarding the human rights concerns and violations that women and girls in all their diversity may face in humanitarian settings, including factors increasing their vulnerability.

The UN recognizes that civilians, including women and children, representing the vast majority of the population, are affected by armed conflicts around the world. Approximately 2.7 million people, affected by the armed aggression of the Russian Federation against Ukraine, live in eastern Ukraine, within 20 kilometers on both sides of the contact line. At the same time, the total length of the contact line between the Government-controlled and temporarily occupied territories of Donetsk and Luhansk regions amounts to more than 420 kilometers. Most of those people (almost 2 million) are women, children and elderly persons.

In addition, the armed aggression of the Russian Federation against Ukraine destroys victim's protection systems. In 2017, the Committee on the Elimination of Discrimination against Women noted in its concluding observations on Ukraine’s eighth periodic report that impunity continued for human rights violations and harassment committed during the crisis in the State party, including in the temporarily occupied territories of Donetsk and Luhansk regions.

According to the study on women’s rights in the context of the armed aggression of the Russian Federation against Ukraine, it was identified that gender-based violence during the conflict is more common due to a number of factors, including: military presence, low security, widespread actual or expected impunity for perpetrators, economic crisis, destruction of existing family structures and weakening of communities, vulnerability at various levels due to forced displacement, constant psychological pressure, complete or significant lack of rule of law and insufficient or lacking infrastructure, including institutional services.

Moreover, women and girls continue to suffer from restrictions on freedom of movement and lack of basic services, which has negatively affected their social and economic rights with limited number of the entry-exit checkpoints along the contact line blocked by the Russian armed forces in the temporarily occupied territories of Donetsk and Luhansk regions.

Regarding the different stakeholders involved in/responsible for contributing or otherwise preventing and responding to abuses and violations of the human rights of women and girls in humanitarian settings.

This list includes, in particular, the following stakeholders: Ministry of Social Policy of Ukraine; Ministry of Justice of Ukraine; Ministry of Internal Affairs of Ukraine (State Emergency Service of Ukraine, hereinafter - SES);
Ministry for Reintegration of the Temporarily Occupied Territories of Ukraine (hereinafter – MinReintegration);
General Prosecutor of Ukraine;
Ministry of Foreign Affairs of Ukraine;
International humanitarian organizations;
National non-governmental humanitarian organizations.

Please provide information on the different accountability mechanisms that operate in your context. (E.g. judicial and non-judicial mechanisms; truth-seeking initiatives; community-based and social accountability initiatives; investigative and independent monitoring and/or reporting bodies, community complaint mechanisms; parliamentary-led oversight etc.). Please provide concrete examples of good practices and lessons learned related to the attention by these mechanisms to women and girls’ human rights violations occurring in humanitarian settings.

Monitoring and documenting human rights violations and violations of international humanitarian law (hereinafter - IHL) in the Ukrainian territories temporarily occupied by the Russian Federation is a prerequisite for the implementation of transitional justice measures - part of the transition period, as well as the implementation of reintegration policy.

The MinReintegration is working to create a register of human rights violations and a register of damages caused to the state, individuals and legal entities due to the armed aggression of the Russian Federation. The system will include: monitoring and collecting information on human rights violations to further consolidate this data into a further claim against the aggressor state. This mechanism will also allow for the realization of the right to the truth.

It should be noted that the establishment of the state system of monitoring and documentation of human rights violations, IHL and other violations committed during the armed aggression of the Russian Federation is based on the following principles, inter alia:
- development and adoption of regulatory, technical, methodological documents to ensure the establishment and operation of the database of violations;
- collection of data on violations and exchange of such information between state authorities and law enforcement bodies; work with data sources and victims/witnesses; including them in the process as a subject of restoration of justice;
- ensure maximum protection of victims/witnesses, in particular their personal data, mental safety during the interview, obtaining informed consent to any action related to these persons;
- cooperation between the state authorities for the use of data to ensure the implementation of transitional justice measures, reintegration policy, the implementation of internal and external public policies;
- fair distribution of compensation and reparations, and the like.

At the end of December 2020, the MinReintegration completed drafting the law On the state policy of the transition period, which included gender equality component.

What are the barriers women and girls face in reporting and seeking justice, as well as protection, redress and reparations for violations of their human rights
in humanitarian setting, including women and girls who face intersecting form discrimination?

The main barriers are following:
- continuation of blocking by the representatives of the occupation administrations of the Russian Federation in the temporarily occupied territories of Donetsk and Luhansk regions of the road corridors in front of entry-exit checkpoints;
- the occupation authorities of the Russian Federation prevent the access of international humanitarian organizations to carry out their operations in the temporarily occupied territory of Ukraine.

Please provide examples of concrete measures taken by your Government or organization to support accountability for the rights of women and girls in humanitarian settings.

The previous experience of armed conflict contexts, as part of a case study on mechanisms for accountability for violations of the rights of women and girls in humanitarian situations, may be useful.

The State Emergency Service (SES) of Ukraine fulfills the National Action Plan of Ukraine in the light of the UN Security Council Resolution 1325 "Women, Peace, Security" to implement a gender policy to ensure equal rights for women and men in the SES.

In particular, the SES system performs tasks to ensure:
- equal treatment and equal career opportunities for men and women;
- uniform, gender-non-discriminatory conditions for the recruitment and training of women, their recruitment and dismissal from the SES;
- providing equal opportunities for women and men to combine professional and family responsibilities, the right to receive parental vacations (leave to care for a child under the age of three, granted, including men), additional vacations for employees who have children (and unpaid leave too) in the manner and on the grounds provided by current legislation of Ukraine.

To form the institutional capacity of gender policy specialists in the SES system, personnel related measures were taken to integrate a gender approach into the system of SES units:
- a coordinator for ensuring equal rights and opportunities for women and men, prevention and counteraction to gender-based violence at the rank of the SES Deputy Head;
- Gender Equality Sector was created in the SES HQ;
- a gender commissioner is appointed from among the vice-rector, a freelance gender advisor (on a voluntary basis) and a specialist on gender equality are appointed in civil defense educational institutions;
- in the territorial bodies and subdivisions of the SES, one person is appointed, to whose official duties gender issues are added.

Normative legal acts drafted by the SES (according to the Conclusions of the Gender Legal Examination) do not contain facts and preconditions of discrimination on the ground of sex.

At the regulatory level, women and men have equal rights to study within the educational system and services in the SES units. At the same time, the analysis of the statistics and the results of measures taken in the implementation of national legislation, in particular NAP 1325, indicate the need to deepen the
analysis of conditions and ways to improve existing conditions ensuring equal rights and opportunities for women and men.

The SES has implemented the software Unified Authorized Personnel Accounting System of the SES of Ukraine. The program provides for gender analysis of personnel accounting, including career prospects.

There is a positive trend in the SES system to increase the number of women in the service and in decision-making positions. According to the legal requirements, the number of women in decision-making positions in the SES system increases by an average of 1.5-2% annually.

The gender aspect is integrated into the process of collecting statistical reports. The SES participates in the development by the State Statistics Service of Ukraine of the unified gender-responsive reporting forms, namely gender distribution and the mechanism of analysis.

In accordance with the Decree of the Cabinet of Ministers of Ukraine #1517-r of 2 December 2020 "On data collection issues for monitoring gender equality" the SES is undertaking the analysis of the current reporting forms. Units of the SES report every six months until the 10th day of the following month of the reporting year on the following indicators:

- total number of employees in the SES bodies and departments; the number of employees in decision-making positions (not less than the deputy head of the department / head of the sector, the number of civil servants (employees), the number of members of the rank and file and senior staff of the civil protection service;
- the number of employees with disabilities;
- the number of ordinary and managerial staff and employees who are on childcare leave;
- the number of employees who receive a pension and continue to work in the bodies and departments of the SES system;
- the number of single mothers / fathers raising children under 18;
- the number of members of the rank and file and employees who got sick, injured, got shell shock and mutilations during their stay in the area of Anti-Terrorist Operation / Joint Forces’ Operation (ATO/JFO);
- the number of privates and officers and employees who died in the area of ATO/JFO;
- the number of privates and officers and employees who have received the status of "Participant in hostilities" in connection with direct participation in the area of ATO/JFO;
- the number of ordinary and managerial staff and employees who work and study in freelance education by correspondence;
- the number of graduates in the SES of the SES as of the reporting period (year) (full-time / part-time);
- the number of cadets (students) who joined the civil protection educational institutions (CPEI) as of September 1 of the reporting year (full-time / part-time);
- the number of members of the rank and file and officers involved in the international peacekeeping operation;
- the number of ordinary and managerial staff and employees who have the status of internally displaced persons, etc.
The SES also took part in the development by the State Statistics Service of Ukraine of unified forms of statistical reporting taking into account the gender aspect, namely with the distribution by sex and the mechanism of its analysis.

The SES adheres to the principle of equal opportunities for admission to the CPEI. There are no restrictions on the admission of females to study at CPEI. During the 2020-2021 academic year, 517 cadets were admitted to the CPEI, including 73 girls (14%). Of the 476 graduates who graduated in 2020, 68 girls (14%) became rescue specialists in various professional fields.

Today, there are 35 disciplines in the CPEI, within which gender issues are considered. Curricula for legal disciplines in the training of specialists with higher education have been adjusted to include issues of UN Security Council Resolution 1325 on gender aspects. During in-service training with personnel, trainings on gender policy are conducted, issues of ensuring equal rights and opportunities for women and men are covered.

In order to inform employees of bodies and departments of the SES system and society about the implementation of gender policy in the activities of the Service on the official website of the SES, the functioning of certain sections is in place:

- “Gender Policy”, which covers materials on the implementation of gender aspects in the activities of the SES, training on gender issues by SES staff and conducting gender assessment activities in the SES system, and
- "Women’s Faces of the Rescue Service", which contains materials about the representatives of the SES who master the professions of the Civil Protection Service.

The SES website is constantly updated with news and materials on gender equality, on sports achievements of female rescuers of territorial divisions of the State Emergency Service as well as on the changes in the legislation of Ukraine on gender policy official internet representations of the legislature.

The Ministry of Internal Affairs of Ukraine and the UN Women in Ukraine have launched a gender assessment, the results of which will determine the next steps in the implementation of gender policy in the SES. This initiative is implemented with the support of the UN Women in Ukraine in the framework of the project "Gender Equality at the Center of Reforms, Peace and Security" with the financial support of Sweden. Through the tripartite cooperation, an analysis of the context, benefits and risks of the SES was conducted and based on its results, a comprehensive plan for gender assessment was developed and agreed, which includes 7 stages for the period up to September 2021.