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Project on strengthening and protecting women's and children's rights in Ukraine (TRES)

Achievements



PROJECT FACTS

Project Title	Strengthening and Protecting Women's and Children's Rights in Ukraine (TRES)
Country	Ukraine
Budget	€ 1 200 000
Funding	European Union/Council of Europe
Implementation	Council of Europe (Judicial Co-operation, Trafficking and Sexual Exploitation Unit, Directorate General of Human Rights and Legal Affairs)
Duration	31 months (29 August 2008 – 28 March 2011)
Project recipients	Ministry of Ukraine for Family, Youth and Sport ¹ (main partner) Parliament Ministry of Justice Ministry of Interior Ministry of Labour and Social Policy Ministry of Education and Science Supreme Court, Judiciary General Prosecutor's Office Ombudsperson Health and social service agencies NGO's
Project inception	The project started in September 2008 with a three-month inception phase that ended with the launching conference in December. This phase established the basis for the project.

OBJECTIVE

The focus of the project is to help decision makers and all relevant stakeholders to put existing Ukrainian legislation, practices and mechanisms in conformity with the European standards as regards protection of children against sexual exploitation and abuse, gender equality and protection of women and children against violence.

To achieve its objective, the project was split into four outputs:

Output 1 - To enhance skills on standards and required reforms with regard to gender equality and children's rights and issues in line with the European Social Charter (revised);

Output 2 - To draft a legal compatibility study which will address to what extent relevant Ukrainian legislation is in line with European standards and identify areas that need improvement with regard to prosecution and prevention of violence against women and children;

Output 3 - To prepare new scenarios regarding the existing legal framework for the prosecution and prevention of violence against women and children;

¹ The names of the ministries remain as at the time of signature of the project.

Output 4 - To revise and reform legal framework, policy and practices for dealing with sexual exploitation and abuse of children in line with the standards of the Council of Europe Convention on the Protection of Children against sexual exploitation and sexual abuse (CETS 201).

RESULTS

OUTPUT 1

Several activities were undertaken in the framework of the project aimed at enhancing skills on standards and required reforms with regard to gender equality and children's rights and issues, in line with the Revised European Social Charter.

Worth noting is **the comparative analysis of the guarantees of children's rights and gender equality** in different European States undertaken by the project. The survey helped Ukrainian authorities to:

- build a modern national policy aiming at overcoming the deficiency of gender sensitivity;
- set up systematic approach to women's and children's rights;
- improve the implementation of the European Social Charter (revised) which Ukraine has ratified.

In addition to the relevant recommendations elaborated during various meetings and conferences, the project's impact has also been strengthened through activities aimed at ensuring sustainability of achieved results. In particular:

- **training curricula with regard to gender equality and children's rights** for the representatives of relevant professional groups **were elaborated, tested and evaluated** during two pilot training courses;
- **the Manual "Protecting Women's and Children's Rights by the Judicial and Law Enforcement Authorities of Ukraine"** was set up, published and disseminated.

This created conditions for further sustainable use of the project's output by the authorities after the implementation period of the project.

Awareness throughout key representatives of the society regarding gender equality standards has improved: around 700 representatives of central and regional authorities, responsible for the required reforms and the implementation of the legislation with regard to gender equality and children's rights have been trained.

Civil servants from the education and social sectors were provided with **relevant texts in Ukrainian on women's and children's rights under the European Social Charter**, in particular excerpts from the case law of the European Committee of Social Rights.

OUTPUT 2

A legal compatibility study which addressed the extent to which relevant Ukrainian legislation was in line with European standards and identified areas that needed improvement, **with regard to the prosecution and prevention of violence against women and children, was prepared and made available** to Ukrainian authorities.

Worth mentioning is that the study was prepared by national experts, thus contributing to the sustainability of the project results in the long term and capacity building within Ukraine and within Ukrainian institutions. The results of the compatibility study were discussed in the Verkhovna Rada.

As a result of the findings of the study and the recommendations contained therein, **the general assembly was convened** on 22 December 2010 by the Speaker of Verkhovna Rada **to discuss the need for legislative changes in order to enhance the protection of children's rights.**

OUTPUT 3

The project provided **legal expertise and advice as regards violence against women and children.**

A legal expert opinion on the draft amendments to the law on domestic violence was carried out and submitted to the Ukrainian authorities to support the process of improving the legislative framework in line with European standards regarding women's and **children's rights.**

The debate on violence against children, including no spanking, **was initiated** at governmental and parliamentary levels.

Social workers from all the regions of Ukraine, specialists in the area of state social service, **were provided with tools to shape the practice with regard to the work with perpetrators of domestic violence.**

A study visit to Slovenia and Bulgaria for the Ministry for Family, Youth and Sport and the Ministry of Justice staff enhanced their **knowledge in the field of gender policy, the prevention of domestic violence and the fight against human trafficking**, as well as allowing them to explore common objectives for co-operation.

The Committee on labour and social policy of the Verkhovna Rada **was provided with data on social assistance for families with children in certain European countries.**

Skills of the police, prosecutors and judges **in tackling the cases of domestic violence** are strengthened: the project assisted the Ministry of Internal Affairs in **finalising and publishing the Recommendations for the Law Enforcement Authorities on the Prevention of Domestic Violence.**

The project **finalised and promoted the Ukrainian version of the Council of Europe Policy Guidelines on integrated national strategies for the protection of children from violence** in order to enhance the human capacities of key institutions dealing with violence against children.

OUTPUT 4

Throughout the project, it was envisaged that national legislation complies with the **Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No 201)**, which in its Article 13, recommends the establishment of **child helpline services as assistance to sexually abused children.** Therefore, the Council of Europe facilitated two workshops on possible ways of implementing Article 13 of the Convention and,

as a direct result, a **Task Force was formed and an action plan for building this instrument was set up**. The Ukrainian authorities were provided with detailed recommendations concerning the implementation of the instrument. The project has prepared the ground for including Ukraine within the Child Helpline International network as its full member (after the first above mentioned workshop the country has got the status of a potential member).

In view of enhancing the **ratification process and the implementation of the Convention CETS No. 201** and identifying legislative measures for an effective protection of children against sexual violence, the project supported efforts aimed at introducing European standards regarding children's rights to the national legislation, the standards of reference being in particular the provisions of the Convention CETS No. 201 and relevant provisions of the Convention on Cybercrime (article 9 on child pornography).

With the support of the project, the Ukrainian authorities set up in August 2009 an **interministerial working group for the ratification of the Convention CETS No. 201**, led by the Ministry of Justice. The project provided the working group with international expert advice as to the criminal measures against the abuse of children for pornography and prostitution purposes. As a result, the draft law on the amendments to the relevant national provisions was submitted by the Ministry of Justice to the public consultation, then to the Ministry of Foreign Affairs and finally to the Administration of the President. **Preparation of the ratification of the Convention CETS No. 201 is in its final stage.**

The Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197) has been ratified.

Further to the working session of the **Working Group on the development of effective legal instruments to protect children against sexual exploitation and sexual abuse set up** within Verkhovna Rada, which was supported by the project, a **draft law on the amendments to the Ukrainian Criminal Code and Code of Criminal Procedure** regarding interviews with the child victim or witness **was drafted and registered in Verkhovna Rada** on 8 November 2010. The Committee on Legal Support of Law Enforcement Activities recommended the Verkhovna Rada to approve the draft law.

The project helped **building policy and practice for dealing with sexual exploitation of children through the support to the monitoring of court practice** in cases of sexual exploitation and abuse of children, as well as of violence against women and children. The results of the monitoring were published and included into training materials for relevant target groups.

A study visit to Estonia for Members of Verkhovna Rada and the Ministry of Justice, Ministry for Family Youth and Sport and Ministry of Interior staff **improved their skills for dealing with child victim or witness of sexual offences**. It also **contributed to the registration in Verkhovna Rada of the above mentioned draft law** on the amendments to the Ukrainian Criminal Code and Code of Criminal Procedure **regarding interviews with the child victim or witness**.

Skills regarding the prevention and prosecution of cases of sexual exploitation of children, including child prostitution and child pornography, are enhanced. Around **800 representatives from the police, prosecution, judiciary and social service were trained on issues related to the sexual exploitation and**

abuse of children, including assistance to child victims of sexual offenses and exploitation of children **via internet**.

Awareness raising and tools available among the police, social workers and other professional groups as well as NGOs regarding **the prevention of human trafficking and sexual offences via internet** are enhanced.

Educational prevention programs for children and youths in the field of human trafficking were initiated and tools for dealing with this issue are available. In particular, to improve child protection, the project assisted Ukrainian authorities in drafting guidelines offering classroom “best practice” to explain the perils of sexual and labour trafficking. The **Guidelines “Prevention of human trafficking - lesson in secondary schools” were published and distributed** to the teachers in all the regions and the educational prevention programs for children and youths in the field of human trafficking, including for sexual purposes, were launched and implemented. Around 200 teachers and public officers from the education sector improved their skills as regards discussing human trafficking issues with children and youths in order to prevent to become a victim.

To ensure effective access to justice for children, the project translated **Council of Europe Guidelines on child friendly justice** and promoted them among its main partners.

Judges from ten regions of Ukraine were provided with practical information on various aspects of **cases related to the participation of minors in court proceedings and to cross-border human trafficking**.

IN GENERAL

Ukrainian authorities were provided with **general conclusions and recommendations of the project** as regards Ukrainian policy, institutional and legislative issues, implementation mechanisms and practices in line with the European standards in the field of gender equality and children’s rights.

The Project developed or translated into Ukrainian a **number of publications to serve as information materials** for practitioners dealing with women’s and children’s rights issues:

- Guidelines "Prevention of human trafficking – lesson in secondary schools"
- Council of Europe Policy Guidelines on integrated national strategies for the protection of children from violence
- Training curriculum "Main components of gender approach for advisers acting with Ukrainian public authorities"
- Training curriculum "Ways of integrating the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201) in the Ukrainian criminal procedure"
- Manual "Protecting women’s and children’s rights by the judicial and law enforcement authorities of Ukraine"
- Summary on Social Assistance for Families with Children in certain European Countries
- Guidelines of the Committee of Ministers of the Council of Europe on Child-friendly justice

- Recommendations for the Law Enforcement Authorities on the Prevention of Domestic Violence
- Recommendations as regards Ukrainian Policy, Institutional and Legislative Issues, Implementation Mechanisms and Practices in line with the European Standards in the Field of Women's and Children's Rights
- Study on the compatibility of the Ukrainian legislation with the European and international standards as regards prosecution and prevention of violence against women and children
- Implementation of international standards related to investigation, prosecution and procedural law in cases of sexual exploitation and sexual abuse of children (Workshop Proceedings)
- Protecting Women and Children through Human Rights based Instruments (International Conference Proceedings)
- The judge facing child abuse and human trafficking (Workshop Minutes)
- Protective measures and assistance to child victim of sexual exploitation and sexual abuse (Workshop Proceedings)

The project launched **regular meetings between international organisations dealing with activities in the field of women and children protection in Ukraine** (ILO, UNDP and UNICEF) with the aim to promote best practices on the women's and children's rights protection mechanism. UNDP, ILO and UNICEF, **which operate programmes on related topics also funded by the European Union**, have been invited as observers to the Steering Committee. NGOs were included in all target groups of the project.

SOME FIGURES

In view of the implementation of the activities and **achievement of its results**, the project held **142 meetings** consisting of seminars, workshops, Steering Committee meetings, expert meetings and round tables, 3 International and Regional Conferences. Furthermore, **3 Study visits**, 1 Legal expert opinion, the drafting of several documents and provision of practical tools including manuals, training curricula, analysis of court practices, proceedings, draft amendments to the laws, and **14 publications**.

The project team attended several (**around 70**) events organised by other institutions, related to the objectives of the project which contributed to the **establishment of a network of national and international experts available for co-operation** with the project and not only enhanced its visibility but also the **visibility of the Council of Europe and European Union and their action in the areas of human rights, rule of law and democracy**.

With around **1700 civil servants, judges, law enforcement professionals and prosecutors trained**, the scale of recipient's information has significantly increased over 31 months of project's work in the field of gender equality and children's rights.

The project has produced significant results in its implementation due to the active involvement and participation of the beneficiaries, targeted training delivered and the quality of expertise provided by **94 national and 63 international experts from 20 countries and 18 organisations**.

FOLLOW-UP

The Steering Committee meeting in November 2010 pointed out that to ensure both the full impact and sustainability of the project, **further support to the Ukrainian authorities with a follow-up project is recommended.**