



Ukraine – Researched and compiled by the Refugee Documentation Centre of Ireland on 1 November 2011

General information on children; health/medical facilities; education.

A report by the *United States Department of State* under the heading 'Children' states:

"Citizenship is determined by birthplace or by parentage. A child born on the territory of the country in a family of stateless persons residing permanently in the country is a citizen. The law requires that parents register a child within a month of birth.

While education was free, universal, and compulsory until age 15, the public education system continued to suffer from chronic underfunding, and children from poor families continued to drop out of school before turning 15.

More than 20,000 children did not attend school, according to a 2009 report by a coalition of 14 children's rights NGOs. The report, which covered the period 2002-08, was presented to the UN Committee on the Rights of the Child. Many children were employed in agriculture and illegal coalmines or, in some cases, forced by their parents to beg. NGOs reported that a lack of schooling remained a significant problem among the rural population and within the Romani community. In some cases rural schools were closed due to the small number of school-age children, forcing children to travel long distances, often at personal expense, to attend schools in other villages.

Children continued to be victims of violence and abuse. According to the Ministry of Internal Affairs, in the first eight months of the year, 8,156 minors were victims of crime, including 45 of intentionally inflicted bodily injury. The PGO confirmed that, in the first nine months of the year, 52 crimes involving child rape and attempted rape were recorded; 87 minors were raped, compared with 110 during the same period in 2009." (United States Department of State (8 April 2011) *2010 Human Rights Reports: Ukraine*)

This report also states:

"On June 1, the parliament amended the Criminal Code to increase from eight to 10 years the minimum imprisonment term for child rape. The amendment also increased to 15 years the maximum prison term for persons 'satisfying sexual passion in perverted forms.' Molesting children under 16 is punishable by imprisonment for up to five years. The same offense committed against a child under 14 is punishable by imprisonment for a term of five to eight years.

According to the Ministry for Family, Youth and Sports, the number of street children dropped from 42,000 in 2005 to approximately 22,000 in 2009 and 14,720 during the first nine months of this year as a result of government efforts. The ministry reported that as of September there were 88 children shelters across the country in all oblasts and the cities of Kyiv and Sevastopol. The shelters have a capacity for 3,370 children; during the first six months of the year, 6,977 children came to these shelters.

The country is party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction..." (ibid)

In a section titled 'Persons with Disabilities' it states:

"The Ministry of Education confirmed that there were 398 specialized secondary schools and boarding schools with a total of 46,480 children, including 54 specialized secondary schools in which 5,608 children with disabilities studied while staying with their families. In addition the Ministry of Education confirmed that there were 484 classes for children with disabilities in general secondary schools. These classes served 5,652 children." (ibid)

Another report by the *United States Department of State* under the heading 'Ukraine (Tier 2)' states:

"Children were most often forced into prostitution or forced to beg. The number of Ukrainian victims subjected to forced labor and forced prostitution within the country continued to increase. Homeless children or children in orphanages continued to be particularly vulnerable to trafficking in Ukraine." (United States Department of State (27 June 2011) *2011 Trafficking in Persons Report – Ukraine*)

In a section titled 'Protection' it states:

"In 2010, the government identified and referred to NGOs 449 new victims of trafficking, including 123 children, compared with 335 victims, including 42 children, identified in 2009." (ibid)

This report also states:

"The government continued to place child trafficking victims in temporary shelters for homeless children that do not offer specialized services for trafficking victims; some child trafficking victims were housed in juvenile detention centers." (ibid)

A report by the *United States Department of Labor* under the heading 'Prevalence and Sectoral Distribution of the Worst Forms of Child Labor' states:

"Children in Ukraine engage in the worst forms of child labor, in agriculture as well as in prostitution and pornography. Children's work in agriculture may involve using potentially dangerous machinery and tools, carrying heavy loads and applying toxic pesticides. Children also engage in street work, in which they may be exposed to many dangers, including severe weather and criminal elements or may be involved in vehicle accidents." (United States Department of Labor (3 October 2011) *2010 Findings on the Worst Forms of Child Labor – Ukraine*)

In a section titled 'Laws and Regulations on the Worst Forms of Child Labor' it states:

"The Labor Code sets the minimum age for employment at 16, and children who have reached age 15 can work with the permission of a parent. The Code allows for light work by children, but there is no minimum age for such work and the law fails to clearly define it. The Constitution, the Labor Code and the Workers' Protection Act prohibit children younger than 18 from working in hazardous conditions. The Ministry

of Health published a list of prohibited hazardous occupations in 1994. However, children age 14 to 16 in vocational training programs are not restricted from working in hazardous occupations. Ukraine's minimum age for such work is two years below the international minimum age for entering hazardous vocational training.

Article 150 of the Criminal Code outlaws the exploitation of children. Articles 304 and 309 of the code prohibit the engagement of children in illicit activities, including the production, purchase, storage, or transportation of drugs. Article 302 outlaws the use of children in prostitution." (ibid)

This report also states:

"Education is free and compulsory until age 17. Nevertheless, access to education is limited for rural and Roma children. In areas with low population density, some schools close due to the lack of school-age children, forcing children to travel to distant villages for school." (ibid)

A report by the *European Commission* under the heading 'Human rights and fundamental freedoms' states:

"Some progress has been achieved in the area of children's rights. The national legislation has been brought into line with the UN Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (UN CRC OPSC), as was recommended by the UN Committee on the Rights of the Child in 2007. In January 2010, Ukraine adopted a law to combat child pornography. For its part, the EU helped organise a series of regional seminars aimed at better implementing The Hague Convention on the Civil Aspects of International Child Abduction." (European Commission (25 May 2011) *Ukraine: "Implementation of the European Neighbourhood Policy in 2010; Country Report on: Ukraine [SEC (2011) 646]"*)

In a section titled 'People-To-People Contacts, Education and Health' it states:

"In 2010, particular attention was given to all levels of education, with new reform plans to accelerate convergence with the developments in the EU. Reform objectives include strengthening educational governance, improving quality and accessibility, and ensuring the continuity of education levels and financing. In August, the government identified pre-school education as a new reform priority. It adopted a concept for a state programme of pre-school education development to 2017, with objectives and benchmarks closely aligned with those of the EU's Education and Training 2020 targets.

The ministry of education and science initiated secondary curriculum reform in August with the adoption of two state programmes 2010 -15 to improve ICT, science and mathematics education and to enhance teaching skills. Secondary education was reduced from 12 to 11 years." (ibid)

A report by the *UN Children's Fund (UNICEF)* under the heading 'Establishing a protective environment for vulnerable children' states:

"An urgent challenge is the continuing spread of the HIV epidemic and the particular vulnerability of adolescents to HIV infection and other risks. Ukraine has the highest HIV infection level in Europe, with an adult prevalence rate of 1.1 per cent. While injecting drug use remains the primary route of HIV transmission, sexual

transmission is growing.” (UN Children's Fund (UNICEF) (February 2011)
Adolescence, an Age of Opportunity: The State of the World's Children 2011 – pg.44)

This report also states:

“Many Ukrainian adolescents between the ages of 10 and 19 live in unsafe environments. Although official figures are lacking, a large number of most-at-risk adolescents live and work on the streets. This puts them in a particularly risky situation, vulnerable to sexual and labour exploitation and violence, as well as to HIV risk behaviour and infection. Additionally, many adolescents on the streets face a high level of exclusion from education, health care and legal and social services.

Addressing the increasing prevalence of the HIV epidemic and protecting adolescents has become a major concern for Ukraine. Collaborative efforts between the Government and partner agencies are under way. For instance, since 2007 UNICEF has provided assistance to the Government in building an evidence base on most-at-risk adolescents, strengthening the capacity of local research institutions and developing national norms and standards and evidence-based programming on HIV prevention for these young people.” (ibid)

A report by the *Office of the United Nations High Commissioner for Human Rights (OHCHR)* states:

“The Committee on the Rights of the Child today examined the fourth periodic report of Ukraine on how it is implementing the provisions of the Convention on the Rights of the Child and Ukraine's initial report on the implementation of the Optional Protocol on children in armed conflict.

Introducing the reports, Ravil Safiullin, Minister in charge of the State Service of Youth and Sport of Ukraine, said that Ukraine had created a department of child rights in the office of the ombudsman for human rights and had adopted the national programme and action plan for child protection up to 2016. The number of children born in Ukraine had increased and the country had also seen a 17 per cent drop in infant and child mortality, due to technological advancements in health and the new integrated approaches to health services. The number of children with disabilities remained high at 2 per cent of the total child population and about 1.2 per cent of children were orphaned or without parental care. Ukraine had carried out an analysis of domestic laws and was preparing a reform to address the issues of child protection from exploitation and abuse and had introduced criminal responsibility for child pornography. Involvement of children less than 18 years of age in the armed forces was prohibited, but they could enrol in military academies with parental consent.” (Office of the United Nations High Commissioner for Human Rights (OHCHR) (28 January 2011) *Committee on the rights of the child reviews reports of Ukraine*)

A report by the *Council of Europe* under the heading ‘Roma children in schools’ states:

“The Advisory Committee has been informed that there is still a high level of absenteeism and lower school performance from Roma children when compared with non- Roma children. For example, according to the Uzhgorod authorities, only 30% of Roma children regularly attend school in this region. Roma representatives and non-governmental organisations claim that more needs to be done by the State authorities to reduce the drop-out rate of Roma children. In particular, further efforts should be made to encourage the attendance of Roma children in pre-school

education, which is often a prerequisite for their successful integration in mainstream schools.

The Advisory Committee is deeply concerned about reports pointing to the continuous existence of schools and/or classes of a much lower quality attended by Roma children exclusively. Roma are indeed often said to face discriminatory attitudes by some local authorities and/or school management when they try to enroll in mainstream schools. Such attitudes and practices lead to school segregation, which must be addressed as a matter of priority." (Council of Europe (30 March 2011) *Ukraine: "Second Opinion on Ukraine adopted on 30 May 2008 [ACFC/OP/I (2008)004]"* - pg.38)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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