



The Role of the European Union in Gender Equality Support in Ukraine

Gender Equality Fellowship Author: Liliia Antoniuk

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About the Author

Liliia Antoniuk has more than ten years of experience working in non-formal education, youth and women's empowerment, gender equality and human rights, diplomacy and the European integration of Ukraine. She has legal and sociology backgrounds. In particular, Liliia completed an MA in Gender, Society and Representation at the University College London and is currently working on her PhD at the Taras Shevchenko University of Kyiv and the University of Helsinki. Additionally, Liliia is the Executive Director of the NGO Women's League and a member of the Ukrainian Women Lawyers Association JurFem. In this regard, her interests include empowering teenage girls and young women from the rural areas and regions of Ukraine.

Research Stay

My total stay in Brussels lasted for three months which provided me with the opportunity to connect with stakeholders working in different areas, establish new partnerships and develop ideas for future cooperation. For the first month of my fellowship, I was hosted by Carnegie Europe Foundation and introduced to the programmes and projects run by the think tank as a part of the SHAPEDEM-EU Gender Equality Fellowship. I spent the second month of the visit at the European Parliament as an official Study Visitor to the Office of the Member of the European Parliament (MEP) Marketa Gregorova to better understand the peculiarities of the work of the European Union (EU) institutions and the ongoing negotiations around the European integration of Ukraine. The final month in Brussels, I dedicated to establishing collaboration with the Centre of Expertise on Gender, Diversity and Intersectionality (the RHEA Expertise Center) at the Vrije Universiteit Brussel and networking with other Ukrainian democracy and gender equality experts based in Belgium.

Thanks to Carnegie Europe Foundation and the Eastern Partnership Civil Society Forum, I had meetings with a variety of local stakeholders and attended several relevant events. Among others, I participated in:

- the International Democracy Day Brussels and Informal Drinks on Climate, Gender and Security in September 2023;
- the 1st Regional Gender Summit 'The New Gen(D)eration' and the European Gender Equality Week in the European Parliament in October 2023; and

- the ‘Return to the Hague. Return to Peace’ conference, the 15th Annual Assembly of the Eastern Partnership Civil Society Forum and the ‘Dear Future Children’ movie screening and discussion organised by the Young Professionals in Foreign Policy Network in November 2023.

In addition, I spoke at the ‘More than Targets: How the EU Supports Gender Equality in Its Eastern and Southern Neighbourhoods’ panel discussion organised by the College of Europe in October 2023 and the ‘The Way Towards a European Feminist Foreign Policy’ conference organised by the MEPs Hannah Neumann, Ernest Urtasun and Alviina Alametsä in November 2023. Furthermore, following a previously successful meeting with the MEP Karen Melchior in September 2023, I was later invited to interview her in November 2023 to discuss the European integration process taking place in Ukraine, its successes and challenges.

The meetings with European and Ukrainian democracy and gender equality experts that I had throughout my Fellowship helped me to understand better the European neighbourhood and enlargement policies, the ongoing negotiations regarding the European integration of Ukraine and their gender equality-related aspects.

In my opinion, one of the most valuable features of this Fellowship is that it provides Fellows with the opportunities to reach goals not only in one area, be it research or civic activism, but in different areas and allows them to design their stay according to their interests and priorities.

1. Introduction

This report focuses on providing an analysis of the gender equality legal framework and environment in Ukraine with a particular emphasis on the legal understanding of gender, gender identity and gender equality and the challenges the country has faced in terms of gender equality promotion and protection. Furthermore, it provides reflections on the role the EU plays in gender equality promotion and protection in the country and gives an overview of the key EU programmes and projects implemented in Ukraine to enhance gender equality. The analysis is based primarily on legal desk research as well as meetings carried out in Brussels.

First, the report presents the legal framework that defines the context in which the issue of gender equality has been developing in Ukraine. Then, the report investigates the relevant legislative acts and discusses the approach used by the Ukrainian legislator to define gender, gender identity and gender equality. After that, the report discusses Ukraine’s ranking in the Global Gender Gap Report from the moment of its introduction to the present day and suggests the possible reasoning behind the data provided. Finally, it reflects on the instruments used by the EU to support Ukraine in achieving better results concerning gender equality matters and provides some recommendations on ways to strengthen this support.

2. Gender, Gender Identity and Gender Equality in the Ukrainian Legal Framework

This section of the report focuses on analysing the relevant pieces of Ukrainian legislation to define how gender, gender identity and gender equality are perceived and which concept is used: the binary model of sex or the idea of gender as a social construct. Besides, the report tries to explain if the EU has a role to play in shaping the Ukrainian legal framework.

For a long time, the term ‘gender equality’ was alien to Ukrainian legislation which developed around the ‘equality of women and men’ terminology. As of 2024, there is still no definition of ‘gender’ or ‘gender identity’ in Ukrainian legislation. However, different normative acts extensively apply such terms as gender component, gender aspect, gender characteristic, gender differentiation, gender group, gender-oriented approach and/or gender approach, gender balance, gender assessment, gender problem, etc. The reading of such terms can vary as there is no common understanding of the basic concepts behind them which may cause legal uncertainty and/or ambiguity.

The key document in the hierarchy of legal acts in Ukraine is the Constitution of Ukraine. This is followed by international treaties ratified by the Parliament of Ukraine, Laws of Ukraine, Resolutions and Decisions of the Verkhovna Rada of Ukraine (the Parliament of Ukraine), Decrees of the President of Ukraine, Resolutions/Orders of the Cabinet of Ministers of Ukraine, Acts of the National Bank of Ukraine and Acts and Regulations of other institutions and bodies.

The Constitution of Ukraine¹ establishes the fundamental principles of social and institutional order in the country. Its main text was adopted in 1996 with a few changes introduced after that. The approach it applies to the issue of gender equality has not changed much with time. Currently, there are no references to gender, gender identity, or gender equality in its text, instead, it mentions the ‘equality of rights of women and men’ and provides certain guarantees in this area. Article 24 of the Constitution of Ukraine establishes the basic principles of non-discrimination which should apply to all legal relations in the country. Among others, it prohibits discrimination based on ‘sex’. The third part of the article states the following:

‘The equality of rights of women and men is ensured by giving women equal opportunities with men in social, political and cultural activities, in obtaining education and professional training, in work and remuneration for it; special measures regarding labour protection and women's health, the establishment of pension benefits; creation of conditions that give women the opportunity to combine work with motherhood; legal protection, material and moral support for motherhood and childhood, including the provision of paid vacations and other benefits to pregnant women and mothers.’

¹ The Constitution of Ukraine is available at: <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80#Text>.

From the aforementioned, one can conclude that the Constitution of Ukraine applies a binary model of sex referring to equality of women and men. Furthermore, while proving the list of instruments aimed to ensure the latter, it refers to the concept of ‘motherhood’ highlighting the biological role of women as mothers instead of referring to the concept of ‘parenthood’ aimed at providing equal opportunities to both parents in taking care of their children and having the possibility to carry out effectively their other responsibilities and roles in the society. At the same time, one should also recognise that the main text of the Constitution of Ukraine was developed in the early 1990s and despite this fact, Article 24 still provides for a non-exclusive list of the grounds on which discrimination is prohibited which opens the space to bring up the discussion on the prohibition of discrimination based on gender or gender identity.

The first references to gender, gender identity and gender equality in the Ukrainian legal framework began to appear in 2001 in bylaws such as Resolutions and Orders of the Verkhovna Rada of Ukraine or the Cabinet of Ministers of Ukraine. For instance, the Resolution of the Cabinet of Ministers of Ukraine ‘On the National Action Plan for Improving the Status of Women and Promoting the Implementation of Gender Equality in Society for 2001–2005’² adopted in 2001 used the term ‘gender issues’ by which it referred to ‘equal rights and opportunities for women and men’. On the other hand, the 2004 Resolution of the Verkhovna Rada of Ukraine ‘On the Recommendations of the Parliamentary Hearings “Position of Women in Ukraine: Realities and Prospects”’³ addressed the possibility of ‘the creation of the Committee of the Verkhovna Rada of Ukraine on Gender Equality – observance of equal rights of women and men’. These were the first pieces of Ukrainian legislation that engaged with the term ‘gender’ in some form.

However, the first legal act which directly referred to ‘gender equality’ and provided a legal definition of this phenomenon was the Law of Ukraine ‘On Ensuring Equal Rights and Opportunities of Women and Men’⁴ adopted in 2005. It is considered one of the fundamental legal acts in the field of gender equality in Ukraine. This document was created during the Orange Revolution, which took place in Ukraine in 2004–2005: the draft Law of Ukraine ‘On Ensuring Equal Rights and Opportunities of Women and Men’ was registered in the Verkhovna Rada of Ukraine at the end of 2004. The Orange Revolution is considered a part of the wave of

² The Resolution of the Cabinet of Ministers of Ukraine ‘On the National Action Plan for Improving the Status of Women and Promoting the Implementation of Gender Equality in Society for 2001–2005’ is available at: <https://zakon.rada.gov.ua/laws/show/479-2001-%D0%BF#Text>.

³ The Resolution of the Verkhovna Rada of Ukraine ‘On the Recommendations of the Parliamentary Hearings “Position of Women in Ukraine: Realities and Prospects”’ is available at: <https://zakon.rada.gov.ua/laws/show/1904-IV#Text>.

⁴ The Law of Ukraine ‘On Ensuring Equal Rights and Opportunities of Women and Men’ is available at: <https://zakon.rada.gov.ua/laws/show/2866-15#Text>.

democratisation in Eastern Europe and one of the key milestones in EU-Ukraine relations development as slogans of the revolution were based on the idea that Ukraine is a democratic European country. Accordingly, among others, the new law was also a response to the desire of the Ukrainian people to build a just democratic society, especially because women have always taken an active part in all the revolutions and movements aimed at democratisation that took place in Ukraine.

According to the Law of Ukraine ‘On Ensuring Equal Rights and Opportunities of Women and Men’, gender equality is defined as ‘an equal legal status of women and men and equal opportunities for its implementation, which allows representatives of both sexes to participate equally in all spheres of society’s life’. At the same time, the ‘equal rights of women and men’ are seen as ‘the situation in which there are no restrictions or privileges based on sex’ while ‘equal opportunities for women and men’ is presented as ‘the equal conditions for realising equal rights of women and men’. The Preamble of this Law claims that its purpose is:

‘Achieving the parity position of women and men in all spheres of life in society through the legal provision of equal rights and opportunities for women and men, the elimination of discrimination based on sex and the application of special temporary measures aimed at eliminating the imbalance between the opportunities of women and men to exercise equal rights, granted to them by the Constitution of Ukraine and Laws of Ukraine’.

As follows, the concept of ‘gender equality’ undertaken by the Ukrainian legislature in 2005 is derived from a binary understanding of sex. According to the Law of Ukraine ‘On Ensuring Equal Rights and Opportunities of Women and Men’, establishing gender equality order in society is ‘one of the directions of the state policy on ensuring equal rights and opportunities of women and men’.

It is important to underline that the text of this legal act has been amended five times since its creation with some of the key amendments taking place after the Revolution of Dignity in Ukraine in 2014 when the country reaffirmed its European integration intentions and commitment to follow the principles and values of the EU. Yet, the core approach to the understanding of gender equality prescribed by its norms remained untouched. Later on, it caused some issues while negotiating the ratification of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence⁵ (the Istanbul Convention). In this regard, it is worth mentioning that the Istanbul Convention was opened for signatures in May 2011 and

⁵ The Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence is available at: <https://www.coe.int/en/web/gender-matters/council-of-europe-convention-on-preventing-and-combating-violence-against-women-and-domestic-violence>.

Ukraine was among the first countries to sign it which it did already in November 2011. However, the process of ratification took much longer.

In 2016, the Parliament of Ukraine was considering the ratification of the Istanbul Convention. However, opponents of this process claimed it would contradict Ukrainian legislation and legal tradition, which perceives gender and gender equality through the concept of the binary model of sex. Instead, the Istanbul Convention provides for the understanding of gender and gender equality based on socially constructed roles. Namely, Article 3 of the Istanbul Convention defines gender as ‘the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men’.

From a formal point of view, the process of ratification of the Istanbul Convention in Ukraine in 2016 was stopped because the draft Law of Ukraine ‘On the Ratification of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence and Preventing These Phenomena’⁶, which was introduced by the President of Ukraine as a legislative initiative in 2016, was not adopted in the first reading. At that stage, the Parliament of Ukraine decided to send it for further development and preparation for a second first reading which did not happened.

At the same time, in parallel with the consideration of ratifying the Istanbul Convention, in 2016, the Parliament of Ukraine was debating the adoption of a package of laws that would introduce some of the norms of the Istanbul Convention to Ukrainian legislation without reference to the terminology and thereby avoiding any mentioning of gender and gender ideology. As a result, in 2017 a so-called compromise decision was taken and the Law of Ukraine ‘On Prevention and Countermeasures Against Domestic Violence’⁷, the Law of Ukraine ‘On Amendments to the Criminal and Criminal Procedure Codes of Ukraine to Implement the Provisions of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence and Combating These Phenomena’⁸, among other legal acts introducing changes to the relevant pieces of legislation were adopted. Thus, the question of the ratification of the Istanbul Convention was taken out of the agenda and remained deadlocked at the phase of the preparation for a second first reading.

⁶ The draft Law of Ukraine ‘On the Ratification of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence and Preventing These Phenomena’ is available at: https://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=60492.

⁷ The Law of Ukraine ‘On Prevention and Countermeasures Against Domestic Violence’ is available at: <https://zakon.rada.gov.ua/laws/show/2229-19#Text>.

⁸ The Law of Ukraine ‘On Amendments to the Criminal and Criminal Procedure Codes of Ukraine to Implement the Provisions of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence and Combating These Phenomena’ is available at: <https://zakon.rada.gov.ua/laws/show/2227-VIII#Text>.

In 2019, the draft Law of Ukraine ‘On the Ratification of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence and Preventing these Phenomena’ was withdrawn from consideration by the Parliament of Ukraine due to the termination of the powers of the President of Ukraine who introduced the respective draft law. However, the reason why it was never adopted was due to strong opposition from far-right conservative and religious movements operating in Ukraine claiming that the Istanbul Convention would destroy Ukrainian families because it would spread the so-called ‘gender ideology’ and ‘gay-Europe’ concept. It is worth mentioning that the same statements are very popular in Russia and have been transferred from Russia to Ukraine. Then, such actors had a strong influence on the Members of the Verkhovna Rada of Ukraine and other politicians.

The Parliament of Ukraine only returned to the issue of ratification of the Istanbul in 2022 after the Russian full-scale invasion of the country. This time, the consensus to ratify the Istanbul Convention was reached and the Law of Ukraine ‘On the Ratification of the Council of Europe Convention on Preventing Violence Against Women and Domestic Violence and Combating These Phenomena’⁹ was adopted. One of the key arguments in this process was the active position of Ukrainian civil society representatives, in particular women’s organisations. In addition, the President of Ukraine supported this process and presented it as one of the steps Ukraine had to take to demonstrate that, contrary to Russia, it is a democratic country that cares about human rights and freedoms. From a political point of view, it was a symbolic move to demonstrate to Ukraine’s partners in the EU that the country is ready to implement in practice the values and principles of the Union despite the ongoing war and other challenges. Still, the Istanbul Convention was adopted with reservations that referred to the fact that Ukraine will apply it according to the values, principles and norms defined by the Constitution of Ukraine.

Returning to the terminology, one of the first Ukrainian legal acts that engaged with the understanding of gender and gender equality based on the socially constructed roles approach was issued in 2020. Among them are the Instruction on the Integration of Gender Approaches during the Development of Normative Legal Acts¹⁰ adopted by the Ministry of Social Policy of Ukraine and the Concept of Communication in the Field of Gender Equality¹¹ issued by the Cabinet of Ministers of Ukraine.

⁹ The Law of Ukraine ‘On the Ratification of the Council of Europe Convention on Preventing Violence Against Women and Domestic Violence and Combating These Phenomena’ is available at: <https://zakon.rada.gov.ua/laws/show/2319-20#Text>.

¹⁰ The Instruction on the Integration of Gender Approaches during the Development of Normative Legal Acts is available at: <https://zakon.rada.gov.ua/laws/show/z0211-20#Text>.

¹¹ The Concept of Communication in the Field of Gender Equality is available at: <https://zakon.rada.gov.ua/laws/show/1128-2020-%D1%80#Text>.

The first document defines ‘gender’ as a phenomenon that should be analysed considering ‘socially constructed roles, behaviour, activities and characteristics that a certain society considers appropriate for women/men’. It refers to ‘gender roles’ as norms, expected models of behaviour, activities and characteristic features that are considered inherent in men and women.

The second document states the following:

‘It is also wrong to think that gender equality is reduced to the affirmation of women’s rights to self-realisation in the labour market or politics. It is necessary to communicate this problem as a problem of the choice of a woman and a man, in which any legitimate desire of a woman or a man is self-sufficient, contrary to social stereotypes regarding their profession, social role and types of behaviour. At present, there is often a lack of understanding in society that a woman or a man who has chosen a major path in life through career or child-rearing has the right to respect and freedom from prejudice regardless of the content of that choice.’

These documents introduced the concept of social role¹² to the understanding of gender and gender equality. However, they have only the status of bylaws, and their application is limited to narrow areas of legal and social life. In a prevailing majority of cases, gender equality is still seen by Ukrainian legislators and legal practitioners through the lens of the approach proposed by the Law of Ukraine ‘On Ensuring Equal Rights and Opportunities of Women and Men’.

For instance, the National Strategy for the Creation of a Barrier-Free Space in Ukraine for the Period until 2030¹³ adopted by the Cabinet of Ministers of Ukraine in 2021 claims that ‘gender equality’ means the ‘equal legal status of women and men and equal opportunities for its implementation, which allows persons of both sexes to participate equally in all areas of social life’. And the Provisions on Responding to, Preventing and Countering Manifestations of Discrimination Based on Gender and Sexual Harassment at the Workplace Among Military Personnel of the State Service of Special Communications and Information Protection of Ukraine¹⁴ issued by the Administration of the State Service of Special Communications and Information Protection of Ukraine in 2021 establishes that the composition of the Commission for responding to, preventing and countering manifestations of gender discrimination and sexual

¹² A social role is a pattern of behaviour that is expected of a person in a given setting or group (Hare, R.D. (2003) Manual for the revised psychopathy checklist. 2nd Edition, Multi-Health Systems, Toronto)

¹³ The National Strategy for the Creation of a Barrier-Free Space in Ukraine for the Period until 2030 is available at: <https://zakon.rada.gov.ua/laws/show/366-2021-%D1%80#Text>.

¹⁴ The Provisions on Responding to, Preventing and Countering Manifestations of Discrimination Based on Gender and Sexual Harassment at the Workplace Among Military Personnel of the State Service of Special Communications and Information Protection of Ukraine is available at <https://zakon.rada.gov.ua/laws/show/z1546-21#Text>.

harassment at the workplace among military personnel in the Administration of the State Service of Special Communications and Information Protection of Ukraine must have ‘gender equality - the same number of men and women’.

Among all the three terms (gender, gender identity and gender equality), the term ‘gender identity’ is ‘the youngest’ for Ukrainian legislation. As of 2024, it has only appeared in a few laws of Ukraine and several bylaws, the majority of which deal with employee rights or health issues. One of the first legal acts to use this term to Ukrainian legislation was the 2015 Law of Ukraine ‘On Introduction of Amendments to Labor Code of Ukraine on Harmonization of Legislation on Prevention and Countering Discrimination with Legislation of European Union’¹⁵ to fulfil Ukraine’s obligations foreseen by the Visa Liberalisation Action Plan. This document consisted of only one provision to amend the respective norm of the Labour Code of Ukraine¹⁶ regarding the grounds on which discrimination in labour relations in Ukraine was to be prohibited. Among others, it introduced the prohibition of discrimination based on gender identity and sexual orientation. In a 2022 follow-up to the adoption of the Law of Ukraine ‘On Amendments to Some Legislative Acts of Ukraine Regarding Strengthening the Protection of Workers’ Rights’¹⁷, respective changes were also made to the Law of Ukraine ‘On Population Employment’¹⁸.

From 2016, references to gender identity could be found in some bylaws issued by the Cabinet of Ministers of Ukraine and the Ministry of Health of Ukraine. For instance, the Concept of Public Health System Development¹⁹ adopted by the Cabinet of Ministers of Ukraine in 2016 established ‘the right to health and health care is one of the basic human rights and it does not depend on the sexual orientation and gender identity of the person’. Other bylaws issued by the Ministry of Health of Ukraine referred to the treatment of people with HIV or other diseases.

From 2022, the new field in which this terminology has appeared is media and advertising. One of the normative instruments in Ukraine that extensively refers to gender identity from the moment of its adoption is the Law of Ukraine ‘On Media’²⁰ issued at the end of 2022. Moreover, in 2023, a Law of Ukraine ‘On Introduction of Amendments to Law of Ukraine ‘On Advertising’

¹⁵ The Law of Ukraine ‘On Introduction of Amendments to Labor Code of Ukraine on Harmonization of Legislation on Prevention and Countering Discrimination with Legislation of European Union’ is available at: <https://zakon.rada.gov.ua/laws/show/785-19#Text>.

¹⁶ The Labour Code of Ukraine is available at: <https://zakon.rada.gov.ua/laws/show/322-08#n26>.

¹⁷ The Law of Ukraine ‘On Amendments to Some Legislative Acts of Ukraine Regarding Strengthening the Protection of Workers’ Rights’ is available at: <https://zakon.rada.gov.ua/laws/show/2253-20#n85>.

¹⁸ The Law of Ukraine ‘On Population Employment’ is available at: <https://zakon.rada.gov.ua/laws/show/5067-17#Text>.

¹⁹ The Concept of Public Health System Development is available at: <https://zakon.rada.gov.ua/laws/show/1002-2016-%D1%80#Text>.

²⁰ The Law of Ukraine ‘On Media’ is available at: <https://zakon.rada.gov.ua/laws/show/2849-20#Text>.

and Other Laws of Ukraine Regarding Implementation of Norms of European Legislation into National Legislation of Ukraine Through Implementation of Certain Provisions of Legislation of European Union in Field of Audiovisual Advertising'²¹ was issued adding, among other regulations, the prohibition of discrimination based on gender identity to the text of the Law of Ukraine 'On Advertisement'²². As in the case of the legislation on employment and the labour market, it was also done to fulfil Ukraine's European integration commitments.

Most of the other Ukrainian legislative acts that mention or refer to gender, gender identity or gender equality relate to the agreements on financial support provided by the EU to Ukraine signed between Ukrainian institutions (usually the Cabinet of Ministers of Ukraine) and the institutions of the EU (usually the European Commission)²³. In general, the majority of the legal norms that were adopted by Ukrainian legislators in the field of gender equality are directly related to the commitments that the country undertook under the agreements with the EU, in particular, the Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part²⁴.

As follows, the majority of changes in the Ukrainian legal framework in the area of gender equality took place mainly as a direct response to the requirements put by the EU in the so-called European integration documents. On the other hand, one should not underestimate the role of the willingness of Ukrainian legislators to demonstrate to the EU that the country is committed to following its European integration obligations and implement the EU's values and principles in practice. It became of particular importance after the Russian full-scale invasion of Ukraine in 2022 when Ukraine applied for membership in the EU and received candidate status.

3. Gender Equality in Ukraine in Numbers and Figures

To understand the areas where Ukraine needs support from the EU in terms of gender equality promotion and protection, one should have some basic knowledge of the situation in general.

²¹ The Law of Ukraine 'On Introduction of Amendments to Law of Ukraine 'On Advertising' and Other Laws of Ukraine Regarding Implementation of Norms of European Legislation into National Legislation of Ukraine Through Implementation of Certain Provisions of Legislation of European Union in Field of Audiovisual Advertising' is available at: <https://zakon.rada.gov.ua/laws/show/3136-20#Text>.

²² The Law of Ukraine 'On Advertisement' is available at: <https://zakon.rada.gov.ua/laws/show/270/96-%D0%B2%D1%80#Text>.

²³ The list of Ukrainian legislative acts that mention or refer to gender, gender identity or gender equality is available at: https://zakon.rada.gov.ua/laws/main?find=2&dat=00000000&user=a&text=%D0%B3%D0%B5%D0%BD%D0%B4%D0%B5%D1%80%D0%BD%D0%B0+%D1%80%D1%96%D0%B2%D0%BD%D1%96%D1%81%D1%82%D1%8C&textl=2&bool=and&org=0&typ=0&yer=0000&mon=00&day=00&dat_from=&dat_to=&datl=0&numl=2&num=&minj=2&minjust=.

²⁴ The Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part is available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A22014A0529%2801%29>.

Accordingly, this section provides an overview of the situation regarding gender equality in Ukraine based on the data from the World Economic Forum's Global Gender Gap Reports from 2006 – 2023. The data used to develop the report is based on 14 variables. This instrument of analysis was used as it helps to consider the situation from a broader perspective using the retrospective comparative approach.

Table 1. Population of Ukraine by sex (estimated)²⁵

Year	Total population (million)	Women (million)	Men (million)
2002	48.2	25.9	22.3
2011	45.6	24.6	21.0
2016	42.6	22.9	19.7
2020	41.7	22.4	19.3
2021	41.4	22.2	19.2
2022	41.0	22.0	19.0

According to the data of the State Statistics Service of Ukraine, the number of women in the Ukrainian population has always been larger than men. As of 1 January 2022, women constituted 53.6% of Ukrainians and men – 46.4%. After the Russian full-scale invasion of Ukraine and the introduction of martial law, as of 1 January 2023, the population size assessment was not carried out. Accordingly, there are no updated statistics in this regard, yet the available data still reveals particular trends and tendencies.

Table 2. Ukraine's rankings in the Global Gender Gap Report from 2006 to 2023²⁶

Year	N° of countries	Global position	Economic participation and opportunity	Educational attainment	Health and survival	Political empowerment
2006	115	48/115	24/115	25/115	1/115	97/115
2007	128	57/128	26/128	73/128	74/128	109/128
2008	130	62/130	27/130	34/130	38/130	117/130
2009	134	61/134	33/134	31/134	41/134	117/134
2010	134	63/134	43/134	23/134	56/134	105/134
2011	135	64/135	44/135	24/135	56/135	106/135
2012	135	64/135	34/135	22/135	34/135	119/135
2013	136	64/136	30/136	27/136	75/136	119/136

²⁵ The 'Females and Males in Ukraine' publication prepared by the State Statistics Service of Ukraine is available at: <https://www.ukrstat.gov.ua/>.

²⁶ The World Economic Forum's Global Gender Gap Reports can be found at <https://www.weforum.org/publications/series/global-gender-gap-report/>.

2014	142	56/142	31/142	29/142	74/142	105/142
2015	145	67/145	40/145	30/145	42/145	107/145
2016	144	69/144	40/144	26/144	40/144	107/144
2017	144	61/144	34/144	28/144	51/144	103/144
2018	149	65/149	28/149	26/149	56/149	105/149
2020	153	59/153	39/153	26/153	52/153	83/153
2021	156	74/156	44/156	27/156	41/156	103/156
2022	146	81/146	62/146	53/146	37/146	100/146
2023	146	66/146	55/146	56/146	45/146	87/146

As presented in Table 2, in terms of the four dimensions analysed in the Global Gender Gap Report (economic participation and opportunity, educational attainment, health and survival and political empowerment), Ukraine's positions on women's empowerment and gender equality have always scored quite low. In particular, the country used to have the worst positions on women's political empowerment, quite often being at the very bottom of the list. As follows, it is one of the dimensions worth looking into in more detail.

At the moment of its election in 2019, the current composition of the Verkhovna Rada of Ukraine only had 20.5%²⁷ women, which was the biggest number of women Members of the Parliament of Ukraine ever. After the Russian full-scale invasion, this number increased to 21%²⁸ as some Members of the Parliament of Ukraine lost their mandates due to political or other reasons. The previous convocation of the Verkhovna Rada of Ukraine had around 12%²⁹ of women and 88% of men. At the same time, more than 39%³⁰ of Members of the European Parliament (MEP) are women, which is more than twice as many as in the Parliament of Ukraine.

The low number of women in politics means that women are not included in decision-making processes in the country which results in their experience, knowledge and expertise not being represented or taken into account while developing state policies and normative acts which does not correspond to the basic principles of democracy and democratic societies. When reviewing Ukrainian legislation on gender equality and human rights promotion and protection, one can notice that some of the most progressive regulations in this regard were adopted by the current convocation of the Verkhovna Rada of Ukraine which has the largest number of women members of the Parliament of Ukraine and often such pieces of legislation are initiated by women-

²⁷ The number of women in the Verkhovna Rada of Ukraine as of 1 September 2019 is available at: <https://data.ipu.org/women-ranking?month=9&year=2019>.

²⁸ The number of women in the Verkhovna Rada of Ukraine as of 1 February 2024 is available at: <https://data.ipu.org/women-ranking?month=2&year=2024>.

²⁹ The number of women in the Verkhovna Rada of Ukraine as of 1 June 2019 is available at: <https://data.ipu.org/women-ranking?month=6&year=2019>.

³⁰ Women in politics in the EU (briefing): [https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/739383/EPRS_BRI\(2023\)739383_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/739383/EPRS_BRI(2023)739383_EN.pdf).

politicians. For instance, in March 2023, Inna Sovsun, a Member of the Verkhovna Rada of Ukraine, presented the Draft Law N° 9103 ‘On Registered Partnerships’. This draft law proposed that same-sex couples be granted the right to register a partnership and get an official recognition of their status as a family from the state.

Some of the reasons behind this situation are deeply-rooted gender stereotypes that normalise, firstly the view that a women’s role is seen as taking care of the reproductive/private sphere of life and not interfering with the productive/public life; secondly, the lack of recourses and funds distributed to women who need these to run for a political position; and thirdly, a prevalence of male-dominated structures in all areas of public life that foster an unfamiliar environment for women. These conditions are aggravated by the misleading stereotype about the equality of women and men in the post-USSR countries contrary to the Soviet era. What was done during the USSR was not a deconstruction of gender stereotypes but it used women’s labour as an instrument to reach its economic goals without trying to tackle the roots of gender inequality.

In order to address the issues of women’s political participation at the legislative level and to provide for a more democratic society, electoral quotas were introduced in Ukraine. At first, it happened at the local level and, later on, at the national level. In 2015, the new Law of Ukraine ‘On Local Elections’³¹ was adopted. It established a 30% gender-neutral quota requiring that ‘the representation of people of the same sex in the electoral lists of candidates for members of local councils in multi-mandate constituencies must be at least 30% of the total number of candidates in the electoral list’. Unfortunately, due to the weak enforcement mechanisms and lack of responsibility for breaching this regulation by the political parties, the desired number of at least 30% of people of the same sex being elected to the local councils was not reached at the subsequent local elections³².

In 2019, the Verkhovna Rada of Ukraine adopted a new Electoral Code of Ukraine³³ which reinforced and developed the concept of application of electoral quotas in Ukraine. Among others, it introduced a 40% electoral quota for the elections at the national level:

‘During the formation of national and regional electoral lists, the party must ensure the presence of men and women (at least two candidates of each sex) in each top five (places from the first to the fifth, from the sixth to the tenth, and so on) of each electoral list.

³¹ The Law of Ukraine ‘On Local Elections’ is available at: <https://zakon.rada.gov.ua/laws/show/595-19#Text>.

³² The article ‘A New Vision of Ukrainian Politics or Another Political Trick: Reflections on the Role of the Electoral Quota for Women in Ukraine and Its Results’ is available at: https://ejas.uaic.ro/EJES2015_vol6_issue2.htm.

³³ The Electoral Code of Ukraine is available here: <https://zakon.rada.gov.ua/laws/show/396-20#Text>.

If the party forms national and regional election lists with a number of candidates that is not a multiple of five, the last candidates on the list (from 1 to 4) shall be subject to the requirement to include candidates of different sexes in the list one by one.'

The new Electoral Code of Ukraine established stricter procedures and mechanisms to monitor the fulfilment of this requirement by the parties and developed an updated system of responsibility for the parties that do not follow this rule. However, it is still quite liberal and there is room for manipulation, which is often criticised by civil society organisations. However, because of the Russian full-scale invasion of Ukraine, martial law was introduced in the country, which forbids the holding of elections. Respectively, at the moment, there is no perspective on when the next elections at the national level can take place. In any case, they should follow the regulations and norms of the new Electoral Code of Ukraine.

What is noteworthy is the fact that in both cases (the Law of Ukraine 'On Local Elections' and the Electoral Code of Ukraine) the legislator used a reference to 'sex' and did not mention 'gender' at all, which proves once more that understanding of gender equality in Ukrainian legislation is based on a binary model of sex.

When analysing the question of women's political empowerment, one should also consider the representation of women in the executive bodies. As of February 2024, among 22 Members of the Cabinet of Ministers of Ukraine³⁴ (including the Prime Minister of Ukraine), only four are women, which amounts to 18% of the total number of the Members of the Cabinet of Ministers of Ukraine. Among them are the First Vice Prime Minister of Ukraine – the Minister of Economy of Ukraine, the Deputy Prime Minister of Ukraine – the Minister of Reintegration of the Temporarily Occupied Territories of Ukraine, the Deputy Prime Minister for European and Euro-Atlantic Integration of Ukraine and the Minister of Social Policy of Ukraine. At the same time, the current European Commission consists of 27 Commissioners³⁵ (including the President of the European Commission) with 13 women and 14 men (48% are women). Besides, the President of the European Commission is a woman and among three Executive Vice-Presidents one is also a woman responsible for the direction of 'A Europe Fit for the Digital Age'. The scope and character of areas covered by women at the European level is much wider than in Ukraine: more women are leading so-called men-dominated fields of transport, energy and financial services.

³⁴ The list of Members of the Cabinet of Ministers of Ukraine is available at: <https://www.kmu.gov.ua/uryad-ta-organi-vladi/team>.

³⁵ The list of the Commissioners of the European Commission is available at: https://commissioners.ec.europa.eu/index_en#:~:text=The%20Commission%20is%20composed%20of,during%20a%205%2Dyear%20term.

Finally, according to the data of the State Statistics Service of Ukraine, as of 2022, the state service personnel had the following composition: 74.8% of state servants were women and 25.3% were men³⁶. One may consider it a positive trend, however, when analysing the categories of positions of state servants and women's representation there, the tendency is quite the opposite. There are three categories of positions of state servants in Ukraine: the 'A' (highest), 'B' and 'C' categories (the lowest). In this regard, women amount to 77.7% of all state servants in the lowest 'C' category while 69.2% of state servants in the 'A' category are men.

The latter is closely related to the issue of women's economic participation and opportunity as it demonstrates how economically stable and independent women are. It must be noted there is a substantial gender pay gap in the country. The latest data published by the State Statistics Service of Ukraine on average monthly wages by sex (the report uses the word 'sex') and types of economic activity per quarter refer to the 4th quarter of 2021³⁷. According to it, women on average received 18.4% less than men. That is, for every 100 UAH (€2.37) that a man received for performing certain work, a woman received 81.60 UAH (€1.94) for performing the same work. For a woman, it means that every fifth working day she works for free. Over the past six years, the wage gap between women and men in Ukraine has decreased only by 7.4%. The biggest gender pay gap in the 4th quarter of 2021 occurred in the following types of activities: postal and courier activities (30.3%), financial and insurance activities (31.5%) and art, sports, entertainment and recreation (32.3%). There was no gender pay gap in the field of water transport and in two areas women earned more than men: provision of other types of services (0.9% more) and activities in the field of administrative and support services (1.3%). However, the data presented above is related to official statistics, while unofficial numbers are worse. In comparison, as of 2021, in the EU women's gross hourly earnings were on average 12.7 % below those of men³⁸.

One of the elements that add to the unequal position of women and men in the labour market in Ukraine is oriented on a concept of a 'motherhood' system of childcare that was briefly mentioned in the first section when discussing the role of the Constitution of Ukraine in protection and promotion of gender equality ('equality of women and men'). According to polling data from

³⁶ The article 'A New Vision of Ukrainian Politics or Another Political Trick: Reflections on the Role of the Electoral Quota for Women in Ukraine and Its Results' is available at: https://ejes.uaic.ro/EJES2015_vol6_issue2.htm.

³⁷ The report of the State Statistics Service of Ukraine for 2021 is available at: <https://www.ukrstat.gov.ua/>.

³⁸ The Gender pay gap statistics provided by the Eurostat is available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Gender_pay_gap_statistics#Gender_pay_gap_levels_vary_significantly_across_EU.

the Ministry of Social Policy of Ukraine in 2020³⁹, women in Ukraine spent twice as much time on unpaid housework and caring for family members than men (women – 3.5 daily hours, men – 1.8 daily hours). In households of three or more people, women spent 3.5 times more time caring for children than men. Another study carried out for the UNFPA Ukraine in 2020⁴⁰ showed that among respondents, the father mainly took care of children under 3 years old in only 2% of families and the mother – in 85%. Moreover, in 4% of families, the father did not work, but the mother still took care of the children. Mothers most often stayed with children when they were sick, monitored their health and hygiene, and engaged in daily care, while fathers most often joined in emotional manifestations of care, games and communication. When explaining the insufficient time spent with the child, most men complained about being too busy, but 18% expressed gender stereotypes that it was a ‘woman’s duty’, 5% ‘didn’t know how’ to take care of the child and 3% saw their role only in communicating with the child and not taking care of their development.

To tackle this issue, some crucial changes in Ukrainian legislation were introduced over the past few years. Previously, according to Article 179 of the Labour Code of Ukraine⁴¹ and Article 18 of the Law Ukraine ‘On Holidays’⁴², a father could receive parental leave to care for a child up to three years old instead of a mother. However, it was not a widespread practice: only 8% of Ukrainians knew men who took leave to care for children and the majority of men who did not consider taking paternity leave, even if it were economically beneficial, explained this by gender stereotypes⁴³. The 2021 Law of Ukraine ‘On the Introduction of Changes to Some Legislative Acts of Ukraine on Ensuring Equal Opportunities for Mothers and Fathers in Childcare’⁴⁴ defines equal opportunities for both parents in caring for the child and entitles fathers to an additional one-time leave of 14 days after the birth of a child. Moreover, the 2023 Law of Ukraine ‘On the Introduction of Amendments to Some Legislative Acts of Ukraine Regarding the Peculiarities of the Use of Leave in Connection with Pregnancy and Childbirth’ was issued to provide women with flexibility in choosing when to start and finish their maternity leave:

³⁹ The results of the pooling conducted for the Ministry of Social Policy of Ukraine are available at: <https://www.msp.gov.ua/news/20228.html?PrintVersion>.

⁴⁰ The research carried out for the UNFPA Ukraine is available at: <https://ukraine.unfpa.org/sites/default/files/pub-pdf/prezentaciya-3.pdf>.

⁴¹ The Labour Code of Ukraine is available at: <https://zakon.rada.gov.ua/laws/show/322-08#Text>.

⁴² The Law of Ukraine ‘On Holidays’ is available at: <https://zakon.rada.gov.ua/laws/show/504/96-%D0%B2%D1%80#Text>.

⁴³ The research carried out for the UNFPA Ukraine is available at: <https://ukraine.unfpa.org/sites/default/files/pub-pdf/prezentaciya-3.pdf>.

⁴⁴ The Law of Ukraine ‘On the Introduction of Changes to Some Legislative Acts of Ukraine on Ensuring Equal Opportunities for Mothers and Fathers in Childcare’ is available at: <https://zakon.rada.gov.ua/laws/show/1401-20#n6>.

‘At the woman’s request and in the absence of medical contraindications, part of the 70-calendar-day leave provided before childbirth can be transferred and used by the woman in part or in full after childbirth, starting from the day of childbirth.’

This regulation is an example of the state’s new approach to women by law: they are considered not as objects of social relations to be regulated, but as actors who have agency and can decide on their own how to define such relations. It is also a big step forward in terms of ensuring women’s economic stability and independence as it provides women with the space to decide when to start maternity leave and when to finish it.

Another aspect worth discussing in this regard is the area of education. According to the data of the Global Gender Gap Reports 2022 and 2023, Ukraine’s positions regarding women’s educational attainment have drastically fallen. One of the key reasons is the Russian full-scale invasion of Ukraine which made it impossible for children and youth to receive proper education. However, this will be discussed in more detail in the next section.

In this part, the focus is on the general trends and tendencies. As of 2022-2023, females accounted for 48.7% of all students in Ukrainian educational establishments and, respectively, males for 51.3%⁴⁵. In general, in secondary education establishments, 49.2% of students were females and 50.8% were males, in professional (vocational-technical) education establishments 36.8% of students were females and 63.2% were males, in professional pre-tertiary establishments 45.0% of students were females and 55.0% males, and in tertiary education establishments 50.4% were females and 49.6% were males.

If in terms of the level of education, the numbers were almost equal, when analysing the subject of education chosen by the student, one can find drastic differences. Thus, in 2022-2023, 91.9% of students studying electrical engineering at the tertiary education establishments were males and only 8.1% – were females; in mechanical engineering, 90.7% were males and 9.3% – females; 88.7% of people studying electronics, automation and electronic communications were males and 11.3% – females; in automation and instrumentation 88.2% of students were males and only 11.8% – female; 86.8% of students in transport were males and 13.2% – females; in information technologies 82.9% were males and 17.1% – females; 81.1% of students studying theology were males and 18.9 – females; and in agricultural sciences and food 80.3% were males and only 19.7% females, etc. Respectively, STEM-related subjects are very male-dominated in Ukraine.

On the contrary, in journalism 78.8% of students were females and 21.2% were males; 78.1% were females in humanities and arts and only 21.9% – were males; in biology, 75.9% were females and

⁴⁵ The ‘Females and Males in Ukraine’ publication prepared by the State Statistics Service of Ukraine is available at: <https://www.ukrstat.gov.ua/>.

24.1% – were males; 72.8% of students in healthcare were females and 27.2% males; in culture and art, 71.0% were females and 29% – males; 69.7% of students in social and behavioural sciences were females and 30.3 males; in education/pedagogy 68.9% of student were females and 31.1% – males; 66.7% of student in the service sector were females and 33.3% – males, etc. As follows, subjects that are related to the lower-paid sectors of economic activity were female-dominated.

The most gender-balanced subjects were production and technology, management and administration, law, natural sciences, chemical and bioengineering, public management and administration, and civil security. The other subjects had some imbalances at the level of 60-70%.

As a response to such a high level of inequality in the labour market and education, in 2023, the Cabinet of Ministers of Ukraine adopted the National Strategy for Overcoming the Gender Pay Gap for the Period up to 2030 and the Operational Plan of Measures for Its Implementation for 2023-2025⁴⁶. It refers among others, to combating stereotypes regarding the choice of the subject of study at the tertiary education establishments: *‘creating conditions for women and men to obtain education and choose a profession in areas where they are traditionally underrepresented’*.

At the very beginning of this document, it is mentioned that it was developed to fulfil the obligations undertaken by Ukraine in connection with its international agreements and, in particular, with the Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part. Moreover, the Annex to the National Strategy for Overcoming the Gender Pay Gap for the Period up to 2030 ‘On of the Analysis of the Internal and External Environment, Taking into Account Strengths and Weaknesses, Opportunities and Threats (SWOT Analysis) Regarding the Gender Pay Gap’ defines Ukraine’s acquisition of the status of a candidate for membership of the European Union as one of the opportunities in this regard.

The Russian full-scale invasion of Ukraine new challenges to gender equality and women’s rights in Ukraine and hindered the already existing. As Ukraine ranks drastically low with regard to women’s political empowerment and economic participation and opportunities, it is essential to ensure women are included in the decision-making processes at all levels and in all stages. For instance, the delegation of Ukraine at the negotiations with Russia that took place on 28

⁴⁶ The National Strategy for Overcoming the Gender Pay Gap for the Period up to 2030 and the Operational Plan of Measures for Its Implementation for 2023-2025 are available at: <https://zakon.rada.gov.ua/laws/show/815-2023-%D1%80#Text>.

February 2022 consisted of six people, all of them men. Furthermore, the delegation of Ukraine to participate in negotiations with the Russian Federation on the preparation and conclusion of the draft agreement on security guarantees of Ukraine officially appointed by the President of Ukraine on 4 March 2022 was 100% male as well. Thus, there is a risk that women will be seen through the traditional prism of patriarchal society only as victims of the war and not agents of change, while the on-the-ground practice differs:

- as of 2023, around 60,000 women were employed by the Armed Forces of Ukraine in some capacity, with approximately 42,000 serving in uniform and around 5,000 with units on the front lines;
- thousands of women became volunteers, journalists, and paramedics, making sure that the army has support in the rear and the people in need has access to all the necessary services and information; and
- as of 2023, there were more than 8 million Ukrainian refugees across Europe. 5 million people registered for the temporary protection status or similar national protection schemes in Europe and 5.3 million people were internally displaced in Ukraine. Most of those displaced within and leaving Ukraine are women and children (around 90%), making women in some cases the sole or main breadwinners⁴⁷.

4. EU Support for Gender Equality in Ukraine and Existing Problems in this Area

This part of the report provides an overview of the key instruments that are used by the EU to assist Ukraine on its way towards achieving gender equality. In particular, it focuses on the legal and financial instruments and provides a brief analysis of the gender-related aspects of the key agreements between the EU and Ukraine. Moreover, it describes some of the programmes in the field of gender equality promotion and protection in Ukraine supported by the EU.

4.1 The EU's Legal Instruments to Assist Ukraine in Achieving Gender Equality

The relations between the EU and Ukraine were established in December 1991 when Ukraine proclaimed its independence⁴⁸. Just a few years after that, Ukraine declared its European integration aspirations. It was done in the Decision of the Verkhovna Rada of Ukraine 'On the Key Directions of the Foreign Policy of Ukraine' adopted in July 1993. The document claimed that *'the priority of Ukrainian foreign policy is Ukrainian membership in the European Communities, as long as it does not harm its national interests. To maintain stable relations with the EU, Ukraine shall conclude a Partnership and Cooperation Agreement, the implementation of which shall become the first step towards its association and, later, full membership in this*

⁴⁷ The article 'EU-Ukraine Relations and Gender Equality' is available at: <https://blogs.helsinki.fi/eugendem-project/news/eu-ukraine-relations-and-gender-equality/>.

⁴⁸ The article 'Overview of Ukraine-EU Relations' is available at: <https://ukraine-eu.mfa.gov.ua/en/2633-relations/zagalnij-oglyad-vidnosin-ukrayina-yes>.

organisation'. It is worth noting that this legal act referred to the 'restoration of Ukraine's long-standing ties with European civilisation':

'The development of relations with Western European states creates conditions for the restoration of Ukraine's long-standing political, economic, cultural, and spiritual ties with European civilisation, acceleration of democratisation, implementation of market reforms, and improvement of the national economy. At the same time, such cooperation will become the basis for the expansion of Ukraine's participation in European structures and the future integration of its economy into the European and global economic space'⁴⁹.

The Partnership and Cooperation Agreement between the European Communities and their Member States and Ukraine⁵⁰ (the Partnership and Cooperation Agreement) was signed in June 1994 and came into force in March 1998. It is the first formal document that settled a framework of the partnership between the EU and Ukraine.

Even though the EU is often claimed to be a promoter of human rights and a gender equality champion, the Partnership and Cooperation Agreement had no references to gender equality or women's rights. Furthermore, it included quite a limited scope of rules and regulations on human rights and democracy in general.

Article 1 defined the aims of the Partnership and Cooperation Agreement. Among the latter were 'to create the foundations of mutually beneficial social cooperation between the EU and Ukraine' and 'support Ukraine's efforts to strengthen democracy'. Article 2 mentioned that *'the respect to democratic principles and human rights is to be treated as the basis of the internal and external policy of the Parties and constituted an essential element of the partnership and this Agreement'*.

When referring to human rights, the Partnership and Cooperation Agreement singled out the rights of national minorities. It was done in Article 6 in the part on political dialogue. At the same time, the Preamble of the document stated that the Parties of the agreement concluded to sight it 'being convinced of the extreme importance of the supremacy of the rule of law and *respect for human rights, especially the rights of minorities*, the creation of a multi-party system with free and democratic elections and economic liberalisation in order to create a market economy'. Accordingly, the Preamble could have had a broader reading when referring to 'the right of minorities' if there were a political will and initiative.

⁴⁹ The Decision of the Verkhovna Rada of Ukraine 'On the Key Directions of the Foreign Policy of Ukraine' is available at: <https://zakon.rada.gov.ua/laws/show/3360-12#Text>.

⁵⁰ The Partnership and Cooperation Agreement between the European Communities and their Member States and Ukraine is available at: https://zakon.rada.gov.ua/laws/show/998_012#Text.

In 1998, when the Partnership and Cooperation Agreement came into force, the Decree of the President of Ukraine ‘On the Approval of the Strategy of Ukraine’s Integration into the European Union’⁵¹ was issued. Among the main directions of the integration process, it pointed out ‘adaptation of Ukrainian legislation to EU legislation, ensuring human rights’, but it did not elaborate on the part of ‘human rights’: human rights were mentioned only once in this document – in the title of the respective directions of the integration process.

Later on, in 2000, the Program of Ukraine’s integration into the European Union⁵² was adopted by the Decree of the President of Ukraine (the Programme). This document referred to human rights relatively extensively compared to the previous legal acts. Chapter 4 of the Programme had the title ‘Human Rights and Protection of Rights of National Minorities’. Yet, the priorities defined by this chapter did not deal with gender equality or women’s rights. They included, for instance, the work on the legislation on migration, on citizenship, on legal status of foreigners, on civil rights, on protection of childhood, on freedom of conscience and religious organisations, etc.

The Action Plan ‘Ukraine-European Union’⁵³, approved by the Cabinet of Ministers of Ukraine at the beginning of 2005, mentioned gender equality as one of the social policy dimensions where the policy and practice that existed in Ukraine had to be brought closer to EU standards. It is worth mentioning that the Law of Ukraine ‘On Ensuring Equal Rights and Opportunities of Women and Men’, to which we referred in the first part of the report, was adopted also in 2005 but after the approval of this Action Plan.

Accordingly, the Partnership and Cooperation Agreement helped to establish a regular bilateral dialogue between the EU and Ukraine on political and sectoral levels, introduced trade regulations and determined the priorities of Ukrainian legislation adaptation to the European norms and standards. Though it did not provide for a solid framework of human rights protection and promotion, including the issues of women’s rights and gender equality, the very first Ukrainian national legal acts regulating equality between men and women were issued when the Partnership and Cooperation Agreement was in force, namely in 2005.

The Partnership and Cooperation Agreement was to expire in 2008 and a new agreement had to be signed. By the moment the new document was signed, the Partnership and Cooperation Agreement could be automatically prolonged upon the mutual agreement of both sides.

⁵¹ The Decree of the President of Ukraine ‘On the Approval of the Strategy of Ukraine’s Integration into the European Union’ is available at: <https://zakon.rada.gov.ua/laws/show/615/98#Text>.

⁵² The Program of Ukraine’s integration into the European Union is available at: <https://zakon.rada.gov.ua/laws/show/n0001100-00#Text>.

⁵³ The Action Plan ‘Ukraine-European Union’ is available at: https://zakon.rada.gov.ua/laws/show/994_693#Text.

While the new agreement between the EU and Ukraine was in development, the Law of Ukraine ‘On the Principles of Internal and External Policy’⁵⁴ was issued in 2010. Part 1 of Article 11 proclaimed that Ukraine was a *European non-aligned state* that pursued an open foreign policy and sought cooperation with all interested partners, avoiding dependence on individual states, groups of states, or international structures. At the same time, part 2 of the same article defined *ensuring Ukraine's integration into the European political economic and legal space to acquire membership in the European Union as one of the basic principles of Ukraine's foreign policy*.

Concurrently, in 2020, Ukraine's Visa Liberalisation Action Plan (VLAP)⁵⁵ was presented at the Ukraine-EU Summit. It covered four blocks of visa-free dialogue:

- document security, including biometrics;
- illegal migration, including readmission;
- public order and security; and
- external relations and fundamental rights.

The last dimension, among others, dealt with discrimination issues and required the adoption of comprehensive anti-discrimination legislation. Concerning the latter, in 2015, the President of Ukraine adopted the National Human Rights Strategy of Ukraine⁵⁶. Among others, it had regulations on prevention and countering of discrimination, ensuring equal rights and opportunities for women and men, combating gender-based violence, human trafficking and slavery, combating domestic violence, etc. In the same year, the Law of Ukraine ‘On Introduction of Amendments to Labor Code of Ukraine on Harmonization of Legislation on Prevention and Countering Discrimination with Legislation of European Union’ was adopted (more information about it in the first part of this report).

The Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part⁵⁷ (the EU-Ukraine Association Agreement), which is the second crucial document in terms of EU-Ukraine cooperation, was signed in 2014 on the wave of the Revolution of Dignity and the outbreak of the Russian war against Ukraine. At the end of 2013-beginning of 2024, the protests took place in Kyiv in response to President Viktor Yanukovich's

⁵⁴ The Law of Ukraine ‘On the Principles of Internal and External Policy’ is available at: <https://zakon.rada.gov.ua/laws/show/2411-17/ed20100701#Text>.

⁵⁵ The Ukraine's Visa Liberalisation Action Plan is available at: <https://zakon.rada.gov.ua/laws/file/text/16/f401732n5.pdf>.

⁵⁶ The National Human Rights Strategy of Ukraine is available at: <https://zakon.rada.gov.ua/laws/show/501/2015#Text>.

⁵⁷ The Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part is available at: https://publications.europa.eu/resource/cellar/4589a50c-e6e3-11e3-8cd4-01aa75ed71a1.0006.03/DOC_1.

decision not to sign a new agreement between the EU and Ukraine and move closer to Russia despite the Verkhovna Rada of Ukraine's approval of the agreement.

The EU-Ukraine Association Agreement came into force in 2017 and, contrary to the previous document, it did address the issues of gender equality and women's rights. Gender equality was mentioned directly only under a few norms in the chapter on cooperation in the field of employment, social policy, and equal opportunities:

- Article 419 established that the *EU and Ukraine were to strengthen their dialogue and cooperation on promoting the decent work agenda, employment policy, health and safety at work, social dialogue, social protection, social inclusion, gender equality and non-discrimination*;
- Article 420 foresaw that cooperation in the above-mentioned areas *should aim at gender equality and ensure equal opportunities for women and men in employment, education, training, economy and society, and decision-making*.

In addition, Ukraine had to amend its national legislation following the key EU gender equality directives, the majority of which relate to employment and social policy, namely:

- Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for *equal treatment in employment and occupation*;
- Council Directive 2004/113/EC of 13 December 2004 implementing the principle of *equal treatment between men and women in the access to and supply of goods and services*;
- Council Directive 96/34/EC of 3 June 1996 on the framework agreement *on parental leave* concluded by UNICE, CEEP and the ETUC;
- Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the *safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding*;
- Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of *equal treatment for men and women in matters of social security*.

Moreover, the EU-Ukraine Association Agreement had a reference to women in the chapter on trade and sustainable development. Article 291 on multilateral labour standards and agreements provided for the following: '*Parties reaffirm their commitments to promote the development of trade in a way that is conducive to full and productive employment and decent work for all, including men, women and young people*'.

This agreement is a high-level framework document. Respectively, it is impossible to write down in its text everything to the smallest details. While some parts of the document did not mention gender equality or women's rights directly, they did provide for the necessity to introduce

changes in this area. For instance, the EU-Ukraine Association Agreement established the requirement for a gradual approximation of Ukraine's legal framework in the field of regulation of the information society and audiovisual policy to the requirements of the EU. The latter established the prohibition of sexism in public audiovisual materials. Even though sexism was not mentioned directly in the respective norms in this document, they did provide for the necessity to amend the national legislation in this regard.

Besides, the general provisions on human rights and non-discrimination, respect for diversity and human dignity were incorporated into the preamble of the EU-Ukraine Association Agreement, general principles, the political and justice, as well as freedom and security parts of the document⁵⁸.

Accordingly, although the number of provisions on gender equality and women's rights in the EU-Ukraine Association Agreement was quite limited, it might be claimed that after this document was signed the gender equality policy became a requirement of a state policy in Ukraine. Moreover, contrary to the Istanbul Convention, ratification of which failed because of the strong opposition to the gender-related terminology used in its text, the process of the ratification of the EU-Ukraine Association Agreement did not face such issues even though its text did refer to gender equality.

In 2018, the Verkhovna Rada of Ukraine issued a Law of Ukraine 'On the Introduction of Amendments to the Constitution of Ukraine (Regarding the State's Strategic Course to Acquire Full Membership of Ukraine in the European Union and the North Atlantic Treaty Organization)'⁵⁹ which introduced amendments to the Constitution of Ukraine that set the course for Ukraine's full membership in the EU and NATO. As follows, *membership in the EU became a constitutional norm meaning that the requirement to implement the EU acquis to the national legal framework, including the regulations on gender equality and women's rights, transformed into a top priority*. In February 2022, a few days after the Russian aggressive full-scale invasion of Ukraine, Ukraine applied for EU candidate country status, which was granted to it already in June 2022 together with the seven recommendations⁶⁰ that had to be fulfilled before the next steps on European integration of the country could be undertaken. However, *the above-mentioned*

⁵⁸ The article 'EU-Ukraine Relations and Gender Equality' is available at: <https://blogs.helsinki.fi/eugendem-project/news/eu-ukraine-relations-and-gender-equality/>.

⁵⁹ The Law of Ukraine 'On the Introduction of Amendments to the Constitution of Ukraine (Regarding the State's Strategic Course to Acquire Full Membership of Ukraine in the European Union and the North Atlantic Treaty Organization)' is available at: <https://zakon.rada.gov.ua/laws/show/2680-19#Text>.

⁶⁰ The article 'EU Commission's Recommendations for Ukraine's EU candidate status' by the [Ukraine](#) is available at: https://www.eeas.europa.eu/delegations/ukraine/eu-commissions-recommendations-ukraines-eu-candidate-status_en?s=232.

recommendations did not deal with the issue of gender equality, women's rights or ensuring diversity in general.

Based on Ukraine's fast progress in implementing the given recommendations into practice, in December 2023, EU leaders decided to open accession negotiations with Ukraine. Among others, the Council conclusions on Enlargement as approved by the Council on 12 December 2023 mentioned the following:

*'The protection of fundamental rights lies at the heart of the EU's values. The Council pays particular attention to partners' progress in this area, recalling that credible measures to address reported shortcomings is an overall priority. In this context, the Council reiterates the importance of upholding the rights of the child and the rights and non-discriminatory treatment of persons belonging to minorities and persons in vulnerable situations, such as the Roma, persons with disabilities, lesbian, gay, bisexual, transgender and intersex (LGBTI) persons, and persons belonging to national minorities. On gender equality, the Council reiterates that empowerment and the full enjoyment of fundamental rights of women and girls must be [ensured].'*⁶¹

In March 2024, the draft negotiating framework for Ukraine was presented by the European Commission. It has to be adopted by the Council in the future. The objective of the negotiations is for Ukraine to adopt the EU *acquis* and ensure its full implementation and enforcement, which means that the country has to follow all the regulations on gender equality adopted by the EU as well.

Ukraine is also a part of the Eastern Partnership initiative⁶², which was launched in 2009 and involves the EU, its MSs, and six Eastern European Partner countries: Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine. There is a range of documents that regulate the operation of the initiative and refer to gender equality and women's rights. However, given the limited scope of this report and the regional character of this initiative, the author will not go into detail of its operation and will focus only on the bilateral agreements between the EU and Ukraine.

As follows, there are not a lot of direct references to gender equality and women's rights in the key agreements between the EU and Ukraine, especially in the first documents issued in this regard. There are a few reasons behind such a situation:

⁶¹ The Council conclusions on Enlargement as approved by the Council on 12 December 2023 is available at: <https://data.consilium.europa.eu/doc/document/ST-16707-2023-INIT/en/pdf>.

⁶² More information about the Eastern Partnership initiative is available at: https://www.eeas.europa.eu/eeas/eastern-partnership_en.

- at the time when the first agreement between the EU and Ukraine was signed the EU's legal framework in this regard was still developing;
- people responsible for drafting the texts of these documents did not consider it as a priority; and
- key Ukrainian gender equality experts were not invited to participate in the consultations on the development of the draft texts of such agreements, including the EU-Ukraine Association Agreement⁶³.

However, even a few regulations on gender equality and women's rights in the high-level agreements open the room for the civil society representatives to demand from the government and legislator's implementation of the necessary changes in this area. They can use them as an instrument in their work.

4.2 EU's Financial Instruments to Assist Ukraine in Achieving Gender Equality

To assist Ukraine in fulfilment of its obligations in terms of European integration, the EU supports the country financially. *With the development of the EU's internal legal framework on gender equality and women's rights, it started to include the respective norms in the financial agreements with its partners.*

The first Financial Agreement between the EU and Ukraine⁶⁴ that had a reference to gender equality was signed in 2013. It concerned the continuation of the support for the implementation of Ukraine's energy strategy. The total cost of the programme was 45 million EUR. Gender equality was mentioned in the agreement in the section on providing the arguments for the relevance of the programme:

'While the program has a direct impact on effective governance, it also has an indirect impact on human rights and gender equality, which results in particular from the following reasons:

- [These] reforms should provide for appropriate consumer protection mechanisms that will contribute to the creation of equal opportunities for all social groups in Ukraine. Without such measures, families and pensioners will be at the most disadvantageous position and women may become the main group under the main pressure. In addition, market reforms, which will be implemented in parallel with relevant measures to support institutional capacity, should increase transparency and ensure effective governance, thereby removing grounds for potential

⁶³ The article 'Gender equality and the Association Agreement with the EU: will Ukraine be able to fulfil what it signs?' is available at: <https://50vidsotkiv.org.ua/genderna-rivnist-i-ugoda-pro-asociaciyu-z-yes-chi-zmozhe-ukrayina-vikonati-te-pid-chim-pidpisuyetsya/>.

⁶⁴ The Financial Agreement between the EU and Ukraine is available at: https://zakon.rada.gov.ua/laws/show/984_006#Text.

corruption in the sector, and should promote the integration of environmental policies into the sector, which should lead to strengthening human rights and gender equality; [...].

The phrase 'gender equality' is used in the above-mentioned piece of text three times. An interesting fact is that in the Ukrainian version of the document it is written incorrectly two times out of three (not as 'gender equality' but as 'tender equality') which shows how underdeveloped the understanding of gender equality issues was at that time among the legislators and technical personal working on drafting the legal acts.

From 2018, a number of agreements between the EU and Ukraine on providing financial support to Ukraine that had a reference to gender equality and/or women's rights increased. In some cases, gender equality was mentioned only as one of the general tasks to keep in mind while implementing the respective programme, while the other mentioned ensuring gender equality and empowering women and girls as one of the specific aims they had to achieve. For instance, the Supplementary Agreement No. 1 between the Government of Ukraine and the European Commission, acting on behalf of the European Union, to the Financing Agreement 'U-LEAD with Europe: Program for Ukraine on Local Empowerment, Accountability and Development' (ENI/2015/ 038-739)⁶⁵ signed at the beginning of 2018 referred to gender equality once in a table on general tasks. Contrary to that, the Agreement on financing the program 'Support of Public Financial Management for Ukraine - EU4PFM'⁶⁶ signed at the end of 2018 extensively mentioned gender equality as a specific aim to be achieved. Moreover, it referred to the gender segregation of labour market, gender balance in terms of the personnel of respective decision-making bodies, gender-oriented budgeting, gender-oriented system of professional development, gender-oriented teaching, learning and evaluation materials, gender-oriented approaches to teaching, etc.

In 2018-2020, the EU and Ukraine signed more than 25 financial agreements that touched upon/mentioned gender equality and/or women rights. Their scope varied from projects on anticorruption to the development of agriculture and small farms and reducing vulnerability and increasing food security through support for the affected population and agricultural production in Ukraine to state financial governance and state service reformation.

Before the Russian full-scale invasion of Ukraine, the financial support provided by the EU to Ukraine in reforming the country's legal and institutional system played a crucial role in its

⁶⁵ The Supplementary Agreement No. 1 between the Government of Ukraine and the European Commission, acting on behalf of the European Union, to the Financing Agreement 'U-LEAD with Europe: Program for Ukraine on Local Empowerment, Accountability and Development' (ENI/2015/ 038-739) is available at: https://zakon.rada.gov.ua/laws/show/984_003-18#Text.

⁶⁶ The Agreement on financing the program 'Support of Public Financial Management for Ukraine - EU4PFM' is available at: https://zakon.rada.gov.ua/laws/show/984_008-18#Text.

transformation and establishment of a democratic system of governance. The introduction of gender-related norms to the agreements on providing such support *helped to foster progress in this area and levelled down the arguments of the opponents of gender equality on the inappropriateness of spending public funds on such matters*. Since 24 February 2022, the EU's financial support has been crucial in ensuring the country's survival as an independent and sovereign state. The existence of gender-related norms in the documents regulating the financial relations between the EU and Ukraine *helps to avoid unequal distribution of powers and resources which is one of the risks caused by the full-fledged war*.

4.3 EU-Funded Initiatives in Gender Equality Promotion and Protection in Ukraine

Considering the diversity of gender equality challenges in Ukraine mentioned in the second part of this report, the number of programmes and projects supported by the EU in this area is also quite big. They vary in scope, duration, location, target audience, instruments, etc. To illustrate in which ways the EU has already stepped in to assist Ukraine in this regard, the author presents some examples of the regional and local projects that target gender equality and women's rights below.

One of the key regional initiatives in this regard is the 'EU4Gender Equality: Together Against Gender Stereotypes and Gender-Based Violence' programme⁶⁷. The first phase of the programme lasted from 2020 until 2023, and the second part started in 2024 and will finish in 2026. The EU's contribution to its implementation in 2020-2023 was 7.5 million EUR and in 2023-2026 is 5 million EUR. The programme is implemented jointly by UN Women and UNFPA in six Eastern Partnership countries: Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine. Its objective is to reduce gender discriminatory attitudes and practices between women and men in institutional and community spheres, including unpaid domestic and care work. It proposes to do it, among others, by creating new and upscaling previously created Fathers' Schools, building capacity of facilitators and gender advocates, advocating for equal sharing of care work and domestic responsibilities by promoting family-friendly policies in the national legislation and among the non-state actors, etc.

Another example of a relevant EU-supported regional programme is 'Women in Business' programme⁶⁸. It was launched in 2015 to help women-led small and medium-sized enterprises

⁶⁷ More information about the 'EU 4 Gender Equality: Together Against Gender Stereotypes and Gender-Based Violence' programme is available at: <https://eca.unwomen.org/en/what-we-do/ending-violence-against-women/eu-4-gender-equality>.

⁶⁸ More information about the 'Women in Business' programme is available at: <https://euneighbourseast.eu/projects/eu-project-page/?id=1940>.

access the finance and the know-how they need to grow. The European Bank for Reconstruction and Development provided access to finance through credit lines to local banks dedicated to developing women-led SMEs, alongside business advice to help businesses become more competitive. The programme also offered training, mentoring and other support to enable women entrepreneurs to share experiences and learn from each other. Its first phase took part in 2015–2022 and had €5 million support from the EU. The second phase started in 2021 and will last until 2027. The total budget of the latter is €76.5 million and the EU contributes €8.4 million EUR to support its operation. The overall objective of the Programme is to stimulate the transition to more competitive and inclusive economies in the Eastern Partnership countries through a strengthened role of women-led MSMEs in the economy. It aims at ensuring that women entrepreneurs in these countries have a real and fair chance of success.

The European Union–Council of Europe regional project ‘*Partnership for Good Governance*’ is an example of a complex long-lasting project that works, among others, on promoting gender equality and women’s rights. In 2019–2023, the ‘PGG: Women’s Access to Justice: Delivering on the Istanbul Convention and Other European Gender Equality Standards in the Eastern Partnership Countries’ project⁶⁹ aimed at strengthening access to justice for women, especially victims of violence and contributing towards the EaP countries’ ratification of the Istanbul Convention. It indirectly addressed gender inequalities in society, particularly visible in cases of women victims of violence by taking into account the specificities of women’s and men’s experiences, as well as needs within the justice system. The project targeted legal professionals who were at different steps of the justice chain and who were interacting with women in search of redress. The implementing organisation of the project was the Council of Europe. The total budget was €1 million, and the EU’s contribution 800,000 EUR. In 2023, the phase of the project was launched. It will last until 2026 and has a few elements: ‘PGG III: Women’s Access to Justice: implementing Council of Europe’s gender equality and violence against women standards’⁷⁰ and ‘PGG III: Promoting equality and non-discrimination: towards more resilient and inclusive societies’⁷¹. The first one shall contribute to the elimination of the systemic barriers women encounter when accessing justice, both the legal and institutional challenges as well as the

⁶⁹ More information about the ‘PGG: Women’s Access to Justice: Delivering on the Istanbul Convention and Other European Gender Equality Standards in the Eastern Partnership Countries’ project is available at: <https://euneighbourseast.eu/projects/eu-project-page/?id=1421>.

⁷⁰ More information about the ‘PGG III: Women’s Access to Justice: implementing Council of Europe’s gender equality and violence against women standards’ project is available at: <https://euneighbourseast.eu/projects/eu-project-page/?id=1971>.

⁷¹ More information about the ‘PGG III: Promoting equality and non-discrimination: towards more resilient and inclusive societies’ project is available at: <https://euneighbourseast.eu/projects/eu-project-page/?id=1975>.

socio-cultural barriers that materialise as gender bias in the justice systems of the Eastern Partnership countries. It has a total budget of €1 million and the EU's contribution is €800,000. The second one seeks to consolidate the partnership established with institutions in the field of equality and non-discrimination and follow up on ongoing processes and harmonisation of legislative and institutional frameworks with European standards. The latter has a total budget of €500,000 and the EU contributes €388,600.

A final regional initiative that will be presented in this report is the '*EU4GenderEquality: Reform Helpdesk*'⁷² project. It was launched in 2021 and finished at the beginning of 2024. The EU's contribution to its implementation was €2.2 million. The project was administrated by NIRAS and aimed to increase the knowledge base and use of gender analysis in decision-making and reforms by the Eastern Neighbourhood governments and EU Delegations to deliver effective and equal results to all, both women and men. It provided gender analysis and expert advice on gender equality in a wide range of areas such as labour market policies, economic development, public administration, justice reforms, health care and social services, as well as education and family policies. Among its deliverables is 'Ukraine Country Gender Profile'⁷³ which provides a snapshot of gender equality issues in Ukraine as of July 2023. It summarises achievements in the field of gender equality, as well as barriers to equality and gender inequalities that persist, analysing their root causes and suggesting recommendations to address them.

Referring to the local projects in Ukraine supported by the EU to promote gender equality, one should mention the '*Centre of Gender Culture as a Platform for Empowerment of Women and Youth*' project⁷⁴. It operated in the Kharkiv region and in the east of Ukraine and was implemented by NGOs Kharkiv Regional Gender Resource Centre, Change Agency 'Perspectives' and Actual Woman. The project started in December 2017 and lasted until December 2020. Its total budget was 716 966 EUR, the EU contributed €645,000. The project focused on the informal gender education of young people and women to help them grow into 'gender-sensitive leaders' and become active in the decision-making process at both the local and regional levels. Specific objectives of the project included:

- to enhance awareness of gender issues in the east part of Ukraine;

⁷² More information about the '*EU4GenderEquality: Reform Helpdesk*' project is available at: <https://euneighbourseast.eu/projects/eu-project-page/?id=1480>.

⁷³ The 'Ukraine Country Gender Profile' is available at: https://drive.google.com/file/d/1F2ID2EXCj_0vDiL1KI0fzQwT6dlfknVg/view.

⁷⁴ More information about the Centre of Gender Culture as a Platform for empowerment of women and youth is available at: <https://euneighbourseast.eu/projects/eu-project-page/?id=337>.



- to increase the opportunities for women to take leadership roles and participate in decision-making in social and political processes in the Kharkiv area;
- to develop a gender-sensitive environment in the Kharkiv area.

Although the EU's support lasted only until 2020, the above-mentioned project carries on its operation which proves its sustainability and the effectiveness of investing in such types of initiatives. One of the key reasons for its success is the vast number of partners engaged in its implementation and supporters from both the private and public spheres of life.

In 2022, the '*Resilient Together. Improving the System of Response to War-Related Sexual Violence*'⁷⁵ was launched by NGOs Ukrainian Women's Fund, La Strada-Ukraine and JurFem and the Government Commissioner on Gender Equality Policy. It will finish its operation in 2024. The EU contributes €160 million to its implementation. Specific objectives of this project are:

- to build the capacity of key stakeholders to provide targeted support to survivors of war-related sexual violence;
- to create an effective system of prevention and response to conflict-related sexual violence at a regional level;
- to contribute to the development of a legal framework for responding to conflict-related sexual violence and advocate for its adoption.

To conclude, in 2023, the '*Building Resilience of Ukrainian Women IDPs and Refugees and Increasing Female Workforce in Tech-Driven Industry*' project⁷⁶ was launched in Ukraine. It is designed to benefit 1,000 unemployed Ukrainian female IDPs and refugees aged 18 and above who are actively seeking new educational and career opportunities in the creative and technology sectors. The duration of the project is one year, and it will end up in 2024. Its objectives include:

- to contribute to creating conditions for ensuring equal economic opportunities for women and men;
- to empower women with IDP and refugee status for employment in creative and tech-driven industries.

As the last two projects were established after the Russian full-scale invasion of Ukraine and are still in operation, it is difficult to reflect on their results and sustainability.

To sum up, alongside the introduction of the requirements on gender equality and women's rights to its agreements with the other parties, the EU provides the latter with the financial and

⁷⁵ More information about the '*Resilient together. Improving the system of response to war-related sexual violence*' project is available at: <https://euneighbourseast.eu/projects/eu-project-page/?id=1811>.

⁷⁶ The '*Building resilience of Ukrainian women IDPs and refugees and increasing female workforce in tech-driven industry*' project is available at: <https://euneighbourseast.eu/projects/eu-project-page/?id=2018>.

technical assistance to fulfil these requirements. However, the majority of the big programmes and projects supported by the EU in this regard are of a regional character which means that they are not tailored to the specific country's needs and environment. At the same time, the topic in question is quite sensitive and requires a deep understanding of the local context.

5. Recommendations for Including Gender Equality in EU Democracy Support

As follows up from the previous parts of this report, in the past thirty years the development of Ukrainian gender equality legal framework and environment, including the understanding of gender, gender equality and gender identity, was impacted a lot by the EU. Many achievements in this area have been gained because of the fulfilment of the direct or indirect requirements put towards Ukraine in terms of the European integration process. At the same time, *as the country is undergoing one the most challenging periods in its history at the moment, it is important to balance properly the demands put for it to fulfil and the assistance provided.*

Considering that this report focuses a lot on legal aspects of gender equality in Ukraine and the EU's role in the process of Ukrainian legislation transformation, the author would like to give the following recommendations in this regard:

- it is essential to refer to gender equality and women's rights issues extensively in the **Ukrainian accession process** (e.g., mentioning directly gender equality and women's rights in the documents related to the negotiations, referring to gender equality and women's rights not only in chapter on social policy and equal opportunities but mainstreaming it through all the chapters);
- it is crucial to engage Ukrainian civil society organisations and gender equality experts when developing the key documents in the area of **European integration of Ukraine** regardless of the field these documents are designed to regulate (a transparent procedure of selection of the respective organisations and experts should be established for everyone to be able to apply and the selection to be done based on competences and experiences);
- it is recommended for the EU officials responsible for the development and implementation of the EU documents related to Ukraine, including those on gender equality and women's rights, **to conduct visits to the country regularly**;
- it is important for EU officials and politicians to address the issues of gender equality and women's rights in their **statements on Ukraine or to the Ukrainian government** (it would have a symbolic meaning, yet, it will provide Ukrainian civil society organisations with more instruments to pressure the local governments about the implementation of some policies and regulations);

- it is necessary **to provide financial and technical assistance to the Ukrainian government** to comply with its obligations in terms of gender equality and women's rights protection and promotion established by the EU and other actors (considering the fact that the Russian full-scale aggression still continues at the time of writing, Ukrainian financial capacities are very limited and focused on protecting the country's sovereignty and independence, which means that the other sectors of public life have to be supported from the remaining limited sources);
- it would be beneficial **to establish a platform for constant cooperation and exchange of knowledge, skills and best practices** between the representative of the Ukrainian government and legislators and the EU officials responsible for the development and implementation of the EU policies on gender equality;
- it is required **to implement more big- and small-scale programmes** aimed at gender equality enhancement on a country level (however, it does not mean that there should be no regional programmes, but the redistribution of resources and priorities should be done in a way that a priority is given to the country level and the local context and needs are taken into account on the first place);
- it is important **to have transparent mechanisms of assessment** of the effectiveness of regional and national EU-funded programmes on gender equality promotion and protection to ensure that the best practices are kept in operation while not elective instruments are not used anymore;
- it is needed **to provide direct financial and technical assistance to Ukrainian civil society organisations** working in the respective field as they are at the frontlines of helping the most vulnerable categories of the population, including women, children and the elderly, and they are the most proactive actors working on gender equality promotion and protection in Ukraine (e.g., launching some more programmes on an organisational support of Ukrainian civil society organisations would ensure their sustainability and improved the quality of the services they provide);
- it is fundamental **to carry out more meetings with Ukrainian civil society organisations and representatives of Ukrainian authorities** to keep the question of gender equality and women's rights in Ukraine visible at the European level;
- it is recommended to establish a platform for a constant cooperation and exchange of knowledge, skills and best practices between the Ukrainian and European civil society organisations working in the area of gender equality and women's rights.