

Beijing+20 Regional Review Meeting
Geneva, 6-7 November 2014
Panel 8: Governance and Gender Justice

Structure (indicate at beginning of speech)

1. Situation of women in Ukraine
2. Methodology of CLCs
3. How they've particularly affected women

The position of women in Ukraine

Since 1990 Ukraine has moved forward in reducing the gender gap, but there are still challenges. As noted in the National review on the Beijing Declaration and Platform of Action Implementation, Ukraine made a huge step forward on the development of a legislative framework for regulating gender issues and equality. The number of domestic violence cases reported have increased, but this also reflects increased awareness and confidence to report.

According to the Global Gender Gap Index 2013, Ukraine ranked 64th in the world¹. The level of equality of men and women in economic participation was ranked 30th, access to education – 27th, while political participation was at 119th.

Justice problems of women in Ukraine

Equal rights between men and women are regulated by various laws and by-laws. But does the law work for everybody and empower women in practice?

According to a “Legal needs study”² we undertook in 2010 54% of the respondents had encountered some legal problems in the last 3 years. One interesting result is that among those who faced legal problems, 41% of respondents took no action to address them. Women were more reluctant in taking any actions to address their problems than men – 65% did nothing. The number of males was 35%.

Socio-demographic characteristics of respondents indicated that other characteristics of people who did nothing included being married, middle-aged or elderly, with a relatively poor financial situation.

The results of the study showed that 8.1% of total respondents faced a problem of family issues . This does not necessarily mean that the problem of domestic violence has such low frequency, but may mean that women often don't recognize it as a legal problem.

What kind of justice system reforms can be done to improve of the ability of women to access justice equally?

One top-down approach is for the state to adopt legislation to protect vulnerable groups. The second approach is grassroots based, giving a person legal capacity to identify problems and find ways to solve them. These two approaches are not mutually exclusive, but can complement and enhance the capabilities of vulnerable groups. A new law introduced in 2011 on legal aid expands the state's commitment to provide free legal assistance in civil matters, offering increased opportunities for vulnerable groups to protect their rights. However, extra efforts should be made to strengthen the capacity of women to use these new opportunities.

One key approach is in raising awareness on women's rights through a new Legal Empowerment Initiative.

¹ http://www3.weforum.org/docs/WEF_GenderGap_Report_2013.pdf

² Level of legal capacity of the Ukrainian population: accessibility and effectiveness of legal services. Kharkiv Institute of Social Researches, Kharkov 2011.

Methodology of CLCs

Since 2009, the International Renaissance Foundation with support from the Open Society Foundations and UNDP has been implementing a new initiative on Legal Empowerment. Under the project, NGO activists have established Community Law Centers (CLCs) to provide community members with primary legal aid. Through the centres, any community member can access to legal information and assistance, and in rare instances litigation, either through visiting the Center itself, or by visiting legal clinics in villages where they live, as lawyers go to the remote villages to conduct mobile clinics. The approach to grassroots justice, increasingly being used across the world, seeks to make legal resolution available for ordinary people, by using public legal education, legal information, mediation and negotiation, often by using a frontline of non-lawyers trained in law, based in communities, as a bridge to help people use the law and access government services. There is a growing global movement to move away from formal legal representation by lawyers in courts towards this more empowering, person-focused approach, where people's problems are the starting point rather than institutions. Importantly, this is a low cost model – in Ukraine, it costs on average just over \$8 per case. There is now a network of 41 community legal centres all over the country.

According to our statistics, 67% of clients of the centres are women. Most of the queries that they are interested in are on social protection, divorce, and employment.

I'm going to talk about a few key areas where the CLCs have been helping women in Ukraine: domestic violence, women with disabilities, and Roma women.

One of the focuses of the CLCs is to provide support for victims of domestic violence in remote communities.

37% of Ukraine's population lives in rural areas. Access in rural communities to basic rights – high quality education, medical and legal aid – is significantly limited due to social, economic, and, sometimes, physical barriers. Rural women are particularly vulnerable due to poverty, age and isolation³ – and yet services for domestic violence survivors were previously only available in cities. Social services, law enforcement agencies and local governments are responsible for preventing domestic violence and protecting victims. Even in cities, often their activities are coordinated poorly and are therefore ineffective. As part of a pilot project Community Law Centers joined forces in promoting dialogue between all actors helping survivors of domestic violence, as well as undertaking a public information campaign about domestic violence and providing timely legal aid to survivors of abuse.

There has been strong uptake: agencies have started working together much more consistently, and the CLCs have provided a bridge with survivors. Moreover, thanks to the efforts of the CLCs, local authorities have established and equipped shelters for victims of domestic violence in the community – taking responsibility for services, and funding them from municipal budgets. Lack of shelters had previously often negated the efforts of lawyers and government because victims often simply had nowhere to go: of course this is still the case in many places but progress is being made.

On women with disabilities, thanks to the CLCs and Pro Bono advocates, hundreds of women were able to assert their rights in court. I would like to mention one significant case undertaken by the CLCs to defend the parental rights of disabled women *Description of cases 1 and 2*.

In relation to Roma women...As we know, belonging to a minority group can make women more vulnerable. In Ukraine, barriers for Roma women include the fact they live in isolated communities,

³ Report for Universal Periodic Review, United Nations, 2012. Ukraine.

engrained distrust in the mainstream authorities, and a culture in which discrimination against women is more prevalent than in the rest of Ukraine. IRF has established Community Law Centers, located in Roma settlements, and led by female Romani lawyers, who provide primary legal aid in their communities. These women help with legal problems – for example obtaining IDs and social benefits, improving access to health services and enabling Roma children to enter mainstream schools. But they also act as an example to other community members: they demonstrate that even in such traditional and conservative society Roma women can be successful, well-educated and economically independent. There is still a long way to go however – the lawyers still struggle to deal with sensitive issues such as domestic violence and early marriage, which ongoing problems: the CLCs do however provide an entry point and we hope to work on these more challenging issues as the community increase confidence in the CLCs.

CLCs look like a promising methodology, and we are currently undertaking an impact evaluation to understand them more fully. They have been widely recognised in Ukraine as an important way to enable ordinary people to access justice, and as a result has started to attract both local and central government funding, which will allow them to become sustainable in the long term.

Through the expansion that this support will allow, we envision CLCs playing an important role in levelling the playing field across Ukraine, bringing justice for women in their day to day lives, and in doing so is playing a central role in making a fairer society, where everyone can maximise their opportunities.