

ANALYSIS OF DECENTRALIZATION REFORM IN UKRAINE FROM THE PERSPECTIVE OF GENDER EQUALITY AND THE HUMAN RIGHTS-BASED APPROACH

Analytical Report

December 2021

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TABLE OF CONTENTS

ACRONYMS AND ABBREVIATIONS	4
OVERVIEW	5
METHODOLOGY	8
GENDER AND HUMAN RIGHTS ANALYSIS OF THE BASIC DECENTRALIZATION POLICIES AND REGULATORY LEGAL ACTS	8
IMPACT OF DECENTRALIZATION REFORM ON GROUPS OF WOMEN AND MEN IN VULNERABLE SITUATIONS	11
1. Provision of administrative services by central executive bodies through administrative service centres	11
2. Social protection services	13
3. Healthcare services	15
4. Education services	17
5. Community safety and security and protection from gender-based violence	18
6. Culture, physical culture and sport services	19
7. Housing and utility services	21
8. Provision of essential goods	23
ENGAGEMENT OF WOMEN AND MEN IN VULNERABLE SITUATIONS IN LOCAL DECISION-MAKING PROCESSES	23
RECOMMENDATIONS	26

ACRONYMS AND ABBREVIATIONS

AAAQ	Availability, Accessibility, Acceptability and Quality
ASC	Administrative service centre
ATO/JFO	Anti-Terrorist Operation/Joint Forces Operation
CAB	Consultative-advisory body
CEB	Central executive bodies
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CEDAW COMMITTEE	Committee on the Elimination of Discrimination against Women
CMU	Cabinet of Ministers of Ukraine
GE AND HRBA	Gender equality and the human rights-based approach
IDP	Internally displaced person
LBTQ+	Lesbian, bisexual, transgender and queer women
LSGS	Local self-government bodies
M&E	Monitoring and evaluation
NGO	Non-governmental organization
RLA	Regulatory legal act
RSA	Regional state administration
TC	Territorial community
UN	United Nations
UN WOMEN	United Nations Entity for Gender Equality and the Empowerment of Women

OVERVIEW

The central and local government decentralization reform (hereinafter referred to as decentralization) is currently rightfully considered one of the most successful democratic reforms in Ukraine, aimed at providing a comfortable and safe living environment throughout the country and fostering efficient local self-government bodies (LSGs) capable of providing high-quality and affordable public services.

The conceptual framework of this reform is built upon the fundamental provisions of the European Charter of Local Self-Government and the best global practices regarding the observance of human rights and freedoms.

Reformation of the territory management system is based on the principles of fairness, inclusion, integrity and accountability of the territorial communities (TCs) and is directly related to sectoral decentralization in the spheres of budgeting, taxation, public health, education, social issues, culture and land ownership, among others. Such reformation demonstrates systematic positive changes, promotes the development of TCs and expands their opportunities to pursue public and private investment, including foreign investment. Conditions are being created to ensure individuals' and entities' easy access to receiving administrative and other public services digitally.

The new model of financial backing for local budgets has enabled TCs' autonomy and independence from district budgets. In 2021, all TCs whose territories were approved by the Government and where elections of members and chairpersons of TCs' councils on a new territorial basis were completed, have shifted to direct inter-budget relations with the State Budget, which means that they have gained autonomy.

The reform has considerably increased the motivation for inter-municipal consolidation within the country and has created favourable conditions for the development of viable TCs in cities, villages and settlements, which are joining forces to solve major problems through cooperation.

The human-centred approach to the decentralization reform ensures an improved quality of governance at the local level, transparency of decisions made and broad involvement of citizens in the processes of decision-making on local development. Decentralization can potentially provide more rights and opportunities to people, in particular to those population groups who often suffer from discrimination and are excluded from decision-making processes.

Analyses conducted by the UN system and other agencies show that women, especially those in vulnerable situations, face multiple forms of discrimination in all spheres of life. All of the following result in systemic barriers to women's access to services and economic, political and information resources: the unfair distribution of unpaid domestic work and care responsibilities; gender discrimination in the labour market; and, consequently, women's lower financial independence, low mobility, high vulnerability to sexual and domestic violence, low public support for their political participation, widespread gender stereotypes and the insufficient gender potential of public administration and local governments. Overcoming gender inequality while ensuring the participation of women in the implementation processes of democratic reforms is among Ukraine's international and national commitments. The gender responsiveness of the decentralization reform is an integral part of its human-centricity and evidence of its efficiency. Accordingly, consolidating the achievements of the reform and enhancing its efficiency require systematic monitoring to assess its impact on various groups of women and men, in particular those in vulnerable situations.

One objective of this study is to identify and analyse the impact of the decentralization process on women and men, in particular those in vulnerable situations with regard to gender equality and the human rights-based approach (GE and HRBA). Based on an analysis of the current regulatory legal documents, the available data on the status of women and men in vulnerable situations, and the results of field surveys conducted in the pilot TCs, this study offers recommendations to help develop extensive response measures during the decentralization reform process. Such measures are aimed at addressing the identified gaps in safeguards for the rights and needs of women and girls in vulnerable situations.

In the study methodology, the authors were guided by the following principles of the human rights-based approach: generality and inherency; equality and non-discrimination; transparency; participation in sociopolitical life; accommodation of the needs and interests of all population categories; accountability; and the rule of law. These principles are also based on recommendations from the UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) to take into account aspects of gender equality and human rights within the decentralization process in Ukraine.¹ Gender and human-rights-responsive monitoring

¹ Concluding observations on the eighth periodic report of Ukraine / Committee on the Elimination of Discrimination against Women, 2017. URL: <https://www.mil.gov.ua/content/gender/CEDAW-Concluding-Observations-UKR.pdf>.

and evaluation are based on international human rights standards, focusing on the inequalities that underlie development problems.² These considerations factor into the analysis of disaggregated data, the condition of diverse groups of women and men in vulnerable situations, and the potential and actual cases of human rights violations omitted in developing and implementing the decentralization reform.

Following the analysis, the research team arrived at several conclusions.

Firstly, decentralization has brought along some positive changes in the lives of women and men in vulnerable situations. In particular:

- The legal framework has been developed to widen local self-government bodies powers and resources, as well as the mechanisms through which community populations can participate in decision-making processes.
- The accessibility and affordability of administrative services have been improving through the opening and outfitting of administrative service centres (ASCs) and by making their services accessible online, as noted by most of the community populations.
- The accessibility of medical services (primary care) has been ensured as a result of the organization of family doctors' work and the preservation of rural health clinics (in remote areas of a community).
- Hub schools are being established, supplied with modern equipment, methodologies and learning resources, and provided with teaching staff; and the transportation of pupils from remote villages is being organized.
- Safe spaces are being created in TC settlements: street lighting is being installed, and public places are being set up that are relevant to all groups of women and men in vulnerable situations. Women with disabilities and elderly women (aged 65+) note that public spaces are being set up according to the principles of physical accessibility.
- Women with many children and women who are raising children on their own have a positive opinion about the improvement of children's spaces (e.g. playgrounds, children's corners in public facilities, etc.).

- There has been a practice of solving housing problems through financial aid from local budgets for internally displaced persons (IDPs) and persons affected by the conflict in the east of Ukraine, including orphans, health workers and so on.

At the same time, reform efforts are not yet sufficient to address local-level gender gaps and to eliminate discrimination against women in vulnerable situations, nor can they ensure women's access to local development services and resources. In particular, the following has occurred during the reform process:

1. Legislation and policy documents governing the decentralization process are not based on the principles of gender equality and do not take into account Ukraine's international obligations on gender equality and women's rights. Accordingly, by-laws, white papers and the monitoring framework do not aim at closing gender gaps in the access to services and resources, enforcing women's rights to meaningful participation, or gaining equal opportunities and outcomes from the reform.
2. The disregard of gender inequality data in the access to services and resources leads to their gender insensitivity or inaccessibility. The AAAQ³ analysis of access to decentralized services⁴ has shown that even where services are available, they may be physically, financially, informationally and/or socioculturally inaccessible to women, especially those in vulnerable situations, women with disabilities, members of ethnic minorities, mothers with many children, LGBTQ+, and women who are raising children on their own. Moreover, services for women and men may differ in quality.
3. Infrastructure improvement and service provision take place mainly in the centre of TCs. Women and men living in remote areas face a considerable number of barriers to accessing basic services.
4. As a result of the amalgamation of communities and decreasing their number from more than 11,500 to 1,469, the number of local deputies and local self-government bodies executive positions has decreased, while competition in the struggle for decentralized political and economic resources has intensified. This factor has caused the number of women at decision-making levels and among local councilors to

² Gender mainstreaming: A global strategy for achieving gender equality and the empowerment of women and girls / UN Women. 2021. URL: <https://www.unwomen.org/en/digital-library/publications/2020/04/brochure-gender-mainstreaming-strategy-for-achieving-gender-equality-and-empowerment-of-women-girls>; Principle One: Human Rights-Based Approach / UN Sustainable Development Group. 2021. URL: <https://unsdg.un.org/2030-agenda/universal-values/human-rights-based-approach>.

³ AAAQ stands for Availability (the availability of a service in sufficient quantity), Accessibility (the accessibility—e.g. physical, economic, informational—of a service), Acceptability (the sociocultural acceptability of a service) and Quality (the quality of a service).

⁴ Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12) (22nd session, 2000), in Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies (UN Document HRI/GEN/1/Rev.9 (Vol. I), 2008).

fall from 53 per cent to 46 per cent due to unequal political, financial and temporary opportunities for women and low public support for women's political participation. Women in vulnerable situations face even more barriers to accessing the decision-making level. Accordingly, key discussions of the decentralization reform process and decisions leave out the endemic problem of gender inequality and the multiple forms of discrimination against women.

5. Local self-government bodies receive insufficient methodological support from the central executive bodies (CEB) in implementing gender mainstreaming and the human rights-based approach in the decentralization reform process. While gender and human rights expertise is accumulating in civil society organizations, there are no mechanisms of efficient interaction and cooperation between local self-government bodies and women's NGOs. Another major problem is the lack of reliable disaggregated data at the TC level, which could help local self-government bodies identify gender gaps in the access to services and resources and take steps to narrow them.

In addition, the analysis has identified the following endemic gaps that worsen the well-being of women and men in vulnerable situations and their access to services, therefore requiring the attention of the decentralization process stakeholders:

1. Poor coordination among line ministries with respect to sectoral reforms results in impaired access to basic services, such as specialized medical services, education services, public transport services, social services and security, for residents of remote areas and non-central villages.
2. A study of documents and actual data has revealed that the principle 'money follows power and responsibility' was underimplemented during decentralization in Ukraine. This means that power and responsibility should be transferred from higher to lower levels of government only when relevantly accompanied by financial and human resources sufficient to fulfil delegated duties. In practice, many of the services, the provision of which has been transferred to the local level, still lack adequate institutional resources and methodological support.
3. The design and implementation of the decentralization reform have not yet ensured that all TCs, in particular small rural communities, have sufficient capacity and resources for the provision of the full range of decentralized services guaranteed by national law. At the same time, during the distribution of State Budget subventions, small communities are being deprioritized as recipients due to the services' low coverage of the population and, hence, their high cost in price.

Based on the findings and validation of the research report with the stakeholders, the expert group has prepared a number of recommendations for the key decentralization reform stakeholders.

The study was conducted at the request of the Parliamentary Commissioner for Human Rights in Ukraine; the Parliamentary Committee on Human Rights, Deoccupation and Reintegration of Temporarily Occupied Territories, National Minorities and Interethnic Relations; and the Office of the Government Commissioner for Gender Policy.

The research was performed by a group of experts from the NGO Public Initiatives Centre 'The Intelligence of Sumy Region': study lead Andriana Kostenko, DSc; gender equality expert Yuliya Savelyeva, PhD; decentralization expert Nina Svitailo, PhD; and human rights expert Kristina Sakhno.

The study was also made possible by the efficient partnership and data-collection contribution of many representatives of NGOs, the state administrations of the pilot regions and local self-government bodies, development partners and so on. The Public Initiatives Centre 'The Intelligence of Sumy Region' expresses particular gratitude to the following entities and individuals for assisting in the study by arranging interviews with the members of groups of women and men in vulnerable situations and for providing expert assessments: the UN Human Rights Monitoring Mission in Ukraine; the Government Commissioner for Gender Policy; the NGO Bureau of Gender Strategy and Budgeting; the regional state administrations (RSAs) of Chernivtsi, Kherson, Sumy and Volyn; the charitable foundation "Stabilization Support Services"; the international charitable foundation "Alliance for Public Health"; the All-Ukrainian Network of People Living with HIV/AIDS; the National Assembly of Persons with Disabilities of Ukraine; the NGO Insight; the European Union Anti-Corruption Initiative; UN Women National Consultant on Gender Policy Olha Romaniuk; and UN Women National Consultant on Gender-Oriented Budgeting in Ukraine Oksana Tsiupa.

The analysis of the decentralization process in Ukraine with regard to GE and HRBA was also enabled by the methodological guidance, content editing, coordination and logistical support from the team of the UN Women project "Advancing Gender Equality and Women's Empowerment through Decentralization Reform of Ukraine": Project Manager Nurgul Asylbekova; Human Rights Specialists Nadiya Sirenko and Vira Melnyk; Project Analyst Nataliya Mishyna; and UN Women International Consultant on Gender and Human Rights-Based Approach in Decentralization Processes Vyacheslav Balan.

The study was carried out with the financial support of the Global Affairs of Canada.

METHODOLOGY

The methodology was developed on the basis of gender mainstreaming and the human rights-based approach, and it follows the AAAQ concept regarding the provision of services developed by the UN Committee on Economic, Social and Cultural Rights.

The research methods included the following:

1. Desk review

- a) Gender and human rights analysis of the key decentralization reform legislation and policy framework (in particular budget policy), such as 10 national-level, 16 regional-level and 120 local-level documents
- b) Analysis of statistics and analytical reports and findings of relevant studies on decentralization

2. Field research

- a) Semi-structured interviews of 26 national and regional-level experts

b) Focus group discussions with 147 people (including 138 women and 9 men) in vulnerable situations, over the age of 18, from four Ukrainian regions (Kherson, Chernivtsi, Sumy and Volyn)

c) A representative poll of the adult population including those in vulnerable situations (a total of 1,500 respondents, of whom 55 per cent were women and 45 per cent were men), with a margin of error of 4 per cent with a 0.95 confidence interval.

In their choice of methodological approach and focus on the situation of women facing multiple forms of discrimination, the research authors were guided by the CEDAW principles—non-discrimination, substantive equality and state obligation—and in particular the CEDAW Committee’s General recommendation No. 28 on the core obligations of States parties under article 2 of CEDAW and General recommendation No. 25 on article 4, paragraph 1, of CEDAW.

GENDER AND HUMAN RIGHTS ANALYSIS OF THE BASIC DECENTRALIZATION POLICIES AND REGULATORY LEGAL ACTS

An analysis of GE and HRBA compliance of the basic regulatory legal acts (RLAs) was focused on the following aspects: reference of human rights and gender equality in the RLA aims and objectives; use of such categories as ‘human’, ‘human rights’ and ‘equality’ in the RLA, especially in the

indicators; RLA objectives’ focus on solving the root causes of the problems with human rights and gender equality safeguards; and the definition of groups of women and men in vulnerable situations in the RLA (Table 1).

⁵ The non-discrimination principle prohibits discrimination against women as any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It prohibits direct, indirect and multiple discrimination against women. The substantive equality principle entails that women are actually (de facto) given equal opportunities, equal access to opportunities and an enabling environment to achieve equal results. Substantive equality looks beyond legal guarantees of equal treatment and inquiries into the impact of interventions. The state obligation principle emphasizes that although the responsibility to ensure equality and eliminate discrimination must be observed by state and non-state actors, only the State is directly accountable to CEDAW (see the CEDAW-based Legal Review: A Brief Guide, UN Women, 2019).

Available at <https://eca.unwomen.org/en/digital-library/publications/2019/04/the-cedaw-based-legal-review-a-brief-guide>.

⁶ Convention on the Elimination of All Forms of Discrimination against Women, General Recommendation No. 28 on the core obligations of States parties under article 2.

Available at: <https://www.un.org/womenwatch/daw/cedaw/recommendations/index.html>

⁷ Convention on the Elimination of All Forms of Discrimination against Women, General recommendation No. 25, on article 4, paragraph 1.

Available at: <https://www.un.org/womenwatch/daw/cedaw/recommendations/index.html>

Table 1

GE and HRBA compliance of the basic decentralization RLAs

RLA	The RLA aims and objectives include human rights and gender equality safeguards	The RLA contains categories (indicators) of people and their rights/equality	The RLA objectives are aimed at solving the root causes of the problems with human rights and gender equality safeguards	The RLA identifies vulnerable groups
Strategy for Sustainable Development "Ukraine 2020"				
State Strategy for Regional Development 2021-2027				
Law of Ukraine On Local Self-Government in Ukraine				
Law of Ukraine On the Voluntary Amalgamation of Territorial Communities				
Law of Ukraine On Cooperation among Territorial Communities				
Law of Ukraine On the Principles of State Regional Policy				
Law of Ukraine On Social Services				
CMU Implementing Order No. 77-r of 23 January 2019 Approving the Action Plan for the Implementation of a New Stage of Reforming Local Self-Government and Territorial Authorities in Ukraine for the Years 2019 through 2021				
CMU Implementing Order No. 333-r of 1 April 2014 'On Approving the Concept of Reforming Local Self-Government and Territorial Authorities in Ukraine'				

* Note: – positive changes in the area; – nothing has changed; – negative changes.

The underlying principles of the decentralization reform in the Implementing Order of the Cabinet of Ministers of Ukraine (CMU) 'On Approving the Concept of Reforming Local Self-Government and Territorial Authorities in Ukraine' No. 333-r of 1 April 2014 define the rule of law, openness, transparency and civic participation, and the accessibility of public services that comply with the GE and HRBA principles. However, the document lacks any focus on Ukraine's international gender equality and human rights commitments, as well as measuring the expected results of its implementation in human rights categories.

Although the Law of Ukraine 'On Local Self-Government in Ukraine' No. 280/97-VR of 21 May 1997 prohibits restrictions on Ukrainian citizens' rights to participate in local self-government, in particular on the grounds of gender identity, it fails to emphasize the realization of the rights of women and men in vulnerable situations, including ensuring the accessibility (physical, economic, informational), sociocultural acceptability and quality of local services that would be provided for women and men in vulnerable situations. Further, the document does not provide for the development of transparency, participation and engagement of groups of persons in vulnerable situations or additional mechanisms of the authorities' accountability to these groups.

The CMU Resolution 'On Approval of the State Strategy for Regional Development for 2021–2027' No. 695⁸ of 5 August 2020 is generally human-centred, specifying a diverse range of characteristics of people who make up groups of persons in vulnerable situations. It is noted that the strategy was developed pursuant to the Decree of the President of Ukraine 'On the 2030 Sustainable Development Goals of Ukraine' No. 722/2019 of 30 September 2019. The document contains a distinct operational goal to ensure equal rights and opportunities for women and men and to prevent violence against women. Women are seen as a separate target group within the larger population of groups in a vulnerable situation. But the problem remains that TCs and RSAs do not comply the development of their own policy papers with the State Strategy for Regional Development for 2021–2027.

The analysed four regional development strategies (for the regions of Kherson, Chernivtsi, Sumy and Volyn) and the action plans for their implementation, which were updated in all Ukrainian regions in 2020, already cover some of the gender equality and human rights aspects. Thus, the Volyn and Sumy regional strategies directly refer to Ukraine's international commitments on gender equality and human rights. These documents highlight gender equality issues within a context

analysis, although certain sections of each strategy remain gender-blind (except for social policy matters such as assistance to families with children, social protection for women, protection of women in the workplace, etc.).

Adopted less than one or two years ago, regional socioeconomic development programmes contain GE and HRBA elements occasionally; they feature analytics based on sex-disaggregated data, identify indicators (including gender-sensitive ones) and focus on the participation of various population groups, among other activities. At the same time, targeted programmes, developed more than three years ago, largely ignore gender gaps and problems of unequal access to decentralized services and local development resources, with no emphasis on human rights, in particular gender equality.

Regional gender profiles, which were centrally developed at the level of each Ukrainian region in 2019, are ultimately in line with Ukraine's international commitments on gender equality and human rights, provide data disaggregated by sex and age, and present key gender equality issues specific to each region.

Unfortunately, 48 per cent of RSAs made no use of gender profiles when preparing regional development strategies. That is, policy papers and budget documents, even when available, often do not consider gender-sensitive data when drafted. Gender and human rights perspectives are often overlooked when it comes to access to water and housing resources, recreation, leisure, socialization and cultural life, environmental protection and household waste management services. In our opinion, this is due to the lack of availability of disaggregated data within these sectors.

Guidelines for drafting, approving, implementing, monitoring and evaluating TC development strategies do not meet the gender mainstreaming requirements of national laws and indeed, virtually ignore the ensuring of women's equal access to decision-making, services and resources⁹.

In general, from the beginning of decentralization, the reform's legislative environment has not complied with Ukraine's international commitments in the field of gender equality and human rights. The situation has improved over the past two years, when development partners started supporting the gender analysis of legislation and policy documents. However, such expert support from development partners depends on the availability of donor resources and requires more sustainable decisions on building the in-house GE and HRBA capacity of the Ukrainian Ministry of Communities and Territories Development and of the RSAs.

8 On Approval of the State Strategy for Regional Development for the years 2021 through 2027: CMU Resolution No. 695 of 5 August 2020. URL: https://zakon.rada.gov.ua/laws/show/695_2020-%D0%BF#Text

9 Guidelines for drafting, approving, implementing, monitoring and evaluating territorial communities' development strategies. URL: <https://www.minregion.gov.ua/napryamki-diyalnosti/derzhavna-rehional-na-polityka/strategichne-planuvannya-regionalnogo-rozvitku/strategichne-planuvannya-rozvytku-terytorialnyh-gromad/>

IMPACT OF DECENTRALIZATION REFORM ON GROUPS OF WOMEN AND MEN IN VULNERABLE SITUATIONS

The decentralization reform has had different impacts on women, men and/or their collective groups in vulnerable situations. By vulnerability, we mean the state of women and men, girls and boys having limited opportunities or abilities to fully enjoy their rights, which translates into their stigmatization and marginalization. Most violations of human rights, in particular those of women and men in vulnerable situations,

remain invisible both to society and to public authorities and local governments.

This analysis reflects assessments by women and men about the positive, neutral and negative impacts of the decentralization reform following a representative poll, as well as focus group discussions of groups of women and men in vulnerable situations.

1. Provision of administrative services by central executive bodies through administrative service centres

About one third of the respondents (25.6 per cent of women and 30.3 per cent of men) did not notice any changes in this

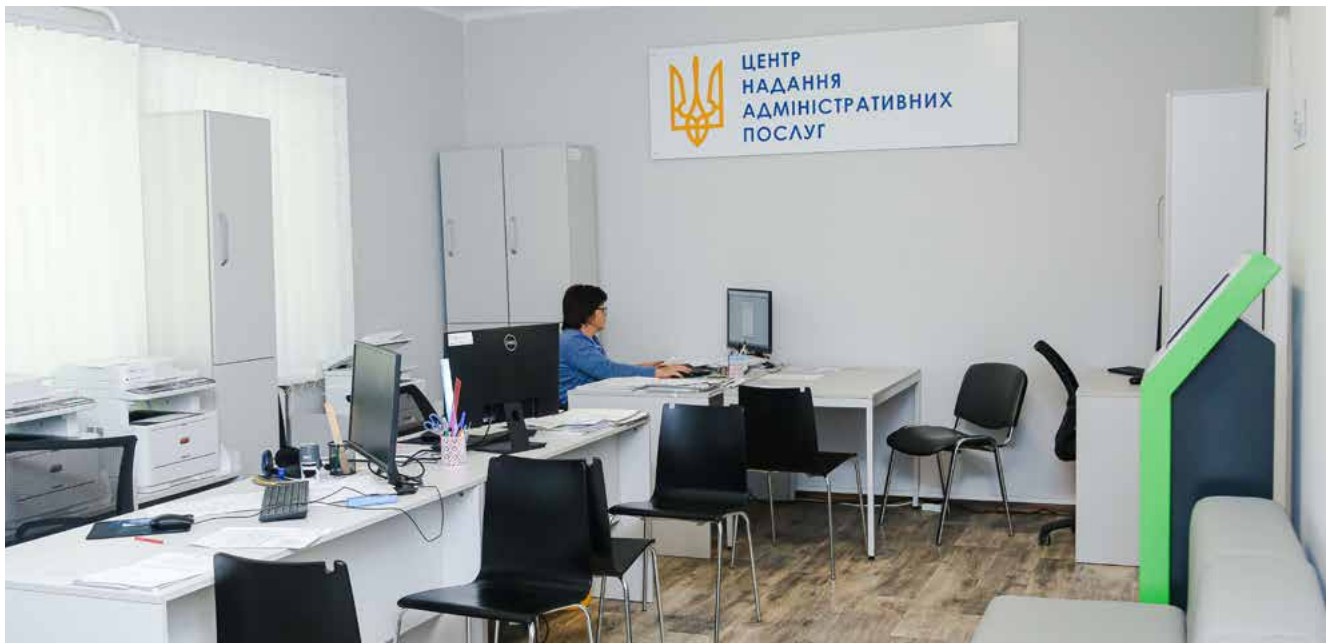
field after the establishment of TCs, and 24 per cent (21.6 per cent of women and 28.6 per cent of men) believe that the situation has improved (Table 2).

Table 2

How much easier or harder has it become for you personally to use services for state registration of civil status and property/ASC services since the TC was established?

Response	Women, %*	Men, %*
It has improved	21.6	28.6
It has worsened	6.9	5.3
Nothing has changed in this field since the community amalgamation	25.6	30.3
There is almost no information in the community about how people can obtain services	5.5	3.8
There is enough information on the availability of such services in the community	9.6	9.1
More legal hurdles to obtaining these services have emerged (i.e. red tape and other bureaucratic procedures)	3.9	3.1
These services are free of charge or do not require spending a lot of money	8.8	5.5
Obtaining some of the services requires extra spending (e.g. transport costs to reach the service, other associated costs, informal fees, etc.)	5.8	5.0
Physically (territorially, architecturally) these services are quite accessible	7.9	6.2
Physically (territorially, architecturally) these services are not always accessible	3.4	2.9
It's hard to say because I don't use these services	26.7	21.5
Other	0.4	0.2

* Note: The sum of the responses exceeds 100% because the respondents could choose several options for answering the questions.



Focus group participants who are in vulnerable situations consider the formation of ASCs—as one-stop shops for obtaining a wide range of services—as a positive impact of the reform. Premises are adapted to the needs of people with disabilities, parents with children, the elderly and other populations. The focus group participants also praise the development of the mobile office system. All of these improvements make administrative services physically and economically accessible to a significant number of women and men in vulnerable situations. The participants also have a positive opinion about the simplified procedure for obtaining certain documents and statements, including the option of submitting applications by phone or online. Community leadership and heads of villages have additional powers to issue necessary documentation and statements. The option of getting a consultation from heads of villages and ordering statements by phone or electronically is appreciated by community residents.

Meanwhile, there are a number of problems that need to be addressed by central and local authorities. Mobile offices do not provide the full range of services, which limits their functionality. Local self-government bodies have to buy equipment for mobile ASCs with money from the local budget, as well as software for storing data, which can be expensive for poor communities. Moreover, not all software enables disaggregating, systematizing and comparing data on the access to services among different TCs. Digital services are less accessible to Roma women, older women and men, and persons with visual impairment, as these populations are not always able to purchase mobile devices and do not have Internet access and/or appropriate user skills.

In the focus groups, women with disabilities stressed the issue of the non-accessibility of public infrastructure (including public transport, which is non-adapted), the lack of ASC staff with sign language skills, and the lack of adapted documents, among other issues.

In terms of service delivery standards, there is also insufficient capacity (i.e. lack of knowledge, skills, etc.) with the local self-government bodies that provide administrative services, which causes additional bureaucracy and complicates the provision of said services. With the amalgamation of communities and reorganization of districts, the unresolved issues—such as the integration of certain tax services into ASCs, as well as the lack of banking services—become more tangible for the populations due to the closure of post offices and bank branches in certain small villages.

Decentralization also has resulted in territorial CEB network optimization (i.e. by decreasing their numbers), which has indirectly entailed online accessibility for the provision of civil status and property state registration services. On the one hand, the whole list of administrative services has been put together in one place in the cities of regional significance and central TC areas while, on the other hand, access to state registration of marriages and deaths has become more complicated for the residents of settlements where CEB were shut down. This situation has had a particularly adverse impact on these residents, as officials were authorized to provide such registration services. From the moment the settlement joins a new TC based on the city of regional significance, such powers are lost. On top of that, there has been a deterioration in the access to transport connection services between settlements and centres of the territorial communities.

2. Social protection services

A very small percentage of respondents noted improvements in the social protection of the population (13.7 per cent of women and 14.8 per cent of men), while about one third of respondents believe that nothing has changed since the community amalgamation (33 per cent of women and 37.5 per cent of men) (Table 3).

Focus group discussions observed cases of improvements with the provision of social services as they are becoming “more visible” in communities and therefore more accessible to women in vulnerable situations. Moreover, along with the decentralization reform, territorial social service centres have been established in some communities.

Table 3

How much has the social services situation changed for you personally since the TC was established?

Response	Women, %*	Men, %*
It has improved	13.7	14.8
It has worsened	8.0	9.8
Nothing has changed in this field since the community amalgamation	33.0	37.5
At the community level, there is scarce information on how to obtain such services	7.1	6.2
There is enough information on the availability of such services in the community	7.1	6.2
More legal hurdles (red tape) to obtaining these services have emerged	3.5	2.9
Social services are free of charge or do not require spending a lot of money	4.0	3.6
Obtaining some of the services requires extra spending (e.g. cost of transport to reach the service, service fees, associated costs, etc.)	4.3	2.6
Physically (territorially, architecturally) these services are quite accessible	3.1	4.1
Physically (territorially, architecturally) these services are not always accessible	2.6	2.6
Services offered in this field are not acceptable to me personally	1.3	1.4
It's hard to say because I don't use these services (or haven't yet resorted to using them)	32.6	25.3

* Note: The sum of the responses exceeds 100% because the respondents could choose several options for answering the questions.

Local self-government bodies are trying to retain social workers who provide social support and care work for persons in need. However, according to the experts, social support to families and persons in difficult life circumstances remains inefficient and superficial. This is evidenced by the numerous comments made during the focus groups by persons in vulnerable situations.

The situation regarding Roma women's access to social services has remained virtually unchanged and is still difficult because of the settled stereotypes among service providers, community adaptation challenges, paperwork issues, problems with obtaining information and so on. Sporadic interventions (primarily with international support) to train Roma community mediators remain almost unnoticed by local authorities, as there is no continuation of such initiatives once the projects are completed.

The time poverty experienced by women with many children and mothers of children of preschool age—caused by the unfair distribution of unpaid domestic work and lack of care infrastructure—creates significant barriers to their access to basic services. The issue of the information accessibility of services for groups of women in vulnerable situations is problematic, especially for elderly rural women and Roma women.

The reform has had no impact on increasing the overall income level, eliminating or reducing the level of poverty of groups of women and men in vulnerable situations, or increasing the level of employment. Thus, women's average pension is 1.5 times lower than that of men.¹⁰ IDP women live in large families three times more often than men, almost twice as often in low-income families, and 9 per cent more often in families in difficult life circumstances.¹¹ For 60.5 per cent of IDP women, the targeted monthly assistance remains the only source of family income.¹² Moreover, 19.4 per cent of Roma assess their financial situation as very bad.¹³ An analysis of local programmes shows that most communities have no mechanisms or separate programmes aimed at raising the overall income level and overcoming poverty among groups in vulnerable situations, including women with disabilities, women with many children, Roma women and IDPs.

The reform has had no major influence on employment. Most TCs have formidable difficulties with resolving employment issues and creating jobs. Labour migration is a significant challenge. Due to the lack or inefficient use of their own financial resources, TCs cannot create the conditions necessary for the preservation of human potential, so a trend can still be seen that the most active women and men relocate; and, accordingly, the share of



persons in vulnerable situations is increasing. This is especially true for rural communities.

The situation with labour market and labour force monitoring has not changed significantly either. TCs often have no specialists with a labour market monitoring function, while rural communities have no on-hand monitoring tools. Data on employment, especially disaggregated by sex, are often not available to communities.

It is a common practice with TCs to redirect these issues to employment centres; such redirection can be considered an attempt by the TCs to absolve themselves of their responsibility to develop dedicated programmes for continuing professional education, retraining, job creation and so on. In such circumstances, the employment of groups in vulnerable situations, especially women facing multiple forms of discrimination, is not addressed, as long as the employment service does not create jobs but deals with the existing ones.

The issue of creating employment opportunities for women who have young children and/or are raising children on their own remains acute.

The amalgamation of communities leads to reductions to not only village councils and their administrative staff but also social facilities, with a corresponding redundancy of employees at these institutions, which builds pressure on the local labour market. Communities also lack a comprehensive vision for reintegrating laid-off workers, most of whom are women, back into the labour market.

¹⁰ See http://ukrstat.gov.ua/druk/publicat/kat_u/2021/zb/07/zb_szn_2020.pdf

¹¹ Rapid gender assessment of the situation and needs of women in the context of COVID-19 in Ukraine / UN Women in Ukraine. May 2020.

URL: https://www.minregion.gov.ua/wp-content/uploads/2021/04/doslidzhennya-po-covid-19_full_un_women.pdf

¹² O. Kyseliova. Gender dimension of the COVID-19 pandemic. URL: https://mof.gov.ua/storage/files/covid_final.pdf

¹³ Roma rights in Ukraine: problems, challenges, prospects / Coalition of Roma NGOs of Ukraine 'Strategy 2020'. 2020.

URL: http://www.chirikli.com.ua/index.php/en/news/item/download/42_d363de4ebodo68c385d259c1d4002344

3. Healthcare services

The greatest dissatisfaction with the reduced access to services during the decentralization process has been documented in public health. Since decentralization, the provision of health care has worsened, as reported by 25.2 per cent of women and 22.2 per cent of men; and 14 per cent of women and 10.7 per cent of men report extra expenses when receiving medical services (e.g. the cost of transport to get there, service fees, related expenses, etc.) (Table 4).

Positive results of the reform include the fact that communities have managed to keep rural health clinics in most of the remote

inhabited localities, which was a prerequisite for community amalgamation. Respondents also provide positive feedback on the work of family doctors.

At the same time, the situation in communities is complicated by the simultaneous, although unsynchronized and uncoordinated, implementation of decentralization reform in the healthcare sector. The closure of psychoneurological institutions and transfer of their patients to communities have placed an additional burden on local self-government bodies, as no adequate financial resources or methodological assistance has been provided to care

Table 4

How has the situation in the field of health care (in primary, secondary and tertiary settings) changed for you personally since the TC was established?

Response	Women, %*	Men, %*
It has improved	18.9	22.7
It has worsened	25.2	22.2
Nothing has changed in this field since the community amalgamation	27.6	31.7
At the community level, there is scarce information on how to obtain such services	7.3	7.2
There is enough information on the availability of such services in the community	8.6	8.1
More legal hurdles (red tape) to obtaining these services have emerged	8.4	5.3
Medical services are free of charge or do not require spending a lot of money	4.3	5.0
Obtaining some of the services requires extra spending (e.g. cost of transport to reach the service, service fees, associated costs, etc.)	14.0	10.7
Physically (territorially, architecturally) these services are quite accessible	4.8	4.8
Physically (territorially, architecturally) these services are not always accessible	4.6	4.8
Services offered in this field are not acceptable to me personally	1.1	2.1
It's hard to say because I don't use these services (or haven't yet resorted to using them)	7.1	5.7
Other	0.8	0.5

* Note: The sum of the responses exceeds 100% because the respondents could choose several options for answering the questions.



for people with mental disorders. Furthermore, if patients return to their families, they become an additional burden for those relatives who must care for them, usually women. As a result, the patients do not receive timely and qualified assistance, and the women caregivers do not receive psychosocial support to avoid burnout.

Residents also point to certain challenges in accessing specialized (secondary) health care, including the difficulty of accessing specialist doctors, the physical remoteness of hospitals, having to deal with long lines and so on. These difficulties were exacerbated by the pandemic, which caused additional pressure on the healthcare system and the repurposing of some medical facilities into COVID-19 clinics.

At the primary level, the established primary healthcare centres can operate successfully only in the context of quality road infrastructure, including in remote settlements. With poor public transport roads both between communities and between the settlements within a community, specialized medical care services become inaccessible to low-income women in vulnerable situations. Moreover, experts note that rural communities do not have the financial capacity to maintain large medical facilities, so the reform may lead to fewer local options for healthcare.

Women facing multiple forms of discrimination face more challenges in accessing affordable and quality medical services. Women living with HIV/AIDS report that decentralization

has made it more difficult to access medical services that are specific to their target group, particularly for those of them living in small communities.

Rural women, women with disabilities, elderly women (aged 65+) and Roma women are more likely to be impacted by a shortage of funds for medicines and the inaccessibility of qualified medical aid. Data from the State Statistics Service of Ukraine show that 23.6 per cent of those in need of medical aid did not visit a doctor because of the absence of a relevant specialist (33.4 per cent of the rural population).¹⁴

Sixty-eight per cent of respondents with disabilities are unable to receive medical services unaccompanied.¹⁵ There are no differentiations or adjustments for disability in the provision of medical services—in terms of standards of care and staff competency. The focus groups found that children and other family members with disabilities were cared for mainly by women. Thus, the lack of care services, especially in rural areas, increases the share of women's unpaid domestic work, thus narrowing the opportunities for rural women to develop professionally, engage in entrepreneurship and take an active part in political and social life.

Roma women face segregation in 'Roma wards' at maternity hospitals; and there have been cases where they have been refused free services. Further, they are not always able to sign formal agreements with family doctors, and ambulances refuse to attend to Roma settlements to provide emergency medical care.

¹⁴ The population's self-assessment of health status and availability level of certain types of medical care in 2019 / State Statistics Service of Ukraine.

URL: http://www.ukrstat.gov.ua/operativ/operativ2018/gdvdg/Arh_sdg_dtp_u.htm

¹⁵ Inclusion and equality: Monitoring incorporation of the UN Convention on the Rights of Persons with Disabilities standards in the National Human Rights Strategy and other durable solutions in Ukraine (Report by Public Associations of Persons with Disabilities). 2020. URL: <https://naiu.org.ua/wp-content/uploads/2020/03/NAIU-Report.pdf>.

4. Education services

Preschool education. Focus group discussions revealed a shortage of preschool education services in remote settlements, a lack of support for children with special educational needs, the inability of families to pay for personal tutoring services and the limited duration of the child's stay at the institution.

Negative results of the reform include the closure of preschool facilities. Kindergarten funding is entirely dependent on local budgets, which cannot cover all of the necessary costs for preschool facilities. The poor funding of this infrastructure is evident (for example, nursery teachers get minimum pay, the institutions are actually maintained by parents, and nursery teachers perform several functions simultaneously due to the lack of staff). The lack of resources results in fewer employees and, consequently, shorter kindergarten hours. Service costs in smaller communities are higher, so there is both a reduction in services for the population and a lack of subventions to fund them. These factors drive up the amount of unpaid care work of rural women with children and impede their opportunities for professional fulfilment and financial independence.

School education. This topic is at the forefront of the TC leadership's attention, which is evidenced by the increase in funding for the institutions to renovate their premises and equip classrooms. The assessments collected from the study participants allow us to state that generally the situation has not worsened, and in certain communities, there has even been great improvement. Hub schools are being strengthened through staffing, appropriate

equipment, and the transfer of students from underfilled schools to educational complexes, which provide quality education.

At the same time, a significant part of the Roma women population remains illiterate, making them vulnerable to unemployment and poverty. Even where education management powers are transferred to TCs, the reform sometimes has an adverse impact on Roma women through the closure of schools, the abolition of Roma language lessons and the lack of programmes to educate and empower Roma women. This further induces a negative attitude towards them by employers, thereby restricting their employment and relegating them to only the informal employment sector, which offers no pension opportunities in the future.

The issue of providing an inclusive education to children with disabilities remains open. The practice of involving assistant teachers to work with such children in the classroom at the community level is not common. Focus group participants noted that such a practice had been introduced only for primary school children but no others (including preschool).

Vocational education. Both experts and community residents call vocational education an area that has deteriorated in the decentralization process. According to the focus groups, the vocational education system is both lacking and inaccessible (architecturally, financially, etc.), especially for children living in families in difficult life circumstances.

¹⁶ Ibid.

¹⁷ Impact of the COVID-19 pandemic on the human rights of Roma in Ukraine: briefing note / Human Rights Monitoring Mission in Ukraine. 2020. URL: <https://ukraine.un.org/uk/download/69630/129819>.



5. Community safety and security and protection from gender-based violence

A representative survey has found that 43.3 per cent of the respondents believe that nothing has changed in the field of security (43.9 per cent of women and 42.2 per cent of men), with women more likely to report that the situation has worsened (Table 5).

The focus groups show that positive changes are observed in the creation of safe spaces in settlements. Groups of women in vulnerable situations reported improved street lighting, partial landscaping and refurbishing of public transport stops. In general, the respondents assess the state of landscaping in public spaces more positively (34 per cent say that it has improved; of them, 33.3 per cent are women

and 35.3 per cent are men). However, a number of issues remain problematic, including the lack of constructed roads and sidewalks (especially outside the central estates of communities),¹⁸ poor security at abandoned business facilities, the lack of protection from criminals and the prevalence of stray animals. Older respondents are more likely to say that these issues have worsened.

However, the reform has not yet addressed the lack of effective cooperation between LGs, law enforcement agencies and other authorized bodies¹⁹ to prevent and counter domestic and gender-based violence—that is, the situation in question has not changed for the better in communities. Thus,

¹⁸ 18.7 per cent of the respondents (women and men alike) report that landscaping covers only the community's centre and does not go beyond it.

¹⁹ On preventing and opposing domestic violence: Law of Ukraine No. 2229-VIII of 7 December 2017. URL: <https://zakon.rada.gov.ua/laws/show/2229-19#n67>.

Table 5

How much safer and more peaceful has life become for you personally since the TC was established (e.g. public safety, domestic violence)?

Response	Women, %*	Men, %*
It is now better and safer	14.9	18.1
It has become worse; not all services work in sync with one another	7.9	6.9
Nothing has changed in this field since the community amalgamation	43.9	42.2
I don't know who to turn to in cases of violations or incidents of violence (especially in the case of domestic violence)	6.0	7.6
There is enough information on these services	7.6	7.4
There are legal hurdles (red tape) to obtaining these services	4.1	4.5
Physically (territorially, architecturally) these services are not always accessible	3.5	2.4
These services are free of charge or do not require spending a lot of money	4.0	4.1
When aid is needed, it requires me to spend money (e.g. transport costs, fees for the service provided, unofficial fees, etc.)	2.0	2.1
It is not customary for us to seek help in such cases	3.1	3.3
It's hard to say because I don't use these services	23.6	23.9
Other	0.6	0.5

* Note: The sum of the responses exceeds 100% because the respondents could choose several options for answering the questions.

not all communities have established cooperation between the responsible agencies: law enforcers, medical staff, school teachers, social workers and others involved. As a result, coordination for the provision of a full range of services to domestic violence survivors is weak at the local level. Local self-government bodies' low capacity in the appointing and functioning of the local self-government's authorized person (coordinator)—who ensures equal rights and opportunities for women and men and the prevention and countering of gender-based violence—does not contribute to improving the situation.²⁰

The law and order situation in communities (especially rural ones) has not improved. During the focus groups, participants complained about local police officers' work. For example, LGBTQ+ women say that it is easier for them to move to a big city because they do not feel safe in a small community. Violence by right-wing radical groups or groups that promote hate

crimes against certain groups of women and men in vulnerable situations (e.g. Roma women, LGBTQ+, COVID-19 patients, etc.), as well as cases of street violence, is a concern. Of course, these problems existed even before decentralization, so they require close attention when developing legislative and policy measures to ensure TC security, including the development of legislation on the municipal guard.

The project 'Community Police Officer' is currently under way in Ukraine and is the next step in reforming law enforcement. It involves memorandums of cooperation between local self-government bodies and the regional division of the National Police,²¹ but the project currently operates in a small number of communities, and its efficiency has not been measured yet. The population does not count on help from community police officers in cases where their intervention or help is needed urgently.

6. Culture, physical culture and sport services

According to the survey, 25.1 per cent (24.3 per cent of women and 26.7 per cent of men) indicated positive changes in recreation, leisure and cultural life after community amalgamation, while 42.8 per cent of the respondents (women and men equally) noted that nothing had changed (Table 6).

Most of the focus group participants notice improvements to the landscaping of inhabited localities and recreation areas with TC establishment. They pointed out that the number of playgrounds increased after the creation of TCs but stressed that recreation areas were not adapted to the needs of the elderly, people and children with disabilities and so on.

Following the transfer of ownership of cultural objects to local self-government bodies, communities have been reviewing the viability of their maintenance based on the relevance and quality of the services. This process should be carried out after consultations with community residents in order to accommodate differentiated gender and age needs in cultural services. A number of issues remain unresolved, including those around the maintenance of a healthy lifestyle, the development of sports in small villages and the access to sports infrastructure, including schools for children's and youth sports. The sports infrastructure that is being developed in communities does not take into account the gender-specific needs of residents. Women have fewer opportunities for physical education and sports due to gender stereotypes and their double or triple workload.

²⁰ Approving the procedure of interaction between entities taking measures to prevent and oppose domestic violence and violence on the grounds of gender identity: CMU Resolution No. 658 of 22 August 2018. URL: <https://www.kmu.gov.ua/npas/pro-zatverdzhennya-poryadku-vzayemodiyi-subyektiv-shcho-zdijsnyuyut-zahodi-u-sferi-zapobigannya-ta-protidiyi-domashnomu-nasilstvu-i-nasilstvu-za-oznakoyu-stati>

²¹ Approving the District Police Officers' Work Organization Guidelines: Order No. 650 of the Ministry of Internal Affairs of Ukraine of 28 July 2017. URL: <https://zakon.rada.gov.ua/laws/show/z1041-17#Text>

Table 6

How has the situation changed for you personally in recreation, leisure, cultural life and socialization since the TC was established?

Response	Women, %*	Men, %*
It has improved	24.3	26.7
It has worsened	7.9	6.0
Nothing has changed in this field since the community amalgamation	42.5	43.4
At the community level, there is scarce information on how to obtain such services	3.3	3.6
There is enough information on the availability of such services in the community	11.2	7.4
These services are free of charge or do not require spending a lot of money	3.8	3.3
Obtaining some of the services requires extra spending (e.g. cost of transport to reach the service, service fees, associated costs, etc.)	5.1	4.3
Physically (territorially, architecturally) these services are quite accessible	4.9	4.1
Physically (territorially, architecturally) these services are not always accessible	2.0	1.4
Services offered in this field are not acceptable to me personally because they disregard the specifics of the group to which I belong (e.g. ethnic, religious, age, etc.)	1.3	1.0
It's hard to say because I don't use these services	14.5	16.0
Other	0.3	0

* Note: The sum of the responses exceeds 100% because the respondents could choose several options for answering the questions.

7. Housing and utility services

Housing and utility services. Nineteen per cent of Ukrainians deem their living conditions unsatisfactory.²² Ukrainians mainly live in overcrowded premises in rural areas—often without central sewerage or water supply, in outdated houses in need of major repairs.²³ Moreover, 20.5 per cent of families lack funds to pay for housing, 22.9 per cent for heating and 4.1 per cent for rent and mortgage.²⁴ The lack of sex-disaggregated data in this field makes it impossible to identify gender gaps, although statistics on social assistance recipients indicate that women are the most vulnerable to these problems (Table 7).

Meanwhile, there is communities' positive experience in optimizing operation of certain facilities: community culture centres, former hospitals, administrative premises as well as

refurbishing vacated premises and providing them as housing for those who are in need or for use by social assistance services. There are isolated examples of communities engaging additional resources, including through government programmes and international organizations' projects, to deal with the problems of providing housing to IDPs, large families, orphans and Anti-Terrorist Operation/Joint Forces Operation (ATO/JFO) veterans, among others.

Water supply and sewerage systems. For the most part, no improvement is observed in the water supply and sewerage systems provided as a public service. Problems with securing universal access to water in urban and rural communities vary. Statistics and reports that were analysed during the desk review show that only 30.1 per cent of

²² E. Libanova, O. Osaulenko and L. Cherenko, Assessment of the quality of life in Ukraine on the subjective well-being indicators basis: a monograph. Warsaw, 2020. URL: <http://surl.li/auzul>.

²³ Ibid.

²⁴ Coronavirus crisis impact on poverty: first consequences for Ukraine / L. M. Cherenko, S. V. Poliakova, V. S. Shishkin and others. Kyiv, 2020. URL: https://idss.org.ua/arhiv/poverty_forecast.pdf.

Table 7

What is your personal assessment of housing and utility services in your community?

Response	Women, %*	Men, %*
They have improved	17.2	16.2
They have worsened	9.5	11.0
Nothing has changed in this field since the community amalgamation	35.2	41.5
There is almost no information in the community about how people can obtain these services	8.4	7.4
There is enough information on the availability of such services in the community	9.1	7.2
More legal hurdles (red tape) to obtaining these services have emerged	3.6	4.3
These services are free of charge or do not require spending a lot of money	3.5	2.9
Obtaining some of the services requires extra spending (e.g. service rates have increased, etc.)	15.0	10.3
It's hard to say because I don't use these services	17.8	17.4
Other	0.1	0.2

* Note: The sum of the responses exceeds 100% because the respondents could choose several options for answering the questions.

the rural population has access to a centralized water supply and only 2.5 per cent to the central sewerage.²⁵ Drinking water that fails to meet quality standards is one of the reasons behind the spread of diseases. In 2018, three outbreaks were recorded related to the consumption of poor-quality drinking water and affected 180 persons.²⁶ There are no sex-disaggregated data on the number of people receiving the water treatment service.

The focus groups pointed out that the problems with the access to water for the population groups in vulnerable situations were not addressed at the community level. To make matters worse, there are communities where the lack of drinking water is not seasonal but ongoing and permanent.²⁷ Considering the population's overall low-income level, the need to buy even drinking water is yet another burden for household budgets.

In Ukraine, the primary responsibility for housekeeping customarily rests with women, so they experience greater hardship related to problems with the access to and quality

of water. The situation is especially acute for elderly women and women with disabilities who maintain their own kitchen gardens and therefore rely on easy access to water for irrigation purposes.

Local self-government bodies do not always pay due attention to environmental protection and to household waste management, although these issues fall within their remit. Adverse environmental impacts often occur as a result of economic and political dependence on businesses, the formation of a significant part of local budgets through taxes from big agricultural holdings and other enterprises, and local authorities' unwillingness and inability to study possible long-term consequences and find ways and mechanisms to regulate environmental problems. Although many communities' residents claim that sufficient attention is being paid to keep the streets and central and market squares clean, a deeper analysis and strategic approach to environmental protection and sustainable waste management are not yet a priority on the community development agenda.



²⁵ Sustainable Development Goals. Ukraine. Voluntary National Review. URL: <http://surl.li/anevm>.

²⁶ National report on drinking water quality and the state of the drinking water supply in Ukraine in 2019 / Ministry of Communities and Territories Development of Ukraine. Kyiv, 2020. URL: <https://www.minregion.gov.ua/wp-content/uploads/2020/12/nacziionalna-dopovid-za-2019-rik.pdf>.

²⁷ Thus, a significant part of the population of the Kherson region needs drinking water to be constantly trucked in because only technical, highly iodinated water is available in the water supply networks.

8. Provision of essential goods

There is a total lack or shortage of shops providing essential goods in the remote villages where women over the age of 65 make up the majority of the population. Relatively high prices due to the lack of competition impede the access of disadvantaged groups of women and their dependents to quality food. Even where it is not possible to fund such services from the local budget, community leadership should

ensure that the private sector provides essential goods or that social services arrange the timely delivery of food to women and men in vulnerable situations.

ENGAGEMENT OF WOMEN AND MEN IN VULNERABLE SITUATIONS IN LOCAL DECISION-MAKING PROCESSES

Following the 2020 local elections, the biggest number of women in village councils is 41.30 per cent (55.67 per cent in 2015), as well as 37.85 per cent in settlement councils (46.10 per cent in 2015), while in region councils, it is 27.79 per cent (14.95 per cent in 2015) and 34.32 per cent in district councils (24.02 per cent in 2015). The percentage of women among the village, settlement and city chairpersons fell as well, from 31.36 per cent in 2015 to 16.56 per cent in 2020.²⁸

Thus, the amalgamation of inhabited localities and, consequently, the increased competition for elected positions have led to a decline in women's presence among members of village and settlement councils and local self-government bodies chairpersons. This is due in part to a lack of resources and low public support for women candidates due to gender stereotypes. On top of that, unfair distribution of unpaid domestic work and underdeveloped care infrastructure limit opportunities for women, especially rural women, to take an active part in political and social life. As a result, women's low level of representation in key policymaking positions (both at the national and local levels) contributes to women's lack of opportunities to voice and address their issues within the decentralization reform in Ukraine.²⁹

As the tendency to scale back women's representation in local self-government bodies with regard to the transfer of additional powers and relevant resources was identified even before the reform process, additional efforts are needed to eliminate this imbalance and take some positive action in order to prevent discrimination against women in politics. Local self-government bodies mostly take a passive stance towards this issue, considering such measures the purview of the State.

There is limited influence on and involvement of people in vulnerable situations in decision-making processes. As a result, their interests and needs are not properly reflected in the local authorities' programmes and decisions. For example, members of the Roma community, especially women and young people, are practically not involved in the processes of making decisions important to them or in the work of elected or administrative government institutions.³⁰ Young women with children, women with many children, women with disabilities and women raising children with disabilities are also almost entirely excluded from the decision-making processes at the local level.

Of the 12 conducted focus groups, participants in only one said that the situation had improved, as their small community did have a system for raising awareness and considering their proposals; the most common tool to promote public participation was the invitation to submit project proposals that would compete for funding from the local budget. However, focus group participants representing IDPs noted that such results were possible only through constant, systematic advocacy from NGOs and human rights organizations. Low civic activity of community populations, including members of groups in vulnerable situations, and the lack of a culture of community mobilization and cooperation among the local authorities translate into the absence of a positive experience of participation at the community level.

Consultative-advisory bodies (CABs) are an opportunity to involve women's groups and organizations in addressing gender equality issues. However, the creation of CABs on gender equality has not become a settled and widespread practice at

²⁸ Gender Monitoring of Local Elections / Central Electoral Commission. 15 Dec 2020. URL: <https://cvk.gov.ua/actualna-informaciya/187243.html>

²⁹ Analysis of Vulnerabilities of Women and Men in the Context of Decentralization in the Conflict-Affected Areas of Ukraine: Report / UN Women in Ukraine. September 2017. URL: <https://decentralisation.gov.ua/uploads/library/file/427/1.pdf>

³⁰ Democracy and Human Rights in the OSCE Area: OSCE Office for Democratic Institutions and Human Rights Annual Report 2020. Warsaw, 2020. URL: <https://www.osce.org/ru/node/490514>



the local level. According to experts, there are almost no CABs at the local level, or they often serve a government function.³¹ Despite the fact that the participation of the general public³² in CABs is statutory, focus group participants did not confirm such activities, and some were even uninformed on the possibility of such participation.

The gender advisory institution is underutilised: there are only a few precedents, especially at the community level, of the institution providing professional support in developing the capacity of local women activists to perform the functions of a gender adviser.

Significant variations were discovered in assessments of the activity of and opportunities for the population to influence community decision-making, both among members of different groups in vulnerable situations and among different communities. And such variations can be explained by community leaders' lack of motivation to expand awareness opportunities.

Barriers to the sociopolitical participation of women from groups in vulnerable situations at the TC level include the following:

1. Elderly women from remote settlements remain excluded from active public life due to the unavailability of information,

because they lack modern devices. Community meetings become physically inaccessible to them—not only because of lockdown restrictions but also because of the elderly's inability to get to their desired destination on their own, both from remote villages and within one settlement in autumn or winter. Moreover, the infrastructure of most public institutions makes them inaccessible to the elderly.

2. Young women often lack support from society, political parties and family members, as well as financial and technical resources required to participate in politics.³³ Such support for participation is also short on the part of local self-government bodies, one of whose tasks is to create opportunities for various population groups to participate in decision-making. This means diversifying the local authorities' communication channels that allow people to participate actively. During the focus groups, young women noted that they faced the need to not only raise their children but also run a household in order to have some extra income because of the poor state of their finances and their husbands being constantly away to earn money. All of this deters them from actively participating in public and political life. Local self-government bodies take no action to change this.

³¹ This includes, for example, the Board of Custody and Guardianship, which reviews housing conditions and decides on stripping parental rights.

³² On local state administrations: Law of Ukraine No. 586-XIV of 9 April 1999, Art. 39, para. 9; On the Advisory Body on Family, Gender Equality, Demographic Development, Prevention and Countering Domestic Violence and Combating Trafficking in Human Beings: CMU Resolution No. 1087 of 5 September 2007.

³³ Democracy and Human Rights in the OSCE Area: OSCE Office for Democratic Institutions and Human Rights Annual Report 2020. Warsaw, 2020. p. 30. URL: <https://www.osce.org/ru/node/490514>

3. There is no Ukrainian sign language interpreter provided for people with disabilities; and the specifics of receiving appeals are not defined for people with mental disorders, which makes information from the local authorities and governments effectively inaccessible for such persons. There is also the physical inaccessibility of institutions, the inability to get to a relevant institution, distrust about employees, inaccurate appeals, staff's failure to submit information intelligibly, their refusal to provide necessary assistance, the lack of officials' time for additional clarifications or assistance, and the lack of progress with converting administrative services into electronic form.³⁴ The lack of data on women with disabilities makes it impossible to identify the problem of their access to both services and participation in decision-making.

The inaccessibility of city councils' premises, transport and information is a challenge even for deputies with disabilities.³⁵ Restrictions on the expressed political will of people with disabilities include obstacles to accessing polling stations and necessary voting equipment, non-enforcement of the right to vote for all categories of people with disabilities, the lack of options to vote in person, and the non-provision of online voting or other alternatives for people with disabilities to be able to fill out the ballot in person without seeking help from others.³⁶ Local officials often communicate with the companion rather than the person with disability.³⁷ The secrecy of the ballot at home is not secured for the voter with disability, as in practice, the voter votes in the presence of both commission members and official observers as well as other persons. Persons with disabilities do not have adequate access to the information they need to participate efficiently in political life.³⁸

4. Some groups of women, such as LGBTQ+ and women living with HIV/AIDS, from small communities do not aim at taking an active part in public life and publicly protecting their own rights, rather seeking greater anonymity and avoiding condemnation and isolation because they lack public support and because public opinion on them is mixed.

It is worth noting the low civic activity of, inter alia, the population groups in vulnerable situations, for whom priorities are naturally shifted to meeting basic needs, which the local self-government bodies often sees as the only important consideration when it comes to supporting such groups. Such tactics should also be reconsidered, as building the human capacity of the population groups in vulnerable situations would create opportunities



that these women and men are currently deprived of. Support in the form of eliminating barriers to development is of no less importance—and belongs to the local self-government bodies' responsibilities. Encouraging women who have typically been excluded from politics should be seen as addressing women's strategic gender needs. This approach can benefit not only women but also the entire community, which would benefit from the diverse experience of decision makers.

Utilizing NGO resources that are already available in communities, especially those representing the interests of groups of women and men in vulnerable situations, is an additional benefit for both the local government and the community, as it thus simplifies the collection of information from 'rights-holders' and 'duty-bearers' and makes such data more accessible. It is important to keep this common interest up-to-date by creating and maintaining permanent communication platforms.

34 Assessment of the situation with securing persons with disabilities access to electoral and political processes in Ukraine. 2015. URL: https://www.ifes.org/sites/default/files/ukraine_napd_disability_access_report_-_ukrainian.pdf.

35 Ibid.

36 Political participation and safeguards for the voting rights of persons with disabilities. Poll results / National Assembly of People with Disabilities of Ukraine. 2020. p. 29–30. URL: <https://naiu.org.ua/wp-content/uploads/2020/12/NAIU-vybory-rezultaty-opytuvannya-2020.pdf>.

37 Inclusion and equality: Monitoring incorporation of the UN Convention on the Rights of Persons with Disabilities standards in the National Human Rights Strategy and other durable solutions in Ukraine (Report by Public Associations of Persons with Disabilities). 2020. URL: <https://naiu.org.ua/wp-content/uploads/2020/03/NAIU-Report.pdf>.

38 Ibid.

RECOMMENDATIONS

The recommendations given as part of the study concern changes proposed in two areas: reforms to public service policies and practices.

I. Recommendations to the Verkhovna Rada of Ukraine (Parliament of Ukraine)

1. Ensure the development and adoption of decentralization laws considering Ukraine's international and national commitments in the field of gender equality and human rights.
2. Strengthen the mandate of the Parliamentary Commissioner for Human Rights in Ukraine in terms of monitoring the socioeconomic, political and cultural rights of TC residents in accordance with Ukraine's international and national commitments in the field of gender equality and human rights.

II. Recommendations to the Parliamentary Commissioner for Human Rights in Ukraine

1. Revise the available tools for monitoring and analysing local self-government bodies' fulfilment of the commitments to implement the socioeconomic, political and cultural rights of women and men in accordance with Ukraine's international and national commitments in the field of gender equality and human rights.
2. Strengthen the role and capacity of the regional offices of Parliamentary Commissioner for Human Rights to regularly monitor the implementation of human rights and gender equality normative commitments at the local self-government level, including by involving women's and other NGOs in such monitoring and analysis.

III. Recommendations to the Cabinet of Ministers of Ukraine

1. While reforming local self-government and the territorial arrangement of power, strengthen the coordination of line ministries and the synchronization of reforms in the decentralization of health care, education, social protection, culture, security and other services.
2. Provide TCs with adequate financial and human resources that are proportionate and sufficient to fulfil TCs' responsibilities in the decentralization of health care, education, social protection and other services.
3. Amend the CMU Resolution 'On Approval of the State Strategy for Regional Development for 2021–2027' No. 695 of 5 August 2020, the Law of Ukraine 'On Local Self-Government in Ukraine' No. 280/97-VR of 21 May 1997, and the Law of Ukraine 'On Social Services' No. 2671-VIII of 17 January 2019 to bring them in line with Ukraine's international and national commitments on gender equality and human rights.
4. Identify criteria for monitoring the course of the decentralization process, in particular in the categories of human rights and gender-sensitive indicators; and track the progress in enforcing human rights at the TC level, focusing on population groups in vulnerable situations, with respect to monitoring and assessing the well-being of women who face multiple forms of discrimination.
5. When developing state programmes on the implementation of sectoral reforms, adhere to a consistent and systematic commitment to enforce, protect and respect human rights, in particular gender equality, with a focus on tackling problems experienced by groups of women in vulnerable situations by overcoming gender stereotypes and prejudices; and ensure the compliance of the document's logical and M&E frameworks with gender equality principles and the human rights-based approach.

6. Improve the system of organization of local government in order to strengthen TCs' financial and institutional capacity to enforce, protect and respect the rights of groups

of women in vulnerable situations, as well as provide methodological support to TCs in this matter at the stage when powers are delegated.

IV. Recommendations to the Ministry of Communities and Territories Development of Ukraine:

1. The following criteria should be adhered to when developing RLAs and strategy and policy papers in the field of decentralization and regional development:
 - Compliance to Ukraine's international and national normative commitments in the field of gender equality and human rights
 - Explicit inclusion of gender equality and human rights in a document's stated goals and objectives
 - Use of categories (indicators) that are measured in the exercise of rights and the achievement of equality in the so-called human dimension—indicating that the groups of women and men in vulnerable situations are covered, with disaggregation by sex and other characteristics
 - Expansion of the aspects of accessibility in the exercise of rights for the fullest possible attainability (taking into account the AAAQ principle: the availability of a sufficient quantity of quality services that are accessible physically, economically, informationally and socio-culturally for women and men, especially among groups in vulnerable situations)
 - Creation of a document's objectives to address the primary causes of gender equality and human rights problems
 - Statement of a clearer definition of groups in vulnerable situations in a document
 - Allocation of a budget for the implementation of the document with available funds earmarked for gender and human-rights-related activities
 - Identification of measures to develop transparency and the participation and engagement of women and men in vulnerable situations, as well as additional mechanisms for the authorities' accountability to these groups (for instance, by establishing public supervisory boards with real powers under the key bodies and services)
 - Development of programmes to empower women and men in vulnerable situations and to assess progress against quantitative indicators and qualitative data in the categories of overcoming barriers to human rights and gender equality
2. Conduct a gender analysis and amend the Order of the Ministry of Regional Development, Construction and Housing of Ukraine 'Approving the guidelines for the formation and implementation of the forecast and policy papers of socioeconomic development of the amalgamated territorial community' No. 75 of 30 March 2016.
3. Develop and provide RSAs and TCs with guidelines to implement gender mainstreaming and the human rights-based approach in the field of regional and local policy (at the stages of disaggregated data collection for situation analysis, shaping strategic and operational goals and objectives, implementation, budgeting and M&E).
4. Develop and approve a standard region and community gender profile methodology with a list of basic indicators as a mandatory document for gender-sensitive planning and budgeting.
5. Ensure that the Ministry of Communities and Territories Development of Ukraine together with the Ministry of Digital Transformation of Ukraine take a unified approach to providing TCs and ASCs with tools for the provision of mobile services and software enabling data disaggregation by sex, age and other characteristics categories. Ensure data comparability and production of gender-sensitive reports on the accessibility of various public services for women and men in vulnerable situations.
6. Ensure the engagement of women's NGOs, including those representing the interests of women in vulnerable situations, in monitoring and evaluating the decentralization reform at all levels.

V. Recommendations to regional state administrations

1. With a view to enforce human rights, in particular gender equality, amend strategy papers—namely region development strategies, relevant implementation plans and social and economic development programmes—to bring them in line with operational goal 5 of the State Strategy for Regional Development until 2027.³⁹
2. Ensure that regional gender profiles, as the basis for planning the list and format of the provision of gender-sensitive services, take into account the full range of human rights: economic, social, cultural, civic, political, environmental and so on.

VI. Recommendations to territorial communities

1. In composing gender profiles at the TC level, take into account the full range of human rights: economic, social, cultural, civic, political, environmental and so on. With regard to GE and HRBA, data collection disaggregated by sex and other characteristics should be accompanied by a quantitative and qualitative analysis (for the identification of gender gaps and their immediate, fundamental and primary causes). It is necessary to enhance this local self-government bodies capability substantially.
2. For the enforcement of human rights, in particular gender equality, modify TC development strategies and their implementation plans, local socioeconomic and cultural development programmes/plans, target community programmes and plans, their measures in all service areas (education, health care, social protection, culture, etc.), budget programmes' dossiers, and standards and regulations for tracking progress in human rights enforcement at the TC level with priority on the human rights of population groups in vulnerable situations. Local self-government bodies' abilities to set priorities according to the GE and HRBA requirements need to be developed.
3. Ensure local self-government bodies' transparency and accountability, in particular by publishing policy papers, policies and reports in communities via various communication channels on a regular basis.
4. Develop local poverty-eradication strategies and their implementation plans, with the obligatory involvement of members of population groups in vulnerable situations, including through the development of target programmes/activities/services to cater to the specific interests and needs of certain population groups in vulnerable situations (depending on the specifics of the community's composition, including its gender profile).
5. Ensure the provision of public services within the TC authorities' mandate, without discrimination, with services brought closer to the beneficiaries and with emphasis on population groups in vulnerable situations. In order to eliminate stereotypes and prejudices (which are a precondition for discrimination) with regard to the representation of certain population groups in vulnerable situations, in particular women, ensure the training of service providers on human rights-based approaches, in particular gender equality.
6. Ensure that the public services provided in TCs are of the same physical, financial, informational and sociocultural acceptability and quality equal for women and men, especially those in vulnerable situations.
7. Ensure the provision of capacity-building services to population groups in vulnerable situations, including employment enhancement, the creation of conditions for women and men to combine professional and family responsibilities, the organization of early child development activities and day-care centres for young children, and the rendering of support to women wronged by violence. Forms of empowering population groups in vulnerable situations may also include utilizing the following: local Roma community mediators; paralegals (persons who obtained basic legal education and can help rural communities with basic legal issues); legal aid centres for population groups in vulnerable situations; and the provision of services to physically challenged people so that they can participate in decision-making within the community.

³⁹ On approval of the State Strategy for Regional Development for the years 2021 through 2027: CMU Resolution No. 695 of 5 August 2020. URL: <https://zakon.rada.gov.ua/laws/show/695-2020-%Do%BF#Text>.

8. Build partnerships to promote GE and HRBA, in particular by interacting with civic and research institutions and working with other communities to pool resources with the objective of ensuring an appropriate and quality package of public services.
9. Promote the development of local NGOs to ensure vulnerable populations' efficient participation in decision-making at the local level, in particular women, people with disabilities and other groups in the community; and/or ensure the implementation of special programmes to stimulate and support the participation of population groups in vulnerable situations in local elections by:
 - Setting up gender equality CABs with the involvement of women's NGOs and groups—not less than two thirds of the CAB
 - Introducing quotas at the CAB level
 - Establishing communication offices or advisory centres
10. For the deep and sustainable entrenchment of GE and HRBA at the local self-government level, establish a dedicated GE and HRBA coordination centre. This may be the responsibility of the official in charge of community planning, analysis, project and grant activities. This official's mandate should include reviewing all documents prepared by this local self-government bodies and integrating GE and HRBA into them.

VII. Recommendations to the associations of local self-governments

1. Provide methodological support to local self-government bodies and improve their capacity to implement the gender-based and human rights-based approach.
2. Maintain dialogue platforms and ongoing cooperation with women's organizations and gender experts in the implementation of the gender-based decentralization reform at all of its stages.



Report prepared within the framework of UN Women Project “Advancing Gender Equality and Women’s Empowerment through Decentralization Reform of Ukraine” funded by Global Affairs of Canada

