



ПРЕДСТАВНИК УПОВНОВАЖЕНОГО
Верховної Ради України з прав людини

21/8, вул. Інститутська, м. Київ, 01008, Україна

тел.: 253-78-23

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**Office of the UN High Commissioner
for Human Rights**

*Palace of Nations
CH-1211 Geneva 10*

We present our compliments to the Office of the High Commissioner for Human Rights and in response to the letter Ref. CM/SL/is of August 5, 2010 requesting for information on implementation of Convention on the Rights of Persons with Disabilities would like to submit the following.

There are near 2.5 million of persons with disabilities in Ukraine, representing more than 5% of the country's population. Every year there are about 200 thousand persons recognized as the disabled, with 80% of them being of working age.

The citizens of Ukraine with disabilities, unfortunately, still encounter discrimination in many spheres. They are constantly faced with obstacles to full participation in the social life and can not enjoy all the rights and freedoms to full extent.

Therefore, the Commissioner for Human Rights addressed the President of Ukraine with the recommendation to expedite the signing and ratification by Ukraine of the Convention on the Rights of Persons with Disabilities and its Optional Protocol in January 2008.

On December 16, 2009 the Parliament of Ukraine adopted the Law of Ukraine "On ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol" No. 1767-VI.

At the same time there was adopted a number of laws and regulations aimed at improving the respect for the rights of persons with disabilities, including:

- Law of Ukraine "On amending some Laws of Ukraine on providing automobiles for the disabled" No. 1760-VI of 15.12.2009;
- Order of the Cabinet of Ministers of Ukraine "On some issues of sport rehabilitation and development of the disabled" No. 1351 of 12.03.2009;
- Order of the Cabinet of Ministers of Ukraine "On approval of the Procedure for providing children with disabilities with health resort" No. 1345 of 03.12.2009;

- Order of the Cabinet of Ministers of Ukraine "On establishment of academic scholarships of the Cabinet of Ministers of Ukraine for gifted students with disabilities" No. 1312 of 12.03.2009;

- Ordinance of the Cabinet of Ministers of Ukraine "On some issues related to improving health services for persons with disabilities" No. 1484-r of 3.12.2009;

- Ordinance of the Cabinet of Ministers of Ukraine "On some issues for providing persons with disabilities with health resort" No. 1461-r of 12.03.2009;

- Ordinance of the Cabinet of Ministers of Ukraine "On approval of the Plan of Actions for solving some problems of social protection of persons with disabilities" No. 1460-r of 03.12.2009;

- Order of the Cabinet of Ministers of Ukraine "On approval of the Procedure for providing persons and children with disabilities with technical and other means" No. 1301 of 12.03.2009;

- Order of the Cabinet of Ministers of Ukraine "On involvement under the state guarantee of foreign loans for realization of the investment project on purchase of rehabilitation means (automobiles) for the persons with disabilities in order to strengthen social protection of citizens of Ukraine" No. 1270 of 11.26.2009, etc.

In accordance with paragraph 1 of Article 33 of the Convention on the Rights of Persons with Disabilities, the focal points for its implementation is the central executive authority in the field of labour and social policy – Ministry of Labour and Social Policy of Ukraine. The independent monitoring of implementation of the Convention is exercised by the Ukrainian Parliament Commissioner for Human Rights and civil organizations of persons with disabilities.

The Commissioner for Human Rights believes that the main factor for positive solution of problems with the protection of rights of the persons with disabilities would be a sustainable funding of their needs. However, the State budget of Ukraine allocated slightly more than 80 million hryvnas (USD 10 mln) – which is only about 9% of the required amount – for providing health resort for persons with disabilities.

The provision of persons with disabilities with the necessary technical means of rehabilitation requires nearly 400 million hryvnas (USD 50 mln). And real amount of expenditures envisaged in the State budget of Ukraine is about 298 million hryvnas (USD 37 mln), i.e. 75% of the needs.

There is also a lack of funding for purchasing special vehicles (automobiles) for persons with disabilities. During the recent years, the State budget of Ukraine has provided for only about 1.5 - 2% of the necessary funding.

An important factor for integrating people with disabilities in society is the possibility to get employed. The State Employment Service provides a substantial assistance in the implementation of the right of persons with disabilities to work, creating the conditions for their vocational training and self-actualization. Citizens with disabilities, who request the Service for assistance in finding employment, are entitled to all social services, including the granting of the status of the unemployed, and ensuring free access to information on the possibilities of undertaking vocational training and to the national database of vacancies. In 2009, the assistance of the State Employment Service had been sought by 34.1 thousand of persons with disabilities, 8 thousand of whom got employed.

There has been created a Council on issues of persons with disabilities under the Cabinet of Ministers of Ukraine, whose main objectives are the following: coordination of executive bodies in addressing the legal, economic and social issues of persons with disabilities, preparation of proposals for the development and implementation of government policy on social protection of persons with disabilities, identifying the ways, mechanisms and methods of resolving problems that arise in the process of implementing government policy on social protection of persons with disabilities, elaborating proposals on improvement of the regulatory framework on social protection of persons with disabilities.

The Ministry of Labour and Social Policy of Ukraine drafted amendments to the Laws of Ukraine "On the basis of social protection of persons with disabilities in Ukraine" and "On the rehabilitation of the persons with disabilities in Ukraine", which introduce, *inter alia*, the term *discrimination on the basis of disability*, *universal design*, *reasonable accommodation* and the new article on the liability for violation of these Laws. The relevant draft-law was approved by the civil Council of the Ministry of Labour and undergoes the process of approval by the concerned central authorities at the present time.

At the same time, the Ukrainian Research Institute of Labor and Employment has been elaborating ways to implement anti-discrimination policy in Ukraine in the context of employment of persons with disabilities in accordance with the Directive 2000/78/ES of 11/27/2000 of the European Union Council.

In particular, by its Order of 12.08.10 No. 239 the Ministry of Labour approved the amendments to the Model Regulations of the Vocational Rehabilitation Center for Persons with Disabilities, which contains anti-discrimination provisions.

In line with the Protocol of intentions on cooperation between the Ministry of Labour and Social Policy of Ukraine and the Federal Ministry of Social Affairs and Consumer Protection of the Republic of Austria in the sphere of social policy for 2007-2010, the Ukrainian party studied Austrian experience in vocational rehabilitation of persons with disabilities and socio-economic (integrated) enterprises, which employ persons with disabilities.

One of the key aims of the bilateral project is the introduction in Ukraine of the socio-economic model (integrated) of enterprises, which employ persons with disabilities. The main objective of such companies is the employment of persons with disabilities as a transit workplace (such places are temporary, on average 12 months) and on a constant basis. The persons with disabilities have been employed to the transit workplace on the basis of a temporary employment contracts.

The protection of the rights and interests of persons with disabilities has been promoted by the Ministry of Foreign Affairs of Ukraine on international level.

Thus, Ukraine has been a party of implementation process of the Council of Europe Action Plan "Promotion of the rights and full participation of persons with disabilities in society: improving the quality of life of persons with disabilities in Europe in 2006-2015".

In the framework of the Council of Europe Plan of Action for Ukraine for 2008-2010, there has been also implemented a project "Implementation of the Council of Europe Action Plan on addressing the issues of persons with disabilities in 2006-2015".

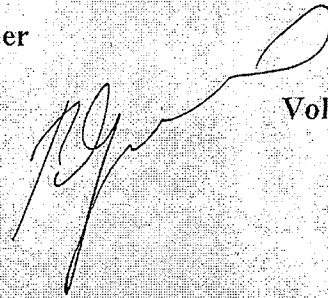
(through analysis of existing legislation, policies and practices, and training). The total budget of the project is 10 thousand Euros. It will be conducted from January 2009 to December 2011.

Ukraine has also designated an expert to take part in the work of the Committee on development of criteria for assessing implementation of the Council of Europe Plan of Action on persons with disabilities for 2006-2015.

Availing ourselves of the opportunity, we would like to renew to the Office of the UN High Commissioner for Human Rights the assurances of our high consideration.

On behalf of the Commissioner for Human Rights,

Representative of the Commissioner



Volodymyr Yatsenko