

# ENHANCED SOCIAL PROTECTION IN UKRAINE



Council of Europe project implemented in 2023-2024 within the framework of the Council of Europe Action Plan for Ukraine "Resilience, Recovery, and Reconstruction" for 2023-2026



European  
Social  
Charter

Charte  
sociale  
européenne



# BACKGROUND

■ **The European Social Charter** is a Council of Europe treaty that guarantees fundamental social and economic rights. It remains at the heart of the Council of Europe's statutory goals: human rights, rule of law, and democracy, which cannot be realised without respect for social rights.

■ The Charter was ratified by Ukraine in 2006. Its enhanced implementation will contribute to better protection of social and economic rights and support sustainable democracy in Ukraine. Charter implementation is also crucial in addressing current challenges in social protection, considering the consequences of the war launched by Russia in Ukraine in 2022.

■ Social rights and reforms in this field remain high on the agenda of the Ukrainian authorities. They are also included in the strategic cooperation framework between the Council of Europe and Ukraine: the Council of Europe **Action Plan for Ukraine “Resilience, Recovery, and Reconstruction” for 2023-2026**.

■ Thus, the Council of Europe supports Ukraine in implementing reforms in the area of social rights and social protection in line with the requirements of the European Social Charter and relevant European standards, ensuring that the postwar recovery phase is as short and effective as possible.

## LIST OF ABBREVIATIONS

ESC, Charter – the European Social Charter (revised)

ECtHR – the European Court of Human Rights

ECSR – the European Committee of Social Rights

EU - European Union

IDP – Internally displaced person(s)

National Barrier-Free Strategy – the National Strategy of Creating a Barrier-Free Environment in Ukraine until 2030

PwD – Person(s) with disabilities

CSO – Civil society organisation

## ABOUT THE PROJECT

The project “Enhanced Social Protection in Ukraine” was implemented by the Council of Europe within the framework of the **Council of Europe Action Plan for Ukraine “Resilience, Recovery, and Reconstruction” for 2023-2026**. It aimed to ensure that persons from vulnerable groups, including the war-affected population in Ukraine, enjoy an improved level of social rights and social protection. The project was built on the achievements of previous Council of Europe co-operation projects implemented in Ukraine since 2019.

To achieve this, a combination of targeted activities was envisaged in two directions:



To further align policy and legislative framework on social rights with the European standards, including the European Social Charter and case-law of the European Committee of Social Rights.



To support the national and local authorities in promoting the social rights of people from vulnerable groups and the general public, in particular addressing issue of non-take up of social rights.

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<b>Project duration</b>	1 January 2023 - 31 December 2024
<b>Budget</b>	1 080 000.00 EUR
<b>Project partners</b>	Ministry of Social Policy of Ukraine, Office of the President of Ukraine (including the Advisor-Commissioner of the President of Ukraine on Barrier-Free Issues), Parliamentary Committee on Social Policy and Protection of Veterans’ Rights, Ukrainian Parliament Commissioner for Human Rights, Ministry of Economy of Ukraine, National Mediation and Conciliation Service

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The Heads of States and Governments underlined the importance of cooperation activities on social rights in the Vilnius Declaration:

“ ii... The “social rights” component of the Council of Europe Action Plan for Ukraine “Resilience, Recovery and Reconstruction” 2023-2026, is an inspiring example of such [co-operation] activities.

*(High-level Conference, 4 July 2024)*

# PROJECT ACHIEVEMENTS



## ALIGNED POLICY AND LEGISLATIVE FRAMEWORK ON SOCIAL RIGHTS WITH EUROPEAN STANDARDS, INCLUDING THE EUROPEAN SOCIAL CHARTER AND CASE-LAW OF THE EUROPEAN COMMITTEE OF SOCIAL RIGHTS

The Council of Europe supported Ukrainian authorities in **advancing national legislation** and played an active role in the **social and labour reforms process**. Specifically, expert support was provided to review Ukrainian legislation, along with presenting European standards and best practices to develop the **draft Social Code of Ukraine, draft Labour Code of Ukraine, draft Law on Social Dialogue, draft Law on Collective Labour Disputes, draft Law on the Employment of Persons with Disabilities**.

### MILESTONE ACHIEVEMENTS

- The draft Law “On Amendments to Some Laws of Ukraine on Ensuring Employment of Persons with Disabilities” was voted in the first reading by the Parliament of Ukraine on 30.05.2023.
- The draft Law “On Collective Labour Disputes” was registered in the Parliament of Ukraine on 16.09.2024.





“ I am grateful for the systemic support to the social protection system in Ukraine through the development of the Social Code of Ukraine based on modern approaches, taking into account the best practices, qualitative research, and the involvement of Ukrainian and international experts, which will allow us to build a new policy of social and pension insurance, social benefits, and most importantly, to develop a system of social services.

***Oksana Zholnovych, Minister of Social Policy of Ukraine***

“ Social policy and social infrastructure are components of national security. The presence of an educated human capital represents a guarantee of the existence of Ukraine as a state, while the resolution of social problems is the guarantee of peace within society. We want the European Social Charter to be fully integrated into Ukrainian legislation, as Ukrainians want to be a society that is integrated into Europe.

***Galyna Tretiakova, Head of the Parliament Committee of Social Policy and Protection of Veterans' Rights***



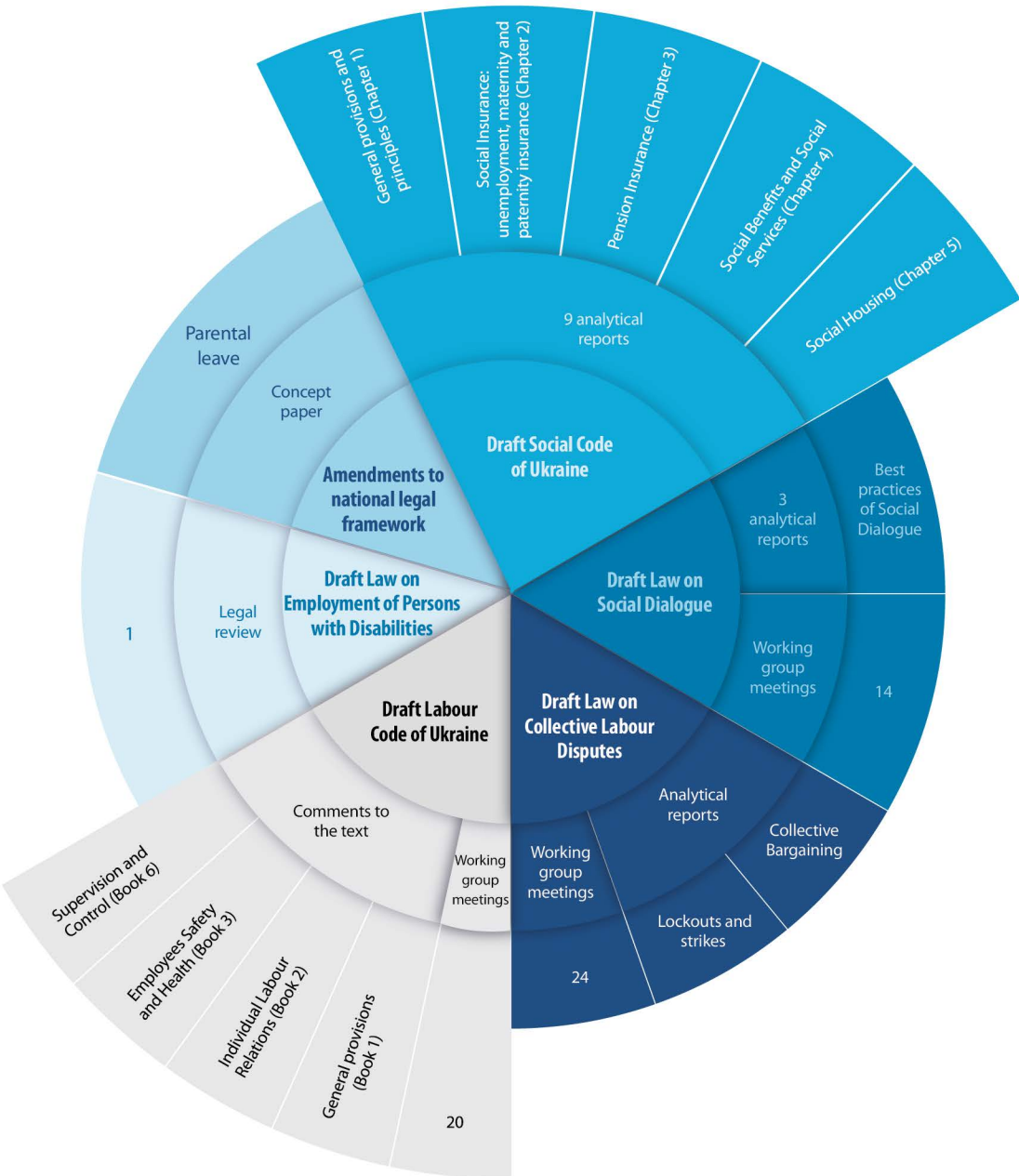
“ Understanding the experiences of other EU countries in implementing reforms, changing social models, and mechanisms in regulating labour and social relations, and fulfilling commitments under the European Social Charter is extremely important for Ukraine's further integration into the European Union.

***Alla Fedorova, Member of the European Committee of Social Rights, researcher at the Faculty of Law at Palacký University in Olomouc***



# LEGISLATIVE REFORMS

## KEY OUTPUTS





## STRENGTHENED CAPACITIES OF NATIONAL AUTHORITIES TO DEVELOP AND IMPLEMENT BETTER QUALITY AND GENDER-SENSITIVE SOCIAL POLICIES AND PROVIDE BETTER QUALITY SOCIAL SERVICES

The project significantly **enhanced the capacity of Ukrainian national authorities** to design and implement more effective, gender-sensitive social policies and services by offering **research, advice, training and facilitating dialogue** which contribute to more informed decision-making. These efforts also contributed to more inclusive and sustainable social services in Ukraine to be further benefitted by a wide range of persons from vulnerable groups.

## LANDMARK EVENTS

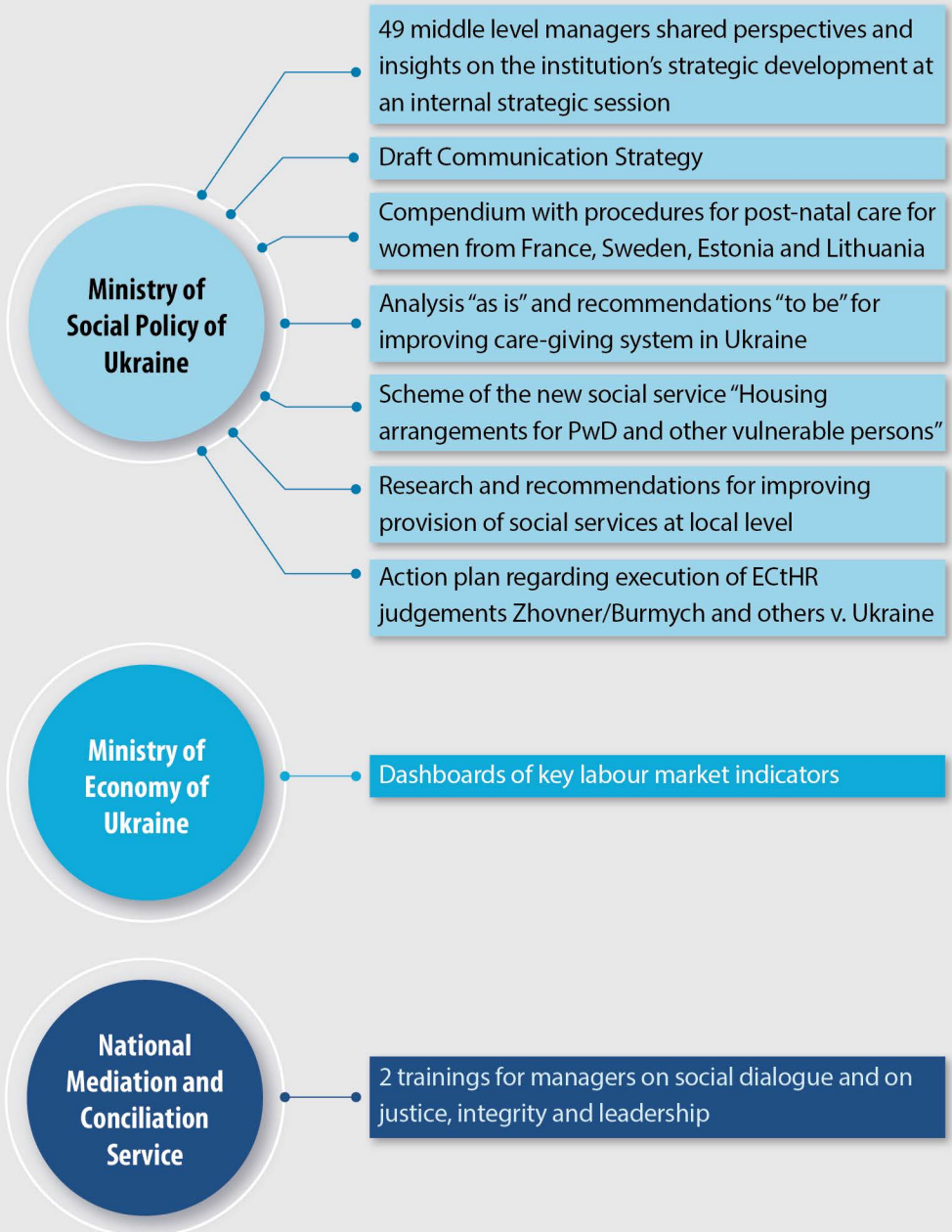
**Study visits to France (Paris, Strasbourg) and Lithuania (Vilnius)** to learn good practices in different aspects of the social protection systems.



**High-Level Round table** for the representatives of the national authorities on execution of judgements in the group of cases Zhovner, Burmych and others v. Ukraine.

# EXPERTISE AND RESOURCES TO IMPLEMENT SOCIAL POLICES

## KEY OUTPUTS



“ As of now, access to statistical information from official sources, such as the State Statistics Service, is limited due to the war. It concerns labour market indicators. This creates a gap in obtaining official information and poses several challenges for developing relevant state policies, including the risk of manipulation. The developed module for interactive analytics addresses those challenges by ensuring real-time data collection and processing. It enhances transparency and quality of decision-making regarding labour market and employment policies at all levels.

**Tetiana Berezhna**, Deputy Minister of Economy of Ukraine



“ The seminars supported by the Council of Europe for the National Mediation and Conciliation Service are unique since they are tailored according to our needs by Aspen Institute Kyiv. We are grateful for the support in strengthening the institutional capacity of the Service and hope for continued co-operation.

**Dmytro Kukhniuk**, Head of the National Mediation and Conciliation Service





## ENHANCED CAPACITIES OF THE UKRAINIAN OMBUDSPERSON TO PERFORM ITS MONITORING FUNCTIONS AND EFFICIENTLY OPERATE IN TIMES OF WAR IN UKRAINE

The Council of Europe's support strengthened the **capacity of the Ombudsperson's Institution** to monitor and protect social and economic rights during wartime, addressing the needs of vulnerable groups, including persons with disabilities. Additionally, it enabled the institution to **operate more efficiently** by equipping it with trained staff and modernized resources.

### MILESTONE ACHIEVEMENT

*A Special report on social and economic rights of adults in need of guardianship and care under the legal regime of martial law was prepared, containing key recommendations to address the existing challenges.*



“ The cooperation with the Council of Europe already has good traditions. In the conditions of the full-scale invasion of the Russian Federation in Ukraine, monitoring the issues of creating and maintaining a fully-fledged living environment for citizens, especially from vulnerable groups, providing high-quality and affordable public services, in particular in the field of health care and social protection, is especially relevant for joint work. I express my gratitude for the received equipment, which will contribute to the prompt and high-quality work of our Department of monitoring of social and economic rights.

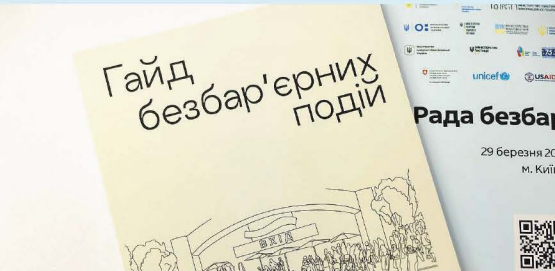
**Dmytro Lubinets**, Ukrainian Parliament  
Commissioner for Human Rights





## FACILITATED IMPLEMENTATION OF THE NATIONAL BARRIER-FREE STRATEGY

The Council of Europe's communication and analytical support played a pivotal role in monitoring the **implementation of the National Barrier-Free Strategy**, providing comprehensive assistance for the ongoing Barrier-Free Environment reform. This support has been instrumental in advancing the accessibility of physical spaces, services, information, and goods, while promoting greater inclusion for low-mobility groups on national and local levels through **trainings and awareness raising activities**.



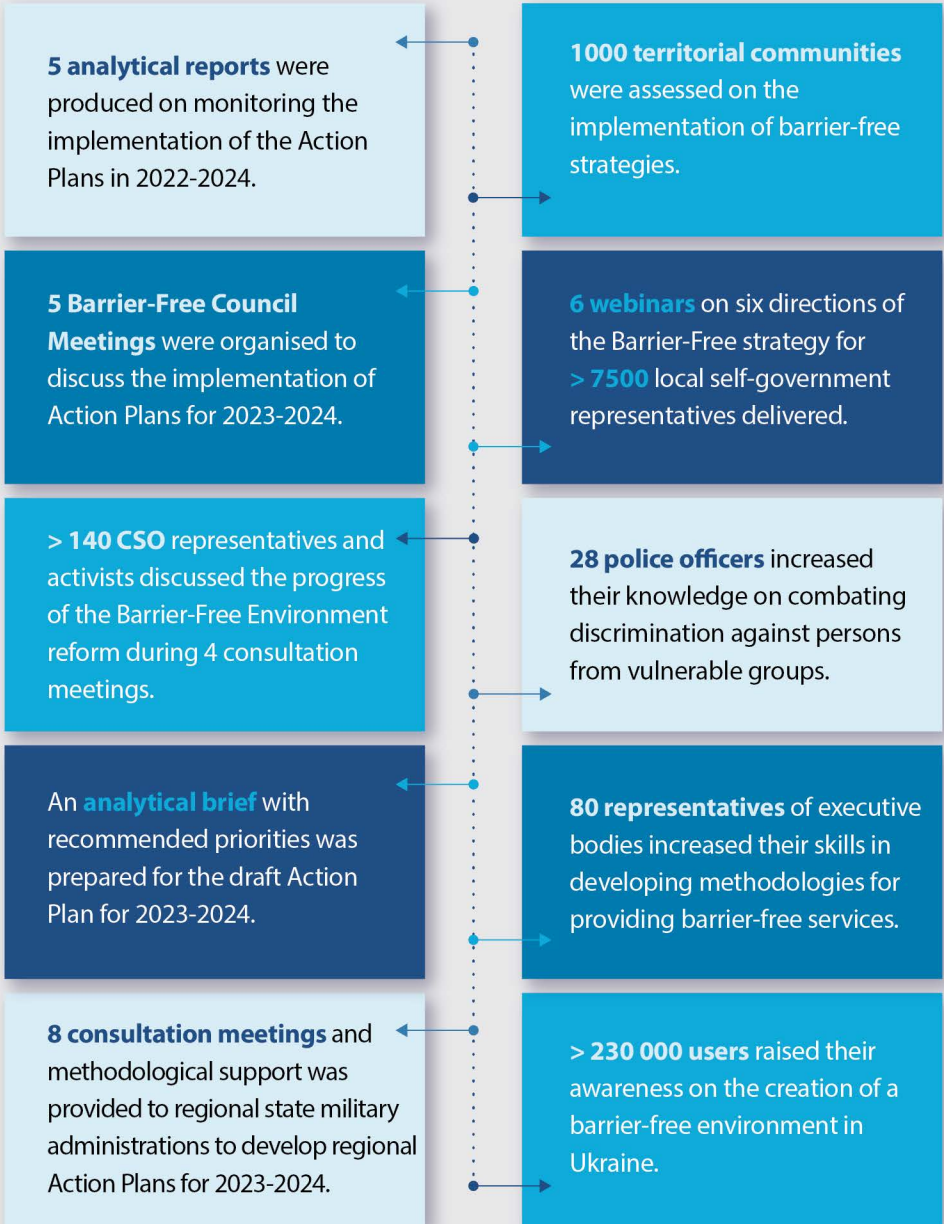
### MILESTONE ACHIEVEMENT

The Action Plan for 2023-2024 to the National Barrier-Free Strategy was adopted by the Cabinet of Ministers of Ukraine.



# EXPERTISE AND RESOURCES TO CREATE A BARRIER-FREE ENVIRONMENT

## KEY OUTPUTS





## IMPROVED NATIONAL REPORTING TO ECSR

The Council of Europe strengthened the capacity of the national authorities to **improve the quality of reporting** on the Charter provisions to the ECSR. This contributed to **improved communication and coordination** among the state institutions involved in the reporting process, as well as submission of annual reports prepared in a more inclusive manner.



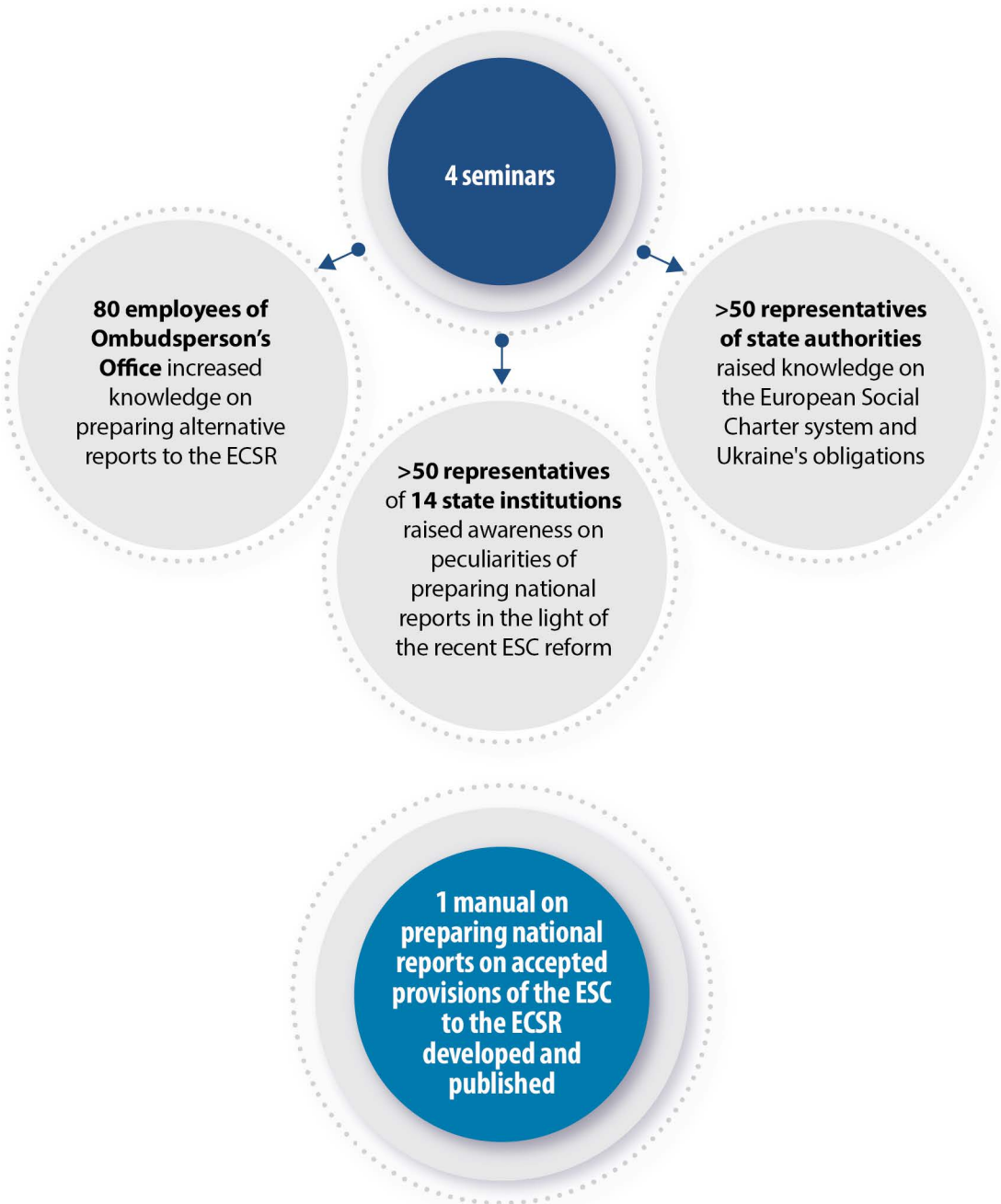
### MILESTONE ACHIEVEMENT

The first alternative report to the ECSR was submitted by the Secretariat of the Ukrainian Parliament Commissioner for Human Rights (Ombudsperson) in 2023.



# EXPERTISE AND RESOURCES FOR ECSR REPORTING

## KEY OUTPUTS





## RAISED AWARENESS OF TARGET GROUPS ON SOCIAL RIGHTS AND SOCIAL PROTECTION MECHANISMS ACCORDING TO THE EUROPEAN SOCIAL CHARTER

The Council of Europe continued to effectively **raise awareness on social rights** and the European Social Charter system among different target groups in Ukraine: **decision-makers, lawyers, judges, social service providers and academia**. Through a comprehensive series of outreach events, training programmes, educational and promotional materials, the project effectively engaged these groups, fostering a greater understanding of ESC standards, including their active application in the professional activity. Additionally, media campaigns reached a **broader audience**, contributing to the promotion and application of social rights and their protection mechanisms according to the ESC.

## KNOWLEDGE AND CAPABILITIES TO PROMOTE AWARENESS OF THE ESC

### KEY OUTPUTS

#### DECISION MAKERS



> **50 participants** raised their awareness on the challenges faced by people with disabilities in everyday life during the event dedicated to the International Day of persons with disabilities.

> **80 participants** got acquainted with the developed support tool for IDPs: the housing rental subsidy programme during a dedicated event.



## LANDMARK EVENT

International event “**Protecting social rights in times of war in Ukraine**” held in Vilnius, Lithuania on the eve of the High-Level Conference on the ESC. About 100 participants discussed the critical importance of protecting social rights during wartime in Ukraine, including the rights of children as the most vulnerable group affected by the conflict, and the role of the European Social Charter in aligning Ukrainian legislation with EU standards.



“ The Committee will closely follow the developments in the reforms on social legislation and will remain the support, the resource and ally to Ukrainian authorities as they move this work forward.

*Aoife Nolan, President of the European Committee of Social Rights*



## JUDGES

A **training course** on the application of principle of legal certainty in administrative proceedings, including in the context of legitimate expectations regarding social benefits developed.



**1 international conference** for 80 judges of administrative courts to raise awareness on the challenges of judicial protection of political and civil rights and freedoms in the pre-war, war and post-war periods, including those related to social protection.



## LAWYERS

**> 200 lawyers** completed the online course on the ESC and the case law of the ECSR on the educational platform of Free Legal Aid System.



**6 regional trainings** for 156 lawyers and **1 training** for 25 lawyers-trainers on the application of the ESC and the case law of the ECSR.

**1 monitoring report** on the challenges related to the application of the European Social Charter in Ukrainian judicial and administrative practice developed and disseminated.

## SOCIAL SERVICE PROVIDERS

**1 video course** on "How to Become a Provider of Social Services" completed by **>100 participants**.



**> 13 000 users** raised awareness on how to become a social service provider following the information campaign on social networks and national TV channels.

**ПОСТАНОВА**  
КМУ №83 від 23 січня 2024 р.  
«Про організацію діяльності та  
забезпечення функціонування  
центрів життєстійкості»



## MILESTONE ACHIEVEMENTS

- Uzhhorod National University introduced a specialised course on European Social Charter for law students and organised a moot court on ESC principles.
- The Ministry of Education and Science of Ukraine officially approved the ESC course for teachers and the curriculum for grades 5-11 for use in national education.

## TEACHERS AND PUPILS



> **210 000 users** raised awareness on the courses for teachers and pupils through Facebook, national online media, TV channels and radio.

A **curriculum for the lesson** on the European Social Charter for pupils in grades 5-11 developed and integrated into the educational process.

A specialised **online course for teachers** on the European Social Charter developed and completed by > **6000 teachers**



## ACADEMIA

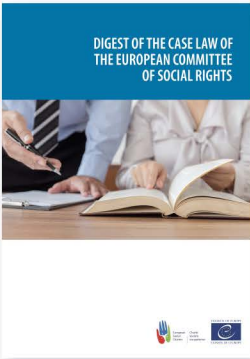
A pool of **24** trainers was expanded by **17 professors** from **7 universities** to teach the ESC for Ukrainian law students.



**6 Ukrainian professors** raised awareness on the role of the European Social Charter in aligning national legislation with EU acquis during an international conference in the Czech Republic.

A **specialised course for PhD students** in law on “Legal introspective in ensuring social and economic rights through the lens of the European Social Charter” developed.

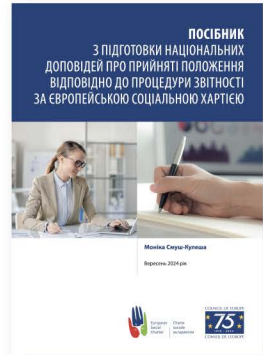
# PUBLICATIONS



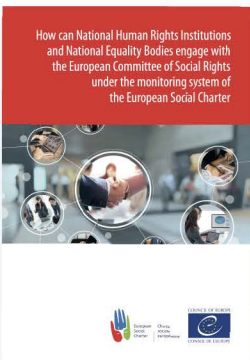
**The Digest of the case law of the ECSR** (translated into Ukrainian, printed in **150 copies** and widely disseminated).



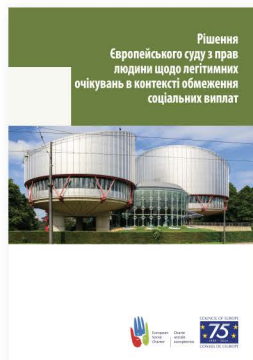
**Manual on communication of police officers with persons with disabilities. Recommendations and practices of efficient interaction** (printed in **2000 copies** and disseminated).



**Manual on preparing national reports on accepted provisions according to the reporting procedure under the European Social Charter** (translated into Ukrainian, printed in **50 copies** and disseminated).



**How can National Human Rights Institutions and National Equality Bodies engage with the European Committee of Social Rights under the monitoring system of the European Social Charter** (translated into Ukrainian, printed in **50 copies** and disseminated).



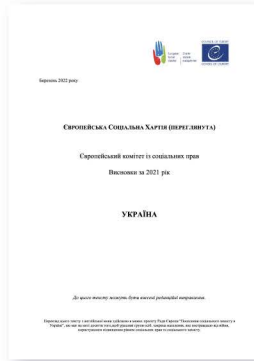
**Case-law of the European Court of Human Rights on legitimate expectations in the context of social benefits** (translated into Ukrainian, printed in **50 copies** and disseminated).



**Report on the right to housing in the light of European standards and European good practices** (translated into Ukrainian, printed in **50 copies** and disseminated).



**The Guide on the case-law of the European Convention on Human Rights in the field of social rights** (translated into Ukrainian, printed in **100 copies** and widely disseminated).



**The Conclusions of the ECSR regarding Ukraine 2021, 2023** (translated into Ukrainian, printed in **50 copies** and widely disseminated).

## PROJECT OUTPUTS IN NUMBERS



**15** expert analyses



**2** sociological research



**60 +** events with



**1 100** participants



**4** training courses



**3** study visits



**8** publications



**450 000 +** outreach



**4** grants

## PROJECT TEAM



**Margarita Galstyan,**  
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**Yaryna Lukasevych,**  
Financial Assistant  
Council of Europe Office  
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## Council of Europe Project "Enhanced social protection in Ukraine"

ENG

[www.coe.int](http://www.coe.int)

The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.



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