

LANZAROTE COMMITTEE

Committee of the Parties to the Council of Europe Convention
on the protection of children against sexual exploitation and
sexual abuse

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Replies to the thematic questionnaire

“Screening of professionals, volunteers and other
persons in contact with children”

LA STRADA

UKRAINE

This is a submission prepared by the NGO "La Strada – Ukraine", a Ukrainian civil society organization that has worked for 29 years in the field of children rights protection, prevention of gender-based violence, combating human trafficking, and ensuring equal rights and opportunities for women and men.

The organization operates the National Hotline for Children and Youth (116 111), providing informational, psychological, and legal support to children, young people, parents, legal representatives and professionals. A huge number of calls concerns violations of children's rights, including domestic violence, ill-treatment, bullying, sexual violence, sexual exploitation, and other risks for children. CSO "La Strada – Ukraine" also coordinates the activities of the National Trainers' Network and the National Mediators' Network.

One of the key areas of the organization's work is professional development for specialists working with children, including representatives of educational institutions, social services, children's affairs services, law enforcement agencies, local self-government bodies, and civil society organizations. Training programs cover the identification, prevention, and response to cases of domestic violence, child abuse, bullying, sexual violence, sexual exploitation, and other violations of children's rights.

CSO "La Strada – Ukraine" actively promotes the implementation of international standards for the protection of children's rights in Ukraine, including Council of Europe standards, and advocates for the improvement of national legislation and its enforcement practice in line with the provisions of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention). One outcome of this work was the adoption of Law of Ukraine No. 2334-VIII of 14.03.2018, which, among other things, established the minimum age of sexual consent for a child at 16 years by amending Article 155 of the Criminal Code of Ukraine.

CSO "La Strada – Ukraine" is a member of Child Helpline International, is part of the Safer Internet Centre Ukraine, coordinated by the NGO "Magnolia," and is also a member of the All-Ukrainian Network against Commercial Sexual Exploitation of Children (ECPAT).

Main relevant provisions of the Lanzarote Convention and previous recommendations

Article 5 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures, in conformity with their internal law, to ensure that the conditions to accede to those professions whose exercise implies regular contacts with children ensure that the candidates to these professions have not been convicted of acts of sexual exploitation or sexual abuse of children. The Explanatory Report to the Lanzarote Convention indicates that this obligation can be also applied to voluntary activities (see paragraph 57).

In the 2nd implementation report of the 1st monitoring round (2018), the Lanzarote Committee urged those Parties that limited mandatory screening to certain professionals to extend it to the recruitment of all professionals (public or private) in regular contact with children (R19) and invited Parties to encourage continuous screening of all professionals (R20) and volunteers (R21) in regular contact with children.

Article 27 paragraph 3.b of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to deny the perpetrator, temporarily or permanently, the exercise of professional or voluntary activity involving contact with children in the course of which the offence was committed.

Article 37 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to ensure that the information referred to in paragraph 1 (i.e. data related to the identity and to the genetic profile (DNA) of persons convicted of the offences established in accordance with the Convention) can be transmitted to the competent authority of another Party, in conformity with the conditions established in its internal law and the relevant international instruments.

Whenever the term “screening” is used in this questionnaire, this should be understood as “verification of criminal convictions for sexual offences against children”.

In all your answers, please provide details to the extent possible and refer to specific laws, policies, programmes, measures, etc.

Please describe the legislation, policy and practice which are in force on 27 March 2026 or are in the process of adoption (in this case, please specify the planned date of entry into force).

Please indicate:

- a. Your name and position: **“La Strada – Ukraine”**
- b. State Party in respect of which the questionnaire is submitted: **Ukraine**
- c. Entities and bodies which have been involved in responding to this questionnaire: **CSO “La Strada – Ukraine”**

Persons concerned by screening requirements

1. Is the absence of criminal convictions for sexual offences against children required as a pre-condition in order to accede to professions, employment or volunteer positions whose exercise implies regular contacts with children? Please specify whether such restrictions apply to professions, employment or volunteer positions in the following sectors or areas of activities (additional details to be inserted below the table):

	Criminal conviction check for employment in public sector?	Criminal conviction check for voluntary activity?	Criminal conviction check for employment in private sector?	Criminal conviction check for self-employed professionals?	Please specify the professionals to whom this requirement applies
Education – Pre-school	Yes	No	Yes	No	Educational staff
Education – Primary	Yes	No	Yes	No	Educational staff
Education – Secondary	Yes	No	Yes	No	Educational staff
Education – Tertiary	No	No	No	No	-
Education – Extracurricular (e.g. language schools)	Yes	No	Yes	No	Club leaders, teachers
Childcare (e.g. kindergartens, crèches, childminders)	Yes	No	Yes	No	Educators, nannies
Institutional or residential	Yes	No	Yes	No	Staff

care (e.g. foster homes, orphanages, closed residential facilities)					
Detention	No	No	No	No	No general requirement
Migration facilities (e.g. reception centres)	No	No	No	No	No general requirement
Sport	No	No	No	No	No general requirement
Culture and leisure activities	No	No	No	No	No general requirement
Entertainment sector	No	No	No	No	No general requirement
Faith and religion	No	No	No	No	No general requirement
Healthcare (including psychological and psychiatric services)	No	No	No	No	No general requirement
Social protection services	Yes	No	Yes	No	Social workers, who interacts and directly works with children
Law enforcement	No	No	No	No	No specific requirement, only that the person who has an outstanding or unexpunged criminal conviction may not be appointed as a representative of law enforcement.

Judicial	No	No	No	No	No specific requirement, only that the person who has an outstanding or unexpunged criminal conviction may not be appointed as a judge.
Civil society organisations	No	No	No	No	No general requirement, but different CSOs could establish such requirement as a part of their internal screening
Victim services (including Barnahus, domestic violence services)	Yes	No	Yes	No	Staff of such services, which works directly with children
Any other sectors (please specify)	—	—	—	—	—

Ukrainian legislation establishes that persons working in direct contact with children must not have certain criminal convictions, and mandatory background checks have been introduced for a number of positions.

In particular, Article 10 of the Law of Ukraine *On Child Protection* prohibits persons whose information is entered into the Unified Register of Persons Convicted of Crimes Against the Sexual Freedom and Sexual Integrity of a Minor from working in positions involving direct contact with children.

For candidates applying for positions in preschool and general secondary education institutions, the *Procedure for Verifying the Eligibility of Candidates for Positions in Preschool and General Secondary Education Institutions and Other Educational Providers in the Fields of Preschool and General Secondary Education*, approved by Resolution of the Cabinet of Ministers of Ukraine №297 of 6 March 2026, requires applicants to submit an extract confirming the absence of a criminal record. In addition, candidates for positions in general secondary education institutions (schools) must provide a certificate confirming the absence of certain offences related to bullying or the abuse of children. Candidates with criminal convictions, particularly for criminal offences or crimes committed against children, may be denied employment.

With regard to volunteering, Ukrainian legislation does not currently require mandatory criminal background checks for all volunteers who regularly work in contact with children. However,

individual organisations may require volunteers to provide proof of the absence of a criminal record in accordance with their internal policies and procedures.

In requiring the verification of criminal convictions for sexual offences against children in order to accede to the positions listed in question 1, does your State:

- a. define the level or threshold of contact with children (one-off, regular, etc.) which necessitates such a verification - no
- b. distinguish between direct, indirect or online contact with children - no

The requirement to conduct a criminal background check depends on the position or field of activity rather than on the frequency or nature of a person's contact with children.

- 2. Is the absence of criminal convictions for sexual offences against children required to become:
 - a. an adoptive parent - Yes
 - b. a foster parent - Yes
 - c. a child's legal guardian (including for unaccompanied children) - Yes

Yes. Ukrainian legislation provides that persons with an outstanding or unexpunged criminal conviction, including for criminal offences against sexual freedom and sexual integrity, may not become adoptive parents, foster parents, parents-educators of family-type children's homes, or guardians or custodians of children. These requirements are established by Article 212 of the Family Code of Ukraine, the Regulation on Foster Families approved by Resolution of the Cabinet of Ministers of Ukraine №565 of 26 April 2002, and the Regulation on Family-Type Children's Homes approved by Resolution of the Cabinet of Ministers of Ukraine № 564 of 26 April 2002.

- 3. Is the absence of criminal convictions for sexual offences against children required for the household members of:
 - a. persons carrying out professional activity in their home who are in contact with children - no
 - b. persons carrying out volunteering activity in their home who are in contact with children - no
 - c. persons wishing to become an adoptive parent, a foster parent, or a child's legal guardian:

Adoption – No. The Family Code of Ukraine establishes eligibility requirements only for the prospective adoptive parent(s), not for all members of their household.

Foster families / family-type children's homes – Yes. Adult persons residing with the prospective foster parents or parents-educators are also required to submit a criminal record clearance certificate. When establishing a foster family or a family-type children's home, documentation relating to all adult household members must be submitted, including certificates confirming the absence of a criminal record. A criminal conviction for certain specified criminal offences constitutes grounds for refusing the establishment of such a family.

Guardianship / custody – No. Ukrainian legislation does not establish a general requirement to conduct criminal background checks on all members of the household of a prospective guardian or custodian.

4. Does the requirement to verify the absence of criminal convictions for sexual offences against children also apply to:
 - a. children applying for professional or volunteer positions - no
 - b. adults in respect of criminal convictions received before the age of 18 - no

No. These requirements do not apply to minors applying for employment or volunteer positions. However, in the case of adult applicants, criminal convictions for offences committed before the age of 18 may still be taken into account if such convictions have not been expunged or become spent in accordance with the law.

5. If a person legally changes their name, how does your State ensure that their criminal record remains linked to their new name?

Please provide details.

There's no such requirement in Ukrainian legislation.

6. Is access to public funds for projects implying contact with children conditional on the absence of criminal convictions for sexual offences against children for persons employed in or volunteering for such projects?

Ukrainian legislation does not establish a general requirement that eligibility for public funding of projects involving contact with children is conditional upon criminal background checks confirming the absence of convictions for sexual offences against children among the project's employees or volunteers. However, such requirements may be established for specific sectors or as conditions under particular funding programmes.

Information included in screening

7. Does the criminal record check include criminal convictions for:
 - a. sexual abuse of a child (Article 18 of the Lanzarote Convention)
 - b. sexual exploitation of a child ("child prostitution" Article 19 of the Lanzarote Convention)
 - c. acts involving child sexual abuse material ("child pornography" Article 20 of the Lanzarote Convention)
 - d. offences related to the participation of children in pornographic performances (Article 21 of the Lanzarote Convention)
 - e. corruption of a child (causing a child to witness sexual activities) (Article 22 of the Lanzarote Convention)
 - f. solicitation of a child for sexual purposes ("grooming"), including online (Article 23 of the Lanzarote Convention)
 - g. aiding and abetting or attempting the above offences (Article 24 of the Lanzarote Convention)

h. any other convictions (please specify)?

Yes. Criminal background checks cover convictions for criminal offences corresponding to the offences set out in Articles 18–24 of the Lanzarote Convention, as defined under the Criminal Code of Ukraine.

8. Does the screening of persons applying for roles or positions specified in questions 1 and 3 above extend beyond criminal convictions for sexual offences against children to:
- a. relevant administrative or disciplinary sanctions
 - b. other information available to the authorities (e.g. judicial decisions in civil proceedings)?

No. In Ukraine, criminal background checks relate only to information concerning criminal liability and criminal convictions. They do not include information on administrative or disciplinary sanctions or other types of records.

9. If restrictions on the exercise of the relevant activities apply as a result of a criminal conviction for sexual offences against children, in line with Article 27 paragraph 3.b:
- a. are they life-long?
 - b. if they are not life-long, please specify the time-limits applicable
 - c. are they applied only to activities in the public sector?

Yes. In certain cases, the restrictions are effectively permanent. For example, a person with a spent conviction for a serious crime or a crime against life or health may not become an adoptive parent, pursuant to Article 212 of the Family Code of Ukraine.

10. Does the criminal record check verify the existence of an expunged or spent criminal conviction for sexual offences against children for persons applying for roles or positions specified in questions 1 and 3?

Once a criminal conviction has been expunged or becomes spent, a person is deemed to have no criminal record. However, persons entered in the Unified Register of Persons Convicted of Crimes Against the Sexual Freedom and Sexual Integrity of a Minor remain listed in that Register even after their conviction has been expunged or becomes spent.

Screening procedure

11. How is the screening procedure set out in your legal framework (in a single piece of legislation, sector-specific legislation, or other)?

Please provide details.

12. If screening is required, who is required to act?

- a. the employer, volunteer recruiter or child protection authority is expected to obtain the necessary information directly from the authorities
- b. the candidate must provide proof of absence of convictions
- c. another scenario. Please specify

The candidate must provide proof of absence of convictions

13. If screening is required, who bears the costs of screening procedures?

Candidate.

14. How does your State monitor that employers, volunteer recruiters or child protection authorities comply with the relevant regulations on screening?

Compliance with these requirements is monitored primarily through appointment and recruitment procedures rather than through a dedicated mechanism for supervising employers. Ukrainian legislation does not designate a specific authority responsible for monitoring whether all employers comply with criminal background check requirements.

15. If screening is required, are there sanctions foreseen for failure to comply with it? If yes, what type of sanctions?

Failure to comply with the applicable requirements may result in disciplinary liability, administrative liability, orders to remedy the violation, as well as dismissal or refusal to appoint or employ the individual concerned.

16. Is regular screening, beyond the initial recruitment process, required, for:

- a. professionals in contact with children
- b. volunteers in contact with children
- c. foster parents and legal guardians?

No. Ukrainian legislation does not require regular or periodic repeat criminal background checks after an individual has been appointed, employed, or after a child has been placed in their care.

17. Where a person working or volunteering in contact with children is under investigation for a sexual offence against a child, are law enforcement or other authorities allowed to inform the employer or volunteer organisation about the ongoing investigation? If yes, what is the consequence?

No. Ukrainian legislation does not require employers to be notified if an employee or applicant is under pre-trial investigation for a sexual offence against a child.

Cross-border screening

18. If the candidate for roles or positions specified in questions 1 and 3 has previously resided or worked in different countries, is it required to verify the absence of criminal convictions for sexual offences against children in each of those countries in respect of:
- a. professionals
 - b. volunteers
 - c. persons wishing to become an adoptive parent, a foster parent or a child's legal guardian?

No. Ukrainian legislation does not establish a general requirement for individuals to provide criminal record clearance certificates from every country in which they have previously resided or worked.

19. Is there a mechanism to:
- a. request data about a person's criminal convictions for sexual offences against children from the competent authority of another State outside the context of criminal proceedings¹ (please specify)
 - b. provide data about a person's criminal convictions for sexual offences against children to the competent authority of another State outside the context of criminal proceedings (please specify)?

Please provide details.

20. Is there an obligation to provide data about a person's criminal convictions for sexual offences against children at the request of the competent authority of another State outside the context of criminal proceedings?

Please provide details.

Additional details and reflections

21. Please add any further details regarding the modalities of the screening procedures applicable in your State, if relevant.

Please provide details.

22. What challenges related to the screening for criminal convictions for sexual offences against children of professionals, volunteers and persons wishing to become adoptive parents, foster parents or a child's legal guardian exist in your State in practice (e.g. administrative costs, delays, cross-border co-operation)?

Please provide details.

23. What promising practices, if any, would your State like to highlight in the screening of professionals, volunteers and other persons in contact with children?

¹ For purposes of recruitment, volunteering, adoption, foster care or guardianship.

Please provide details.