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ADVANCING GENDER EQUALITY IN SECURITY AND DEFENSE REFORM IN UKRAINE:

A Review of the Verkhovna Rada Committees within the Legislative Architecture on Security and Defense Reform

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LIST OF ABBREVIATIONS

SSR	Security Sector Reform
CSOs	Civil Society Organizations
NGOs	Non-governmental Organizations
PSOPs	Peace and Stabilization Operations Program
GAC	Global Affairs Canada
GBV	Gender-based Violence
SSG	Security Sector Governance
MPs	Members of Parliament
OSCE	Organization for Security and Co-operation in Europe

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EXECUTIVE SUMMARY

The findings of the review of the Verkhovna Rada Committees within the legislative architecture on security and defense reform reveal that legislative and policy commitments have progressed. Although this is a good finding, meaningful implementation and oversight remain limited. The data identifies a clear gap in the practical efforts of the Committees to take gender into account and advance gender equality. This gap is mirrored in the attitudes and beliefs of some Committee members and Secretariat staff. These individuals report that gender is sufficiently addressed, while not being a necessary consideration in most cases. Therefore, gender is not taken into account on a consistent basis.

The review also indicates a low level of expertise on gender/equality and security available to the Committees and on the Committees – a common challenge for global legislative assemblies. However, this finding importantly includes a lack of expertise within the Verkhovna Rada Main Scientific and Legal Departments, the bodies responsible for undertaking impact analysis of draft bills. While it is not necessary for Committee members to possess gender equality expertise, they should be expected to identify such sources. Doing so will mean that they could undertake Committee mandates – which explicitly include taking gender into account and advancing gender equality. It is noted that where such expertise is available, it is generally underused by Committees or their Secretariats'. This is particularly true of civil society and specific interest group actors in Ukraine.

While women within the Verkhovna Rada have reached the minimal level of critical representation overall, they have not done so within the Committees on security and defense reform, nor within the leadership of these Committees.[1] Critical representation is a prerequisite for participation and inclusion. The robust representation **and participation** of women within a legislative body, and on Committees, can importantly contribute to bringing in additional and varied perspectives, shaping priorities, and informing decision-making. However, this requires that women on Committees are willing and able to meaningfully participate. They must not be limited in scope or responsibilities as a result of their gender. The Committees,

1 "In sociology, political science and economics, studies abound on when the presence of women begins to have an impact. Almost across the board, if there's less than 20% representation outcomes don't change. Either the women don't speak up or the men don't hear them. But somewhere between 20% and 30% and something called critical mass is attained and suddenly women's voices are heard. Whether it's on a Navy ship, in the Senate or on a corporate board, groups function better with diversity. Mixed workforces that have reached critical mass have shown a host of positive outcomes: police shoot and engage in violence less, companies have to restate their earnings less and banks take less risk." Small, Jay Newton, February-April 2021, "Critical Mass: What Happens When Women Start to Rule the World", February-April 2021, Study Group Series at the Harvard Kennedy School, Institute of Politics, Retrieved from https://iop.harvard.edu/get-involved/study-groups/critical-mass-what-happens-when-women-start-rule-world-led-jay-newton.

and men, in particular, need to make an active effort to use an inclusive approach to Committee work and decision-making. There is some suggestion, within at least one of the Committees, that gender appears to serve as a limiting factor for women on the Committee. Yet, in order to benefit from gender diversity, women and men must be able to equally participate in the full range of Committee work, activities, and decision-making. This also means that taking gender into account and advancing gender equality cannot be seen as the sole remit of women.

Finally, there is evidence that sexual and gender-based harassment and gender-based violence (GBV) continues to be a problem within the security and defense sector. This has not yet been addressed in the context of the military. The extent to which it has been addressed in the context of law enforcement appears to be limited to paper. The Procedure for conducting official investigations in the National Guard of Ukraine, approved by the Ministry of Internal Affairs in 2020, does not yet appear to be operational. Meanwhile, there is no policy or procedure that outlines prevention and response efforts to GBV within the military, despite annual on- going calls by active duty and veterans.

It is also worth noting that the 2017 **Gender Impact Assessment on the Security and Defense Sector of Ukraine** identified the following barriers to gender equality and security and defense reform:[2]

- a lack of recognition of the relevance of gender equality, in relation to security and defense sector reform;
- low levels of coordination and integration of gender equality within security and defense sector reform activities, programs and oversight functions;
- low level of women's representation and participation within the security and defense sector; and,
- the prevalence of discrimination, sexual harassment and sexual violence against women within the security and defense sector.

Altogether, the **2017 findings of the Gender Impact Assessment on the Security and Defense Sector of Ukraine** remain an accurate picture of the status of advancing gender equality within security and defense reform in Ukraine.

2 In 2017 the Deputy Prime Minister for European and Euro-Atlantic Integration of Ukraine (Ivanna Klympush-Tsintsadze) requested a Gender Impact Assessment on the Security and Defense Sector of Ukraine. This request and the subsequent assessment were undertaken in cooperation with UN Women, and the Government Office for Coordination of European and Euro-Atlantic Integration.

Thus, to some extent, meaningful progress has been limited. For the Verkhovna Rada, and the Committees on National Security, Law Enforcement and European Integration specifically to redress these gaps, a coordinated and purposeful effort will need to be made. A gender analysis will need to be undertaken, to advance gender equality in the context of security and defense legislative design, implementation and oversight. Given the practical realities of the high workload and insufficient staffing of the Committees and their Secretariats', the most feasible and practical solution is to draw on the gender and security expertise of non-governmental organizations and civil society.

They can support drafting, reviewing, implementing, and monitoring legislation. It may also be within the scope of these Committees to support the implementation of Resolution No. 930 (October 2020) which directs the introduction of gender advisors and gender units within executive bodies at the national and regional levels. The implementation of this resolution would provide yet another avenue of expertise for the Committees to draw on, particularly in the context of contributing to oversight functions through legislative implementation and monitoring within the executive. Civil society, international NGOs, and/or donors can support capacity building on gender and security within the Main Scientific and Main Legal Departments of the Verkhovna Rada. This would provide critical legislative branch support and expertise.

SECTION I: OVERVIEW

Introduction

Methodology

Overview: Ukraine Security and Defense Sector

Gender Equality and Security Sector Reform

Overview of the Committees

Introduction

The purpose of the project Parliamentary Accountability of the Security Sector in Ukraine (PASS Ukraine) is to contribute to peace and stability in Ukraine by supporting the central role of the Verkhovna Rada (Parliament) to develop, implement, and monitor security policy and democratic governance – including security sector reform initiatives. This specifically includes undertaking a gender analysis of security sector reform, good governance processes, and actions by three of the Committees of the Verkhovna Rada – the **Committee on National Security, Defense and Intelligence (National Security), the Committee on Law Enforcement Activities (Law Enforcement) and the Committee on European Union Integration (European Integration)**. The aim of the analysis is to identify contemporary needs and gaps specific to gender equality and security sector reform. These are integrated concepts, in the context of security and defense legislative design, implementation, and oversight.

The research, analysis, and finalization of this report are undertaken with financial support from the Peace and Stabilisation Operations Program (PSOPs) of the Department of Global Affairs Canada (GAC) and implemented by the PASS Ukraine implementing partners: Agency for Legislative Initiatives (Ukraine) and the Parliamentary Centre (Canada).

Methodology

The findings of this report are based on two areas of inquiry: 1) a supported self-assessment process on gender equality and security sector reform and governance with the Verkhovna Rada Committees on National Security, Law Enforcement, and European Integration, and a survey with civil society organizations, and, 2) primary and desk-based research on gender equality and security sector reform and governance in Ukraine with the aforementioned Committees and civil society organizations. The research inquiries included collecting primary data through questionnaires. There were also semi-structured interviews with seven CSOs and the members and staff of the Committee on National Security, the Committee on Law Enforcement, and the Committee on European Integration. The civil society organizations selected to participate in the research are actively involved in combating gender-based violence, advancing gender equality and human rights, building capacity for security sector reform/oversight. They also foster strategies to resolve conflict and advance peace- and governance-building (see Annex D for list of CSOs). The report is supplemented with desk-based research on security sector reform and governance, and gender equality. This includes reviewing and analyzing existing sources available from the government, e.g., policy documents, Committee

mandates, the national strategy on the security sector, as well as studies and analysis produced by local and international actors and academia. International and European research on security sector reform and gender equality are used throughout the review to support the analysis of the findings and provide relevant examples. See Annex A for a detailed enumeration of the primary research undertaken.

Overview: Ukraine Security and Defense Sector

The security and defense sector of Ukraine is made up of centralized state bodies and organizations (see Annex B for a comprehensive list). The Law of Ukraine, On the National Security of Ukraine, designates State security and defense bodies and organizations to guarantee the security of the individual, society and the state, under the following three umbrellas:

1. personal safety of citizens (interests, rights and freedoms), including public order and national interests, provided by law enforcement and local government;
2. state security (national non-military interests) provided by special services; and,
3. defense security (territorial and sovereign military interests) provided by the military.

It is worth highlighting that this legal framework (point #1) explicitly places responsibility on the state to promote and safeguard the security, safety and livelihoods of the people (rather than being limited to classical external military threats). This can be understood as a human security approach – one that joins up state security with security for the people. A human security framework enables security and defense policymakersand practitioners to consider what security means for the state **and the people** in different situations; to acknowledge that other areas of public policy, beyond security policy, *stricto sensu*, affect the security of people; and to consider the impact of different policies on the security of men, women, boys and girls.

The **Verkhovna Rada**, the Parliamentary body of Ukraine, is responsible for designing and exercising parliamentary oversight of the security and defense sector. This includes developing and adopting laws that define and regulate the scope of power, functions, responsibilities and oversight obligations of the security and defense sector. Respective budget allocation and reporting are included in this remit. The Verkhovna Rada is also responsible for the review, analysis and subsequent recommendations concerning all proposed legislation, through the Main Scientific and Expert Department and the Main Legal Department of the Verkhovna Rada (see Annex C for an explanation of the legislative process).

Gender Equality and Security Sector Reform

Gender equality is an internationally accepted norm that is largely reflected in the Constitution of Ukraine.[3] Gender equality aims to achieve the equal right and access of women and men, to opportunities and resources, irrespective of their gender or the sex with which they were born. In the context of the security and defense sector, this means **that women and men have equal opportunity to participate in the provision, management and oversight of security and defense.** This also means that **the security needs of the whole population: women and men– are equally considered and addressed**. There is a disproportionate and unequal impact to men and women – both inside security and defense institutions, and in the context of planning and operations. Gender needs to be taken into account in the provision, management and oversight of security and defense priorities, policies and practices. Gender is critical to understanding and analyzing the effectiveness of security and defense priorities, policies and practices. This function of provision is understood and analyzed through the functions of management and oversight. The Verkhovna Rada is one of the main bodies responsible for the oversight of the security and defense sector.

According to the Law on Ensuring Equal Rights and Opportunities for Women and Men[4] the Verkhovna Rada has a responsibility to ensure gender equality. The responsibility of the Verkhovna Rada is to:

- determine the basic principles of gender policy of the state;
- apply in legislative activity, the principle of ensuring equal rights and opportunities for women and men; and,
- exercise parliamentary control over the implementation of legislative acts on ensuring equal rights and opportunities for women and men (within the limits provided by the Constitution of Ukraine).

3 Article 24, Paragraph 3: Equality of rights of women and men is ensured by: providing women with equal opportunities with men in socio-political and cultural activities, in education and training, in work and remuneration for it; special measures for labor protection and women's health, establishment of pension benefits; creating conditions that enable women to combine work with motherhood; legal protection, material and moral support of motherhood and childhood, including the provision of paid leave and other benefits to pregnant women and mothers. Available at, Website 1.
The Constitution of Ukraine. Article 24, Paragraph 3/ The Constitution of Ukraine // № 30. – 1996, Retrieved from: https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80#Text.

4 Law «On Ensuring Equal Rights and Opportunities for Women and Men», Retrieved from: https://zakon.rada.gov.ua/laws/show/2866-15#Text

Gender refers to social attributes and opportunities associated with being female and male, and to the relationships between women and men and girls and boys, as well as to the relations between women and those between men. These attributes, opportunities and relationships are socially constructed and are learned through socialisation processes. They are context- and time-specific, and changeable. Gender determines what is expected, allowed and valued in a or a man in a given context. In most societies, there are differences and inequalities between women and men in responsibilities assigned, activities undertaken, access to and control over resources, as well as decision-making opportunities. Gender is part of the broader sociocultural context. Gender-based assumptions and expectations generally place women at a disadvantage with respect to the substantive enjoyment of rights, such as freedom to act and to be recognised as autonomous, fully capable adults, to participate fully in economic, social and political development, and to make decisions concerning their circumstances and conditions.
European Institute for Gender Equality, 2021 Glossary, "Gender", Retrieved from https://eige.europa.eu/thesaurus/terms/1141

Thus, in order for the Verkhovna Rada to fulfill its responsibilities of designing and submitting security and defense legislation/reviewing and analyzing security and defense legislation, it must:

1) **take gender into consideration as an integral component of security at individual and societal levels; and,**
2) **include gender equality as an integral aim of security and defense reform and oversight.**

Security Sector Reform (SSR) refers to the actual process of improving the provision, management and oversight of security and defense for the state and the people, through the integration of democratic principles. Good Security Sector Governance (SSG) is the goal of SSR; and gender equality is a constituent part of both the principles of good SSG and the reform strategies involved in SSR. As such, **SSR processes will necessarily include:**

- Promoting and protecting the **equal rights of women and men;**
- Ensuring that **equal consideration is given to their different security and defense needs** and interests; and,
- Providing **equal opportunities for men and women to participate** in security and defense provision, management and oversight capacities.

Good SSG describes how the principles of good governance apply to security and defense provision, management and oversight by state (and non-state actors). The principles of good governance are: accountability, transparency, participation responsiveness, effectiveness, efficiency – and respect for the rule of law and human rights.

Gender equality is a constituent part of each of the principles of good SSG because these principles cannot be achieved if the rights of women, and men are not respected on an equal basis in the context of both policy (*de jure*) and practice (*de facto*).

Overview of the Committees

The Verkhovna Rada, as a part of its parliamentary power of government oversight, has the authority to establish Committees to review and control the activities of the security and defense sector. The Committee on National Security, Defense and Intelligence, and the Committee on Law Enforcement are the two primary Committees concerned with monitoring and oversight of the security and defense sector. In addition, the Committee on Ukraine's Integration into the European Union, also plays an important role, most notably in relation to advancing European and Euro-Atlantic integration, which includes security and defense reform obligations.

The **Committee on National Security, Defense and Intelligence** is currently made up of seventeen MPs: two women and fifteen men, and is Chaired by a man. A woman and a man serve as Deputy Chairs. The Committee is broadly responsible for all areas of national security, defense and intelligence. This includes, for example, military science and education, alternative service (non-military service), and social and legal protection of service personnel and the members of their families (see Annex D for a complete list of Committee responsibilities). Consistent with these responsibilities, the current convocation (IX) has taken up work on a draft law to address "military reserve and territorial defense" intended to improve the military service experience for personnel. The draft law provides for the establishment of military commissariats of territorial centers for recruitment and social support, and the introduction of a new type of military service for reservists during a specific period.

One key aspect of this gender analysis is to identify the extent to which the law-making and oversight responsibilities of the Committees include an analysis of gender equality and SSR – whether on a routine basis, or in the context of directly related legislation and oversight duties.

It is worth highlighting how the noted responsibilities and the example of a contemporary draft law have a direct relationship to advancing SSR and gender equality as integrated concepts. This signals a need for access to sufficient expertise through the Main Scientific and Legal Departments, relevant line ministries, security institutions and civil society organizations. While the integrated concepts of SSR and gender equality relate to all aspects of security and defense policy design, implementation and oversight, there are specific avenues wherein efforts to advance democratic governance and gender equality are directly relevant to the goals of the legislation itself.

The **Committee on Law Enforcement** is currently made up of twenty-four MPs: three women and twenty-one men. It is Chaired by a man, and two men and one woman serve as Deputy Chairs. The Committee is broadly responsible for all strategic level institutional and operational aspects of the criminal-legal system. These include the design of the law enforcement system, the criminal-legal code and criminal procedures, and the organization and activities of the prosecutor's office (see Annex D for a complete list of Committee responsibilities). A security and defense sector reform plan was collaboratively developed and agreed by the Office of the President, the Government and the Verkhovna Rada. Security and defense sector reform was largely based on the program of the President of Ukraine and the "Sluha Narodu" party. The areas of concern for the Law Enforcement Committee were as follows:

- Establishment of the institute of private detectives;
- Defining, at the legislative level, the issue of the circulation of civilian weapons;
- Reform of the amendment to the Criminal Procedure Code;
- The issue of bringing the legislation in line with the decisions of the European Court of Human Rights;
- Creation of a new system of protection of witnesses and victims: it is envisaged that a new special body will be created to ensure the safety of witnesses and whistleblowers;
- Completion of the reform of the prosecutor's office (the Law "On the Prosecutor's Office" states that the prosecutor's office proposes a concept of reforming criminal justice. Currently, the concept is under development and the Committee is involved in this process, it may be necessary to review law enforcement).

The responsibilities and priorities of this Committee have a direct relationship to gender equality and SSR as integrated concepts. The Committee is tasked with individual and community safety and the creation, maintenance, and oversight of the rule of law. The rule of law is not merely a reference to a set of laws but denotes the presence of laws that are publicly known, impartially enforced, and uphold human rights and gender equality normative standards.[5] It is therefore crucial to the successful functioning of this Committee that they draw on the necessary expertise to advance the rule of law, democratic governance of the security sector reform and gender equality.

The **Committee on Ukraine's Integration into the European Union** is currently made up of nine MPs: three women and six men. It is Chaired by a woman, with two men and one woman serving as Deputy Chairs. The special role of this Committee is enshrined in the Rules of Procedure of the Verkhovna Rada. This states that it is responsible for analyzing **every piece of draft legislation** and preparing conclusions on their compliance with Ukraine's international legal obligations. European Integration, has to be observed, which include areas of security and defense sector reform. This Committee has a direct relationship to advancing gender equality in the context of SSR. This is as a result of the on-going legal obligations necessary for European Integration.

5 Ukraine is a signatory to and has ratified the majority of international treaties and agreements in the area of human rights; Ukraine is a signatory to and has ratified the Convention on the Elimination of All Forms of Discrimination Against Woman (CEDAW); has submitted eight periodic reports; and Ukraine is a signatory to, but has not ratified the Istanbul Convention, which addresses violence against women.

SECTION II: EUROPEAN AND EURO-ATLANTIC INCENTIVES

Overview

Achievements

Analysis

Overview

In March 2017, the Government assigned responsibility for the implementation of state policy to advance gender equality, to the Deputy Prime Minister for European and Euro-Atlantic Integration of Ukraine: Ivanna Klympush-Tsintsadze. This signaled high-level political support to advance gender equality. Gender equality policy priorities first appeared in the Government's Priority Action Plan, NATO-Ukraine's Annual National Program in 2018. The Government's Priority Action Plan (2018) included a gender component with a total of eight corresponding priorities on gender. These appeared in the context of legal expertise, security and defense sector reform, combating domestic violence, and updating and adopting the necessary documents for consistency. The Government's Priority Action Plan for 2019 also included eight additional priorities on gender, relating to civil service, education, statistics, security and defense sector reform, and financial management, amongst others.

In 2020, the goal of European and Euro-Atlantic integration was reaffirmed with the Program of Activities of the Cabinet of Ministers.[6] This also reaffirmed the goal of implementing the principles and objectives of political, economic, legal, social and cultural development enshrined in the Association Agreement, between Ukraine and the EU. The goal of European and Euro-Atlantic integration serves as a key incentive for political and socio-economic reform, security and defense sector reform, and harmonization of legislation with international legal norms and democratic principles. **Gender equality is theoretically integral to all of these goals and is also an outlined prerequisite for European Integration.**

Ensuring equal rights and opportunities for women and men in the security and defense sector, in accordance with NATO standards, is a requirement of Euro-Atlantic integration and a stated priority of the Cabinet of Ministers of Ukraine from 2020.

In 2017 the Deputy Prime Minister for European and Euro-Atlantic Integration of Ukraine (Ivanna Klympush-Tsintsadze), advancing gender equality policy in Ukraine, requested the Secretariat of the Cabinet of Ministers of Ukraine to undertake a **Gender Impact Assessment on the Security and Defense Sector of Ukraine** and report on the findings. This was done with support from UN Women, and the Government Office for Coordination of European and Euro-Atlantic Integration.

6 Resolution Of The Cabinet Of Ministers Of Ukraine On approval of the Program of activities of the Cabinet of Ministers of Ukraine/ CABINET OF MINISTERS OF UKRAINE // № 471, Retrieved from: https://www.kmu.gov.ua/npas/pro-zatverdzhennya-programi-diyalnosti-kabinetu-ministriv-t120620

The assessment revealed a number of systemic problems including:

- a lack of recognition of the relevance of gender equality, in relation to security and defense sector reform;
- low levels of coordination and integration of gender equality within security and defense sector reform activities, programs and oversight functions;
- low level of women's representation and participation within the security and defense sector; and,
- the prevalence of discrimination, sexual harassment and sexual violence against women within the security and defense sector.

Since the findings of this assessment, efforts have been made to integrate gender equality in the context of security and defense sector reform, in particular in terms of policy development and rhetoric. For example, beginning in 2018, as noted previously, gender equality has been included as a component of security and defense sector reform within the **NATO-Ukraine Annual National Program** (Program).[7] The 2020 Program states that ensuring equal rights and opportunities for women and men, in the security and defense sector of Ukraine, in accordance with NATO standards, is a requirement of Euro-Atlantic integration. This state policy is also a stated priority of the Cabinet of Ministers (2020). As a part of this 2020 Program, the Cabinet of Ministers identified the following gender equality priorities, in support of Euro-Atlantic integration:

- **Implementation of European standards of equality between women and men:** This includes improving the legal framework, the mechanism of gender legal expertise and the introduction of statistical indicators, in the field of equal rights and opportunities for women and men; and, conducting a gender analysis to inform the decision-making of state bodies (identifying and articulating the goals of state policy and designing plans for their implementation).
- **Creating the conditions for equal rights and opportunities for women and men in all spheres of society:** This includes addressing gender-based stereotypes that impede equality within social and professional contexts, introducing information campaigns to improve understanding and facilitate supportive attitudes and values

7 Decree of The President of Ukraine On the Annual National Program under the auspices of the NATO-Ukraine Commission for 2021 // №189/2021, Retrieved from: https://www.president.gov.ua/documents/1892021-38845

for gender equality, and through the implementation of commitments under the international initiative "Biarritz Partnership" (an international initiative to advance equal rights and opportunities for everyone). This includes commitments in five areas: 1) the development of a barrier-free public space friendly to families with children and low-mobility groups, 2) teaching children the principles of equality between men and women, 3) the prevention of violence, 4) reducing the pay gap between men and women, and, 5) creating greater opportunities for men to care for children.

- **Implementation of priorities in accordance with the UN Security Council Resolution "Women, Peace, Security"** (see below).

In 2020, on the occasion of the 20th Anniversary of the adoption of UN Security Council Resolution 1325: "Women, Peace, Security", the Cabinet of Ministers approved the National Action Plan for the implementation of UN Security Council Resolution 1325 - until 2025.[8] It is worth noting that the NAP was designed and validated in the context of acute external armed aggression of the Russian Federation against Ukraine. The new Action Plan provides for five Strategic Objectives:

1. Ensuring equal participation of women and men in decision-making on conflict prevention, conflict resolution, post-conflict reconstruction at all levels and in all areas, including the security and defense sector.
2. Creating an effective mechanism for state bodies to identify, prevent and respond to the security needs of women and men, using an interactive system of state bodies and institutions, public associations, and private enterprise.
3. Ensuring that the process of post-conflict reconstruction, development and implementation upholds the principles of equal rights and opportunities for women and men.
4. Providing protection against gender-based violence and sexual violence (during armed conflict, and in peacetime).
5. Developing and ensuring the institutional capacity of the executors of the National Action Plan, for the effective implementation of the WPS agenda, in accordance with international standards.

8 Ordinance On approval of the National Action Plan for the implementation of UN Security Council Resolution 1325 «Women, Peace, Security» for the period up to 2025 // October 28, 2020, Retrieved from: https://zakon.rada.gov.ua/laws/show/1544-2020-p#Text

The **"Guidelines for the integration of gender approaches into the training system for the security and defense sector of Ukraine"**[9] were published in 2020. These Guidelines should provide the educational and training systems of the security and defense sector with tangible input into how to integrate gender equality at the strategic, operational and tactical levels of security and defense education and science. It is though unclear whether and how these guidelines have been operationalized. In theory, this would include a systematic review of curricula aimed at identifying gaps, in order to modernize language, approaches and concepts consistent with gender equality. However, specific educational courses on gender are maintained by different educational institutions within the security and defense sector, regardless of the guidelines. Moreover, in the context of the Ukrainian legal system, such guidelines are not obligatory and can be used as just recommendations.

The Ministry of Internal Affairs of Ukraine, the line ministry for law enforcement, in 2020 approved **the Procedure for conducting official investigations in the National Guard of Ukraine.**[10] Among other things, this procedure provides an official mechanism for the investigation of sexual harassment and discrimination, on the grounds of sex/gender. The procedure stipulates that gender mainstreaming specialists with expertise in security and defense should be involved in such investigations. There is currently no open-source information available with further details as to how this has or will operate. It would be advisable for the Committee on Law Enforcement to take an active role in monitoring the implementation of this procedure, including drawing on the expertise of individuals and civil society organizations with relevant expertise.

Finally, the Cabinet of Ministers of Ukraine also approved **the Concept of Communication in the Sphere of Gender Equality - until 2025.**[11] The Concept describes impediments

9 The development of this publication was implemented under the UN Women project, "Gender Equality at the Center of Reforms, Peace and Security" financed by Sweden. The Guidelines were collaboratively developed by teams of experts and educators from the security and defense education institutions in Ukraine along with staff from UN Women, the Government Commissioner for Gender Policy, the Government Office for Coordination of European and Euro-Atlantic Integration and the Office of the Deputy Prime Minister for European and Euro-Atlantic Affairs. Office of the Deputy Prime Minister for European and Euro-Atlantic Integration. 2020. «Methodological Recommendations for The Integration of Gender Approaches into The System of Training Specialists for The Security and Defense Sector of Ukraine», Office of the Deputy Prime Minister for European and Euro-Atlantic Integration. p. 301, Retrieved from: https://ldubgd.edu.ua/sites/default/files/2_viddilu/vvr/01_metodichni_rekomendaciyi_z_integraciyi_gendernih_pidhodiv_v_sistemu_pidgotovki_fahivciv_dlya_sektoru_bezpeki_i_oboroni_ukrayini.pdf

10 Order of The Ministry of Internal Affairs of Ukraine On approval of the Procedure for conducting official investigations in the National Guard of Ukraine // 21.04.2020 № 347, Retrieved from: https://zakon.rada.gov.ua/laws/show/z0473-20#Text

11 Order of The Cabinet of Ministers of Ukraine On approval of the Concept of communication in the field of gender equality // September 16, 2020, Retrieved from: https://zakon.rada.gov.ua/laws/show/1128-2020-p#Text

to advancing gender equality and identifies strategies to overcome these impediments. The main purpose of the Concept is to improve public understanding of the objectives and rationale of the state gender equality policy and foster its perception as an integral part of a democratic and legal state. While the Concept applies to all spheres of society, it also includes specific guidance on advancing gender equality within the security and defense sectors. The Concept identifies strategies to promote the WPS agenda, including identifying employees of the security and defense sector as a target audience. The Concept directly addresses the need to tackle the cascading effects of gender-based stereotypes, within the security and defense sector, including how these stereotypes are used to fuel hybrid aggression by the Russian Federation.[12] It is worth noting that the official website of the Cabinet of Ministers contains information of a consultative meeting held with the Government Commissioner for Gender Policy, during the development of this Concept.[13] The Ministry of Culture and Information Policy has developed an activity plan for the implementation of this Communication Strategy. However, the activity plan has not yet been adopted and, as a result, this Strategy has not been implemented. In terms of security and defense reform efforts, the Concept should arguably be used to inform efforts to prevent sexual and gender-based harassment and discrimination. For example, this would include the Procedure for conducting official investigations in the National Guard of Ukraine, which has apparently not been implemented.

Additional policy documents that contribute to advancing gender equality and European Integration include:

- **Strategic Defense Bulletin:**[14]
  - measure 2.4.4. removes barriers to equal opportunities for men and women to participate actively and meaningfully in the activities (functioning) of the defense forces;
  - measure 2.3.3. introduces Euro-Atlantic principles and standards for service assessment activities of service personnel;

12 While there is no official definition for the term hybrid aggression in Ukrainian law, the term has been used to describe a set of tactics used by Russia to gain advantage and destabilize Ukraine domestically and internationally. This includes the use of misinformation and propaganda, the destruction of friendly or productive diplomatic relations, and the deprivation of resources particularly energy.

13 Ministry of Culture and Information Policy of Ukraine. Preparation of the draft Communication Concept in the field of gender equality is underway / Ministry of Culture and Information Policy of Ukraine // February 2, 2021, Retrieved from: https://www.kmu.gov.ua/news/mkip-trivaye-pidgotovka-proektu-koncepciyi-komunikaciyi-u-sferi-gendernoyi-rivnosti

14 Strategic Defense Bulletin, Retrieved from: https://www.president.gov.ua/documents/4732021-40121

- task 2.4 integrates gender equality in the defense forces in the recruitment process: (during military service, during discharge from military service and in the context of social protection of veterans);

- measure 5.4.7 ensures the participation of personnel in positions of gender specialists in multinational operations, including NATO-led.

✱ **National Security Strategy:**[15]

- Priority 57, human capital is the key to Ukraine's future. The development of human capital requires effective implementation of state policy to ensure equal rights and opportunities for women and men.

✱ **National Action Plan to implement the recommendations set out in the concluding observations of the UN Committee on the Elimination of Discrimination against Women to the Eighth Periodic Report of Ukraine on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women - until 2021:**[16]

- Recommendation 2 highlights the importance of women's rights for all law enforcement and military personnel, and the implementation and enforcement of a strict code of conduct to effectively ensure respect for human rights.

Achievements

In addition to designing and passing the policy and legislation noted above, there are a number of additional gender equality and security and defense sector achievements within Ukraine. According to a United Nations Women report for 2020, Ukraine has advanced gender equality in the following ways:[17]

✱ **Strengthening institutional and coordination mechanisms of the national gender machinery**

The Coordination Commission for Ensuring Equal Rights and Opportunities for Women and Men was established

15 National Security Strategy, Retrieved from: https://www.president.gov.ua/documents/3922020-35037

16 National Action Plan to implement the recommendations set out in the concluding observations of the UN Committee on the Elimination of Discrimination against Women to the Eighth Periodic Report of Ukraine on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women until 2021, Retrieved from: https://www.kmu.gov.ua/npas/pro-go-planu-dij-z-vikonannya-rekomo-zhinok-do-vosmoyi-periodichnoyi-dopovidi-ukrayini-pro-vikonannya-konvenciyi-pro-likvidaciyu-vsih-form-diskriminaciyi-shchodo-zhinok-na-period-do-2021-roku

17 UN report Women in Ukraine for 2020. Retrieved from: http://unwomenukraine.annualreport.tilda.ws/page18091867.html

by the Resolution of the Cabinet of Ministers No.784 of 2 September 2020. Resolution No. 930 of 9 October 2020 directs the introduction of gender advisors and gender units within executive bodies at national and regional levels.

- **Gender Equality priorities are included in the Government Action Plan**

  The Cabinet of Ministers included a number of gender equality priorities in the Government Action Plan (adopted by Resolution No. 471 of 12 June 2020). These priorities include the implementation of UNSCR 1325 "Women, Peace and Security", the design and implementation of information campaigns to combat gender-based stereotypes, and the introduction of statistical indicators on equal rights and opportunities for women and men.

- **Commitments to G-7 Biarritz Initiative and EPIC**

  By accession to the G-7 Biarritz Initiative and its National Action Plan, the UN Women-ILO-OECD initiative for Equal Pay EPIC, Ukraine committed to take actions towards ending violence against women and girls, and promoting equal rights and opportunities for women and men in education, employment, childcare - and physical access to public spaces.

- **The President of Ukraine committed to combat gender-based violence and domestic violence**

  Ukraine's commitment to combat GBV and DV was re-confirmed by the President by issuing the Decree "On Urgent Measures to Prevent and Combat Domestic Violence, Gender-Based Violence, and Protect the Rights of Victims of Such Violence" - 21 September 2020.

Analysis

While these are clearly important steps, the implementation of these policy documents is still in process and has not yet been fully achieved. In fact, it may be that in order to fully implement the goals of these policies, frameworks, additional support and resources will be necessary. For example, gender advisors and gender units have not been institutionalized within executive bodies at the national or regional level. This would likely require a capacity-building effort alongside recruitment and assignment. A campaign to combat gender-based stereotypes has not been undertaken, which would conceivably necessitate broader coordination with the media and other relevant government bodies, i.e., the ministry of education and the ministry of social affairs. Similarly, statistical indicators have not been implemented and/or the data collection has not yet begun. This would require the development of a significant and complex monitoring and evaluation system, enabling consistent and coherent data collection and analysis. Finally, specific efforts to promote equal rights and opportunities for women and men in various spheres of life (education, work, childcare, etc.) have not yet materialized. However, this is an enormous effort involving a whole of government approach to advance a public relations campaign. Significant structural changes to recruitment, selection, and retention practices across the spectrum of work need to be made. Nonetheless, these policy goals remain laudable commitments. Should they be implemented, they will contribute to advancing gender equality in Ukraine, and indeed, establish Ukraine as a global leader in its efforts to advance gender equality.

SECTION III: FINDINGS AND ANALYSIS — COMMITTEES AND SECRETARIATS

I. Committee and Secretariat Views on the Relevance of Gender

II. Committee and Secretariat Views on Engagement with Stakeholders

III. Committee and Secretariat Views on Internal Expertise

IV. Committee Oversight Functions

V. Committee and Secretariat Views on Equality and Non-Discrimination

Analysis

I. Committee and Secretariat Views on the Relevance of Gender

Questionnaire and survey data from the Secretariat's of the Committee on National Security, and the Committee on Law Enforcement, supplemented with seven questionnaire responses from the Committee on European Integration reveals that conducting a gender analysis of policy proposals and draft legislation is not commonplace. Moreover, some members of the Committee's Secretariats suggested that this is not a requirement, but could be undertaken on an 'as-needed' basis. It was further suggested that if any kind of information were to be collected, including a gender analysis, it would be in preparation and support for public Committee hearings and/or public events such as roundtables. In general, Secretariats reported that gender is not something that is included in everyday work, nor something that is necessarily considered relevant at the strategic, operational, and tactical level of security sector reform and/or legislative design. For example, the majority of Secretariat staff surveyed, believe sufficient attention is paid to gender and gender equality - in the context of security and defense reform – while also reporting that this is not a routine function. In contrast, the Secretariat of the Committee on Law Enforcement reported a need to integrate gender and gender equality into Committee work.

This finding was substantiated by the survey taken by the Committee on National Security and the Committee on Law Enforcement. Only 16% of respondents reported that a gender analysis is undertaken and considered for draft legislation. Interviews further revealed that some MPs believe a gender analysis is not within their remit. This is consistent with the questionnaire findings from members of the Secretariat: a gender analysis is not a requirement. In contrast, some Committee members reported that gender equality is given sufficient attention and consideration. One MP noted that women should be involved in communications, as well as the psychological aspects of the work, and that this approach would enable women to undertake work that is targeted to their skills, leading to a more positive team environment. Another MP noted that, for the first time, there are three women on a Committee of 25, as a result of this, anti-violence and gender are now taken into account.

These findings suggest a gap between existing policy frameworks, as outlined in the last section, and the implementation of these policy frameworks. Even while it is clear that conducting a gender analysis and advancing gender equality are stated goals of Ukraine - as well as prerequisites for Euro-Atlantic and European Integration - there is little evidence, beyond the commitment of a few individuals, that such efforts are consistently taking place.

II. Committee and Secretariat Views on Engagement with Stakeholders

Main Findings:
Except for the Committee on EU Integration (which has an agreement with CSOs), Committees are not regularly drawing on civil society for needed gender equality expertise.
The Committees do not appear to draw on the functions of the Government Commissioner for Gender Policy.
There is an opportunity for executive branch expertise on gender and security to be made available to the Committees.

Committees reported an overall low level of engagement with line ministries – this was attributed to both a lack of political will and/or a belief that there should be a separation between the executive and legislative branches of government. Yet, some Committee members positively reported examples of line ministries involving MPs in problem-solving discussions and policy responses. Presently, the Ministry of Defense does not report having gender and security expertise within their staff at the highest level – as policy advisors or otherwise. The Ministry of Internal Affairs has a designated coordinator at the level of Deputy Minister who is responsible for the structural unit, network of contact persons, gender advisers and consultants (with support from UN Women). As a result, this may not be a location where the Committees can presently access gender and security expertise. However, in October 2020 the Cabinet of Ministers passed Resolution No. 930 which directs the introduction of gender advisors and gender units within executive bodies, at national and regional levels. If implemented, this could provide support and expertise within the executive branch to the legislative branch. As well, the Ministry of Defense reported that it has appointed up to one hundred (100) gender advisers at the local level. The extent to which there is a specific qualification and/or professional development aimed at building necessary knowledge and skills, are not indicated. This could signal "representation" rather than "participation", meaning that the Armed Forces has "gender advisors", but actual advice being given on gender and security may not be present in a meaningful way.

In contrast, Committee members consistently reported that they draw on input from experts, including those from non-governmental organizations. Perhaps, most notably, this involves drawing on the expertise of foreign specialists, including those from Western embassies. This finding was also mitigated by the acknowledgment that foreign expertise may not always be fit for purpose in the Ukrainian context.) It was not noted whether foreign expertise includes working with gender equality and SSR specialists). With respect to NGOs, the representatives of the Committee on European Integration reported that engagement with civil society expertise is very good: there is regular and direct co-operation with the UKR-EU Civil Society Platform under the Association Agreement.[18] However, the extent to which this involves specific co-operation on gender and security is unclear.

18 Under the auspices of the Association Agreement there are four bodies: 1) the Civil Society Platform, 2) the Association Council, 3) the Association Committee and 4) the Parliamentary Committee of the Association. The bodies are designed to ensure the proper role of the public in the implementation of the Association Agreement, Retrieved at https://eu-ua-csp.org.ua/en/

A survey of the Secretariats to the Committees suggests that staff of the Secretariats engage in outreach to executive bodies of the government, including line ministries, as a part of their work to support the Committees. Staff reported a high level of confidence and satisfaction with respect to their interactions with the representatives and experts of other government bodies. Successful outreach and co-operation were reported to include holding joint events and meetings, undertaking joint drafting efforts, and management of citizens' appeals. These do not seem to include, however, the Government Commissioner for Gender Policy: a key government body on gender and gender equality.

III. Committee and Secretariat Views on Internal Expertise

Main Findings:
Gender equality expertise is missing from the Main Scientific and Main Legal Departments – this impedes Department ability to undertake a credible impact assessment of draft bills.

Interviews with MPs reveal a distinction between procedural policy and actual practice, with respect to drawing on expertise from within the Verkhovna Rada. This principally includes the Main Scientific and Expert Department of the Apparatus of the Verkhovna Rada of Ukraine - and the Main Legal Department of the Apparatus of the Verkhovna Rada of Ukraine. Procedurally, the Main Scientific and Expert Department, and the Main Legal Department, must examine all bills. This involves experts analyzing documents for compliance with the Constitution and international treaties, analyzing the legal, economic, and social feasibility of the law and attempting to predict the impact of the legislation. Yet, interviews suggest that Committees, and, in particular MPs, do not really consider this input. This was attributed to a number of different reasons including the view that expertise from the Verkhovna Rada may not be sufficiently robust. For example, MPs reported that sometimes the analysis and conclusions are word-for-word the same for different bills. MPs also reported that the analysis can be superficial and draw on common assumptions or prevailing attitudes and opinions – rather than evidence-based analysis linked to the Ukrainian context. In some cases, MPs may call on outside legal support, or access support from a legal assistant. There is a view that internal experts of the Verkhovna Rada are politicized and thus not always able to offer objective input.

Previously, the USAID RADA Program provided training to staff of the Secretariats of several parliamentary Committees. The training focused on how to undertake a gender analysis of draft laws. Unfortunately, this was not institutionalized and the requirement for such analysis was not ensured at the level of internal procedures. In addition, not all participants still work in the Apparatus. Thus, there are very few staff with specialized knowledge in gender and gender equality who can analyze the impact of draft legislation on women andmens.

As a result, the Main Scientific and Expert Department, and the Main Legal Department tend to use "gender neutral" language as a means to mainstream gender into draft legislation. However, men and women have documented differences in their security needs and experiences, which may amplify security and safety risks. There is also the possibility of *de facto* discrimination, for the population as well as employees of security and defense institutions. The provisions of the Main Scientific and Expert Department outline responsibility for "conducting a comprehensive scientific and legal analysis of draft legislation". Conducting a gender analysis to assess the impact of legislation on women and men - as well as identifying the extent to which legislation works to advance all gender equality in the context of the legislation is arguably integral to this analysis.

IV. Committee Oversight Functions

Main Findings:
Committees are not undertaking these functions in relation to gender equality and security and defense reform.

Survey data from members of the Committees suggests that oversight capacity is limited. In fact, 83% of MPs reported that their Committees were not sufficiently empowered to influence SSR efforts, including a lack of:

- direct control and oversight functions, like implementation and related reporting
- influence of authority to implement and enforce the decisions of the Committees
- authority to coordinate the work of the Committees

It is worth highlighting that legislative oversight of the security and defense sector is a key element of democratic civilian control of the security sector.

In contrast, survey data from the Secretariats suggests that supporting the monitoring function of the Committees is within their remit. Staff of the Secretariats reported that they are empowered to request information from relevant bodies or invite representatives to meetings, in order to assess the status and success of implementation. The information obtained through reports, and hearings may subsequently become part of the Committee's conclusion or decision-making.

Committee members were also asked whether and how they address appeals or demands by citizens, in relation to security and defense or gender equality. Members reported that they do respond to questions related to security and defense, however they report that they have not received inquiries on gender equality - in relation to security and defense. Committee members believe this reflects a lack of interest by the

public. It is worth noting that this is in contrast to civil society actors who report actively trying to engage the Committees on gender, gender equality, and security and defense reform (see Section IV).

Media can also be understood as a form of non-governmental oversight of the security and defense sector. The Committees reported that they use social media as a means to inform the public and collect input. The Committee on National Security has a Facebook page which an appointed staff member from the Secretariat updates. The Committee on Ukraine's Integration into the European Union has a full-time media communications specialist who is responsible for the content of the Committee's Facebook page and the Committee's website (on the Verkhovna Rada's website). In contrast, the Committee on Law Enforcement reports that they do not have a full-time social media specialist and noted that the workload of the Secretariat does not generally allow for support in this area. Rather, this platform is used to share public information and not to engage the public. In either case, neither the website of the Verkhovna Rada Committees nor the respective Facebook pages include any posts covering gender and gender equality and its relevance to SSR. Yet, social media represents a potential opportunity to inform and engage on this topic; at least one Committee has a staff member dedicated to social media engagement.

V. Committee and Secretariat Views on Equality and Non-Discrimination

Main Findings:
Committee members and Secretariat staff assert there are no barriers to gender equality within their context, yet the majority identify gender-based discrimination, harassment and gender-based stereotypes as the greatest impediments to advancing gender equality in security and defense reform.

Committee members and staff of the Secretariats generally report that there is no discrimination and that men and women have equal access to positions and are afforded equal pay in those positions. They also report that there is a complaint mechanism should an individual experience sexual or gender-based harassment or discrimination, while noting that no such complaints have been made. Yet, it was also noted, when asked, that the principal areas impeding equality between men and women in Ukraine are discrimination, sexual and gender-based harassment – and prevailing work and professions stereotypes. Moreover, 86% of Secretariat staff surveyed asserted that obstacles exist within the security and defense sector that impede gender equality. This contradiction reveals a common challenge in the area of gender equality. There is often general recognition that gender equality efforts are needed and that barriers remain, with respect to *de jure* legal equality. Though very few people recognize the impact of *de facto* practices, in the context of their specific professional or personal environment. For example, individual and institutional practices are often the result of prevailing gender roles and stereotypes that inform whether and to what extent

laws and policies are followed. This phenomenon is evidenced across the globe at the national level, where *de jure* law exists to prevent discrimination on the basis of gender and sex. The *de facto* practices within society are such that women and girls do not enjoy the same access to rights, opportunities, and resources. In 1970, no economy had implemented a comprehensive set of legislative reforms to advance gender equality in the *workplace* – but by 2019, 113 of 190 economies had.[19] Yet, the average female labor force participation remains at about 52% and has changed very little since 1990.[20] This illustrates the relevance of gender roles and how women's ascribed responsibility for the family and children has a de facto limit on their choices around entering the workforce – irrespective of the legal framework.

Analysis

Government Programs, Concepts, Procedures and Guidelines issued during the last year outline the obligation of state bodies to undertake a gender analysis and advance gender equality, in the context of SSR and elsewhere. Yet, there are mixed reflections among Committee members and the staff of the respective Secretariats as to whether such efforts are routinely undertaken or are even necessary in more than an ad-hoc fashion. In the context of over-worked and under-resourced Committees and Secretariats, it is understandable that additional work is viewed with skepticism. However, if prevailing attitudes within the Committees and the Secretariats are such that gender is considered the sole remit of women - and limited to gender-based violence and discrimination - then it is also possible that the topic is not viewed as relevant to most of the Committee's work.

Similarly, if women's roles on the Committees, and as staff to the Secretariats, are generally viewed through the lens of traditional gender roles – where women are responsible for fostering communication and ensuring a psychologically supportive work environment, then the aim of gender equality could be undermined. Rather, gender-based stereotypes[21] may be informing Committee practices and approaches in a way that is limiting the full and meaningful participation of women (and men). While the harmonious functioning of the Committees is relevant to its effectiveness and efficiency, it is

19 The World Bank, 2020, *5 Gender Equality: Legal Progress Toward Gender Equality*, Retrieved from https://datatopics.worldbank.org/sdgatlas/goal-5-gender-equality/

20 The World Bank, 2020, *5 Gender Equality: Legal Progress Toward Gender Equality,* Retrieved from https://datatopics.worldbank.org/sdgatlas/goal-5-gender-equality/

21 Gender stereotypes are biased social and cultural patterns or ideas that give men and women the characteristics and functions that are defined and limited by their gender. Gender stereotypes are a serious obstacle to achieving the real. Council of Europe Gender Equality Strategy 2018-2023, Retrieved from https://rm.coe.int/prems-041318-gbr-gender-equality-strategy-2023-ukr-new2/16808b35a4

arguably the responsibility of the Committee leadership, first and foremost, and then Committee members more generally – rather than the responsibility of women.

While some members of the Committees and staff of the Secretariats appear to be eager to advance gender equality, in the context of SSR efforts, there is a need to operationalize the concept of gender and the goal of gender equality. These concepts cannot exist in theory but must be made to resonate on the level of practice – at the strategic, operational and tactical levels. This learning curve comes in part from engagement with experts that possess specialized gender equality and SSR knowledge. Also, from experience within the line ministries, security and defense institutions, other government bodies, the international community or civil society. Security sector reform, and good governance of the security and defense sector, requires that security and defense institutions reflect and address the needs and realities of men and women, within the institution and in the context of operations.

An MP reflected notably that women Committee members may be *best suited* for communications work, which would be both *easier* for them and provide a *successful avenue for their participation* on the Committee. When women are assigned tasks that are identified as "easier", this can undermine the perception of women as competent professionals, while also potentially creating resentment among men, because women are given "easier" tasks. This quote reflects the kind of gender-based stereotypes that the 2020 Program and the Concept (until 2025) are designed to address and overcome, in order to advance gender equality.

The lack of consistent integration of gender equality (and conducting a gender analysis) among the Committees and their Secretariats is reflected in the design of legislation. This reflects in the engagement with stakeholders and experts, and the extent to which oversight functions are undertaken by the Committees. If gender equality is not considered relevant by Committees, then:

- a gender analysis will not be requested,
- representatives and experts from other government bodies will not be asked to engage with this topic,
- civil society and foreign experts will not be invited to provide input on this topic, and,
- reports and testimony on legislative implementation - as requested by the Committees (through the Secretariats) - will not include this topic.

This phenomenon can create an enabling environment for a negative cascading effect. If Committee members and their Secretariats hold gender-based stereotypes and attitudes, it is more likely that the day-to-day practices will not include taking gender into consideration, nor work to advance gender equality.

SECTION IV: FINDINGS AND ANALYSIS — CIVIL SOCIETY ORGANIZATIONS

I. Non-Government Organizations' Views on Gender Equality and Security and Defense Reform

II. Non-Government Organizations' Views on Participating in Legislative Processes

III. Non-Government Organizations' Views on Priorities for Security and Defense Reform

Analysis

I. Non-Government Organizations' Views on Gender Equality and Security and Defense Reform

Main Findings:
Civil society actors are both competent and eager to support security and defense reform efforts.

Non-governmental organizations (NGOs) work to combat gender-based violence, advance gender equality and human rights, promote security sector reform and oversight, and foster conflict resolution, peace-building and stability. They identify themselves as a critical force behind security and defense reform. NGOs argue that their participation in the legislative design, implementation and oversight process, vitally contributes to raising awareness and fostering openness of the executive and legislative branches of government, with respect to the integrated concepts of gender equality and SSR. Representatives of NGOs report a clear link between gender equality and SSR and note that:

> **Gender equality is one of the main features of Ukraine's defense reform, which seeks to join NATO. This question is important for both men and women. We are talking about improving the quality of service, ensuring equal access for men and women to service, decision-making, creating conditions for service for women, and most importantly - that the service was safe for men and women. Gender is a social construct. Gender cannot dictate the social role of a man or a woman. Nevertheless, we still see men and women facing stereotypes that are shaped by biological determinism.**[22]

NGOs articulate important links between gender, gender equality and SSR specifically, including:

- The need to confront and overcome gender-based stereotypes that continue to inform how men and women are assigned to roles, rank, and unit, within security and defense institutions.
- The need to provide equal access to suitable and appropriate uniforms, equipment, infrastructure, and services (e.g., medical) for women and men in the security and defense sector. For example, women in the military have been provided with men's under-garments.
- The need to address sexual and gender-based harassment, discrimination, and abuse/violence – happening within security and defense institutions, and in the context of operational activities.
- The need to ensure that women have a meaningful opportunity to influence decision-making and inform policy and legislation on security and defense. This is part of both the WPS agenda and a requirement of Euro-Atlantic integration.

22 Quote from Questionnaire for civil society organizations working on gender-based violence, gender equality, human rights, security sector reform/oversight, conflict resolution and peace and stability.

- The need to implement the "Guidelines for the integration of gender approaches into the training system for the security and defense sector of Ukraine", and improve equal access to security science and military education for women.

II. Non-Government Organizations' Views on Participating in Legislative Processes

Main Findings:
Civil society actors attempt to influence legislative priorities and design, but report experiencing barriers to engagement with Committees.

NGOs report using a variety of mechanisms to engage in the legislative process. These include participating in Committee meetings, initiating discussions on specific topics, engaging in direct and indirect advocacy with MPs and government representatives, submitting proposals, research reports and providing specific data. NGOs also engage with the wider public on the work they are undertaking, to foster greater awareness and obtain input and support.

Yet, 60% of NGO respondents noted that they face communication barriers with Committees, Secretariats and other government bodies and representatives. Interview data suggests that these barriers are believed to be the result of prejudice and misunderstanding, with respect to the topic of gender equality, as well as the role of NGOs. For example, NGOs report experiencing and witnessing sexist[23] comments, jokes and attitudes among Committee members. They note that some Committee members do not believe that gender equal conditions for men and women are important or necessary. This includes, for example, the belief that women are not a valuable human resource for the Armed Forces. Thus, NGOs note that attitudes in support of traditional gender roles, which conform with common gender-based stereotypes, are a barrier to their work in the legislative process, with respect to gender equality and SSR.

NGO representatives revealed that structural barriers are sometimes used by Committee members to impede their ability to engage and input in the process. This includes delaying processes, not responding to calls, emails or other communications, and making the argument that the topic is "not within their remit". As well, surveyed NGOs reported that they are neither invited nor permitted to attend Committee meetings (or hearings). They state that this area of co-operation has not yet "developed". For example, the Women's Veterans Movement has been actively advocating for the adoption of the "War Crimes Bill", yet they have received little or no engagement by the relevant Committee and, in some cases, direct opposition

23 Sexism is any act, gesture, visual manifestation, spoken or written word, action or behavior that is based on the idea that a person or group of people is worse than others because of their gender. Source: Order of the Ministry of Social Policy of Ukraine of January 29, 2020 № 56 guidelines for the inclusion in collective agreements and agreements of provisions aimed at ensuring equal rights and opportunities for women and men in labor relations. Retrieved from https://zakon.rada.gov.ua/rada/ show / v0056739-20 # Text

to their advocacy efforts. Nonetheless, it should be noted that the practice of communication with non-governmental organizations differs from Committee to Committee. Indeed, some Committees have established long-lasting partnerships with NGOs (most notably the Committee on European Integration). However, the Committee on National Security and the Committee on Law Enforcement have not established communication practices with NGOs. They do not seem to view gender or gender equality as a priority topic for accessing expertise.

III. Non-Government Organizations' Views on Priorities for Security and Defense Reform

Main Findings:
Civil society actors have identified key legislative priorities to advance gender equality in the context of security and defense reform. These priorities are consistent with stated Government priorities.

NGOs report a number of priorities with respect to gender equality, and security and defense reform. Nonetheless, the NGOs who participated in this inquiry agreed that one of the main priorities for security and defense reform in Ukraine is tackling the problem of preventing and addressing gender-based violence within the Armed Forces. According to an anonymous survey, conducted among veterans within the project "Invisible Battalion 3.0: Sexual Harassment in The Military Sphere In Ukraine", more than 80% of respondents indicated that they had witnessed or suffered from gender-based violence in the Ukrainian army. The survey does not represent an accurate account of the scale of gender-based violence in the army – including the extent to which men also experience gender-based violence. Nonetheless, the survey shows that there is a significant difference in the treatment of female soldiers, in contrast to male; in that women appear far more likely to experience gender-based violence and related misconduct. While there is a hotline to report harassment, it is not anonymous. The hotline transmits information from the caller to their unit – so, not surprisingly, it is not used. Moreover, the policy/law regulating gender-based violence in the Armed Forces places the burden on the injured party to prove their case. In addition, the policy/law does not clearly articulate a complaints mechanism with assurance against retaliation for reporting. Neither does it outline the investigative process and evidentiary standards, or relief mechanisms. It is worth noting that estimates from Europe show that between 30 to 50 percent of women and 10 percent of men have experienced some form of sexual harassment.[24] Even more alarming, 2,648 women and 732 men from a sample of soldiers in the United States Armed Force (accessing mental health services) were positively screened for military sexual trauma (gender-based violence to repeated sexual harassment) between 2001 and

24 European Commission, Directorate-General for Employment, Industrial Relations and Social Affairs, 1998, "Sexual harassment at the workplace in the European Union", Retrieved from https://op.europa.eu/en/publication-detail/-/publication/9c49e8af-2350-46dc-9f4b-cc2571581072

2007.[25] This data reveals that gender-based violence is not a problem for women alone – but rather an issue of equality and an impediment to unit cohesion and the effective functioning of security and defense institutions.

As noted previously, in 2020 the Ministry of Internal Affairs, the line ministry for law enforcement, approved **the Procedure for conducting official investigations in the National Guard of Ukraine**.[26] This procedure created an official mechanism for the investigation of sexual harassment and discrimination on the grounds of sex/gender. The procedure stipulates that gender mainstreaming specialists - with expertise in security and defense - should be involved in such investigations. There is no further information available on whether - or how - this is being implemented. Likewise, there is no information as to the gender mainstreaming specialists being used in its implementation and application. Nonetheless, this Procedure should serve as an impetus to address sexual and gender-based harassment, discrimination, and abuse within the Armed Forces. Civil society organizations, such as the Invisible Battalion - which is made up of women veterans of the Ukrainian Armed Forces - would be well-positioned to guide the design, implementation and monitoring of such a procedure.

NGOs note that, in addition to sexual and gender-based harassment and discrimination, and sexual abuse within security and defense institutions, there are a number of other barriers to the advancement of gender equality. These include the lack of:

- Equal access to security science and military education (including toward advancement).
- Transparency in the recruitment, selection, assignment and promotion of security and defense personnel.
- Policy frameworks that support and incentivize equal family leave (maternity and paternity leave), and provide for support to families (childcare, primary education, counseling).
- Appropriate and modern uniforms, equipment and infrastructure equally accessible to men and women security and defense personnel.

25 Kimerling R, A.E. Street, J. Pavao J, M. Smith, R. Cronkite, T. Holmes, and S. Frayne. 2010. Military-related sexual trauma among Veterans Health Administration patients returning from Afghanistan and Iraq. *Am J Public Health*. 100(8):1409-1412, Retrieved from https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2901286/

26 Order of The Ministry of Internal Affairs of Ukraine On approval of the Procedure for conducting official investigations in the National Guard of Ukraine // 21.04.2020 № 347, Retrieved from: https://zakon.rada.gov.ua/laws/show/z0473-20#Text

NGOs believe that many of these barriers are a result of a combination of outdated legislation, lack of professional standards and the prevalence of gender-based stereotypes and attitudes that dismiss and diminish the meaningful contributions of women in security and defense. It is worth highlighting that according to the Office of the Deputy Prime Minister for European and Euro-Atlantic Integration, 23.6% of the personnel of the Armed Forces (more than 58,000) are women.[27]

Nonetheless, it is important to highlight that gender equality is not an aim intended to only address the status and advancement of women within society, and in the context security and defense specifically. While gender inequality disproportionately disadvantages women, men are also harmed by this unequal social framework. In the context of security and defense, society places a burden on men to risk their safety, health and lives. Indeed, men are more likely to become disabled (or killed) as a result of their service and then to subsequently face barriers to accessing financial compensation/assistance, housing, counseling, and healthcare.[28] This signals the need to critically review and reform veterans' services, including services available to widowed spouses (in the case of combat or service-related death).

NGOs note that women personnel of security and defense institutions are more likely to be excluded from professional development and advancement opportunities, as a result of parental leave for childbirth and recovery. For example, a leave policy for women was designed in order to enable their participation, while giving them time to raise children. This includes the re-appointment of women to "easier conditions of service" while raising children under the age of three, (which is not possible for men). In addition, women who are raising children under fourteen years alone (sole head of household) or a child with a disability, cannot be transferred to a lower position without her consent. In contrast, if a man is raising children under the age of fourteen on his own, or a child with a disability, transferring him to a lower position does not require his consent. However, men do have access to the same amount of parental leave as women, but, due to stereotypes, they tend to avoid it (as a result of potentially negative conse-

27 Office of the Deputy Prime Minister for European and Euro-Atlantic Integration, Retrieved from: https://www.facebook.com/UA.EU.NATO/posts/3631048837009710.

28 Plümper, Thomas and Eric Neumayer. 2006. "The Unequal Burden of War: The Effect of Armed Conflict on the Gender Gap in Life Expectancy," *International Organization,* Vol 60, No 3: 723-754.
However, women also face barriers to accessing support and assistance following injury and disability from service. See, https://ukraine.un.org/sites/default/files/2020-09/invisible%20battalion%2020uk.pdf
Institute of Gender Programs. 2020 «Invisible Battalion 2.0»: Appeal of Veterans to Peaceful Life, Institute of Gender Programs, UN Women, p. 216, Retrieved from: https://ukraine.un.org/sites/default/files/2020-09/invisible%20battalion%2020uk.pdf

quences to their career or interaction with other men).

Finally, servicemen, in contrast to servicewomen, are more likely to experience severe punishment for offenses within the Armed Forces. This includes detention in a disciplinary battalion, arrest with detention on guard duty and using weapons against detainees to stop escape attempts. Servicemen may also experience unequal treatment or disadvantage with respect to access to part-time work, payments in connection with the death of a breadwinner, opportunities for business trips (in the case of Officers), and the allocation of a day-dress uniform.

According to the OSCE 2018 publication, "Information and training manual for security sector experts: Women, Peace and Security" developed for the Ministry of Internal Affairs of Ukraine and the National Police, two thirds of internally displaced persons are women and children.[29] In the Ukrainian context, it is women who bear the greatest burden of caring for children, disabled spouses, and elderly relatives. In the context of internal displacement, this creates an enormous pressure on women to serve in dual roles of breadwinning and family care, with little or no access to social services (job placement, housing, education, medical care, etc.) - or financial support. On the other hand, demobilized servicemen may find reintegration back into non-combat civilian life difficult, with regards to lack of support. Indeed, due to prevailing gender-based stereotypes, servicemen are expected to serve in conflict zones, and in direct combat, without complaint. Moreover, they are expected to deny any possibility of psychological trauma as a result of their experience. This is contrary to current scientific evidence, which has found that the experience of trauma: experiencing an event that combines fear, horror, or terror with an actual or perceived loss of control - results in a neurobiological impact, or impact to the brain.[30] Men and women, who are demobilized without proper psychological support are more likely to experience the effects of Post-traumatic Stress Disorder. This can increase the risk for interpersonal and intimate partner violence (including domestic violence and child abuse) particularly among men[31] – creating a cascading security and safety issue for women and children.

29 Organization for Security and Cooperation in Europe (OSCE). July 2018. "Information and training manual for security sector experts: Women, Peace and Security" Retrieved from https://www.osce.org/project-coordinator-in-ukraine/386423

30 Lonsway & Archambault. 2021. *Effective Victim Interviewing: Helping Victims Retrieve and Disclose Memories of Sexual Assault*, End Violence Against Women International Training Module, Retrieved from https://evawintl.org/courses/evawi-06-effective-victim-interviewing-helping-victims-retrieve-and-disclose-memories-of-sexual-assault/

31 Breet, Elsie, Soraya Seedat and Ashraf Kagee. 2019. "Posttraumatic Stress Disorder and Depression in Men and Women who Perpetrate Intimate Partner Violence," *Journal of Interpersonal Violence*, 34(10): 2181-2198.

Analysis

These examples of the consequences of gender inequality reveal the extent to which there is an immediate need for reform of security and defense institutions, as well as updated procedures and policies that guide security and defense planning and operations. The examples also showcase the cascading and overlapping implications of inequality that results in negative consequences for women, as well as men, within the security and defense sectors. For these reasons, gender equality has been identified and articulated through European and Euro-Atlantic normative frameworks as critical to development in general, but also specific to security and defense reform.

This approach is about ***doing the right thing*** by promoting fair and equal legal rights, opportunities for choice and access to resources; and about ***doing things right*** by striving toward organizational cohesion, institutional efficiency and operational effectiveness.

- Barriers to full and meaningful participation **erode organizational cohesion** when personnel are not invested/committed to their work and organization.
- **Institutional efficiency is hampered** when personnel are assigned to roles, rank and units based on gender stereotypes – who is best suited for what role - rather than capability (existing skills, knowledge and character), and capacity (potential skills, knowledge and character).
- **Operational effectiveness is impeded** when service personnel do not have access to institutional working conditions that support their successful work. This includes a culture of harassment, bullying and discrimination, inadequate provision of appropriate uniforms, equipment and infrastructure, and a lack of support services including medical care, counseling, and disability.

Efficient Use of Human Resources in Security and Defense is based on Capability and Capacity – not Gender

In 2015 the first two women (out of 17) successfully completed Army Ranger school in the US and received their special forces tab. What is notable about this example is not that only two women succeeded, but rather, those two women succeeded when 286 of their male counterparts did not! This illustrates the importance of recognizing individual capacity and capability – rather than basing who is best suited for a specific rank, role, or unit on stereotypical gender roles.

- Calamur, K. 2015. "Women, History, and the Army Ranger School: This Friday, two female soldiers will graduate from the elite program."," The Atlantic, Джерело: https://www.theatlantic.com/national/archive/2015/08/women-army-ranger-school/401615/

Ukraine is positioned to improve the efficiency and effectiveness of its security and defense sector by advancing gender equality, in the context of SSR efforts. Moreover, such efforts are consistent with European and Euro-Atlantic integration requirements. Gender equality and security sector reform present an opportunity to ***do the right thing*** and to ***do things right!***

SECTION V: STRUCTURAL CONSIDERATIONS OF THE LEGISLATIVE AND OVERSIGHT PROCESSES

Main Findings:
Committees and their Secretariats presently lack the human resources to undertake oversight functions.

Survey and interview data with the Committees reveals a limited oversight function. It is unclear whether this is a result of a lack of specific guidance in the mandate of the Committees, a product of overburdening the Committees, or a lack of appreciation of the importance of this role or, more likely, a combination of all three issues. Oversight of security and defense is central to democratic civilian control, and plays an integral role in ensuring that legislative actions are implemented and monitored for effectiveness. It was noted by the Committee on National Security and the Committee on Law Enforcement that consideration is being given to strengthen the Committees oversight functions – in particular with respect to reporting on the government's implementation of legislation. In this context, it would be ideal to address all of the potential barriers that are impeding a robust oversight function:

1. Outline the oversight role of the Committees, noting the importance of requesting reports and holding hearings on implementation on a regulated basis (quarterly, bi-annually, or annually) that include a gender analysis and data disaggregated by gender.
2. Provide for sufficient staffing of the Secretariats to manage information requests, and prepare documents and reports for Committee hearings, handle scheduling, engage in outreach to identified and relevant experts, including those with specialized knowledge in gender equality and SSR, and coordinate testimony.
3. Require Committees to report back to security and defense institutions, as well as the Executive branch with their findings, analysis and implementation recommendations.

Notably, Committees unequivocally reported that resources are needed in order to ensure Committee capacity to undertake all of their functions. According to interviews with MPs, increasing the number of staff of the Secretariats will directly improve the effectiveness of Committee planning, and organization. More specifically, according to one of the employees of the Committee on Ukraine's Integration into the European Union, capacity can be increased by:

- maximizing system outsourcing;
- increasing incentives for the staff of the Secretariat;
- strengthening the authority of the Committee by giving the obligatory status of the Committee's considerations relating to law drafts;

- creating correspondence and communication systems/ tables; and,
- strengthening/standardizing outreach and engagement procedures, and systems.

It is worth highlighting that if the integrated concepts of gender equality and security sector reform are to be addressed in a meaningful way, there is a need to improve Committee capacity. Presently Committees report working at their maximum – as do the staff of the Secretariat. It is therefore not possible for Committees to add topics for review, consideration, and analysis to their list of responsibilities - in the absence of increased staffing. To do so could impede current workflows, as well as planning, organization, coordination and communication undertaken by the Committees.

Additionally, the Main Scientific and Expert Department, and the Main Legal Department, should minimally include staff with specialized knowledge in gender, gender equality and security and defense. Government policy currently outlines the requirement of the State and the Executive branches, to undertake a gender analysis and identify strategies to advance gender equality in the context of development and reform. The bodies providing analysis and expertise on draft legislation must, at a minimum, have staff with the requisite skills and knowledge. The extent to which line ministries and security and defense institutions have representatives and personnel with specialized knowledge on gender equality and security and defense should be made known to the Committees. The Committees, as a routine part of their work, should call on those with specialized knowledge to advise them in the design, implementation and monitoring of legislation.

SECTION VI: RECOMMENDATIONS AND CONCLUSION

Process Recommendations

Structural Recommendations

Legislative Priority Recommendations

Replicating Promising Practices

Conclusion

Process Recommendations

✱ **Implement existing government doctrine and policy on gender equality in the context of legislative processes. Consistently undertake a gender analysis and identify strategies to advance gender equality in security and defense reform efforts:**

⟶ This includes capacitating the Main Scientific and Expert Department and the Main Legal Department with adequate expertise to routinely undertake a gender (and security) analysis; appointment and/or identification gender advisors with specialized knowledge in gender equality and SSR in the Ministry of Interior and Ministry of Defense (at a minimum) who can support legislative design and legislative implementation and monitoring; and, develop a roster of gender equality and SSR experts (international and CSOs) who can support legislative design and legislative implementation and monitoring.

⟶ This includes articulating the oversight function of Committees and noting the importance of requesting reports; holding hearings on implementation on a regulated basis (quarterly, biannually, or annually) that includes a gender analysis and data disaggregated by gender; and requires Committees to report back to security and defense institutions, as well as the Executive branch, with their findings, analysis and recommendations on implementation.

⟶ This includes drawing on the expertise of non-governmental organizations and civil society actors to support a gender analysis and legislative efforts to advance gender equality, in the context of security, and defense provision and oversight. Non-governmental organizations and civil society actors have identified both their specialized competence, as well as their commitment to supporting legislative design, implementation and oversight. In the absence of gender and security expertise within the Committees, their Secretariats, the Main Scientific and Legal Departments and the relevant line ministries, drawing on the expertise of civil society actors is critical to advancing gender equality and security sector reform.[32]

32 **BOX**: Information on the Western Balkans was provided by Teodora Fuior, Programme Manager, Eastern Europe and Central Asia Division, DCAF, during an interview on 28 October 2021. Ms. Fuior has been working in Eastern Europe and the Western Balkans as a Parliamentary Oversight expert for over 12 years.

→ Consider institutionalizing a standardized gender analytical tool.[33]

Leveraging the Expertise and Support of Non-Governmental Organisations and Civil Society

Leveraging the support of non-governmental organisations and civil society have long been identified as critical elements of democratic governance of the security, justice, and defense sectors – this includes supporting the work of parliamentary committees on security, justice and defense. NGOs and CSO actors are often positioned to bring specific topical expertise, access to input and experiences from the broader society as well as actors within security, justice and defense institutionsn organisational mandate/mission to advance the goals of democracy, equality, human rights, and the rule of law. In most parliamentary contexts, including the west, specific topical expertise on gender and security is not widely available, if at all. Moreover, executive institutions may also have limited or no expertise. This reality has led to the intentional collaboration between parliamentary committees and CS actors as a means to leverage otherwise unavailable expertise, introduce support to often over-worked and under-staffed committees, and importantly avoid over-reliance on the executive branch of government.

The Western Balkans – Parliamentary committees in Bosnia and Herzegovina, Serbia, The Republic of North Macedonia and Montenegro have worked with CS actors in varying ways to identify informal and formal approaches to benefit from their support. The range of support includes: accessing the research undertaken by CS actors, inviting CS actors to analyse and input on draft legislation, initiating mechanisms for CS actors to support the monitoring of legislation and/or institutional policy/procedure implementation and assess progress, and regularised reporting to committees in writing and at hearings. A key indicator for such successful collaborations is a well capacitated and competent civil society including academia. In the context of Ukraine, civil society and academic institutions are robust, active and have demonstrated competence positioning many of them to support gender equality and security sector reform.

33 See the Geneva Centre for Security Sector Governance, Gender Analytical Tool (NAPRI) in DCAF, OSCE/ODIHR and UN Women (2019) "Integrating Gender in Project Design and Monitoring for the Security and Justice Sector", in Gender and Security Toolkit, Geneva: DCAF, OSCE/ODIHR, UN Women, p. 13, Retrieved from: https://dcaf.ch/sites/default/files/publications/documents/GSToolkit_Tool-15%20EN%20FINAL_0.pdf

Structural Recommendations

- **Increase the capacity of the Committees to undertake a gender analysis and engage in robust oversight functions by increasing the number of staff of the Secretariats.** Consider the following recommendations by a Committee Chair:

  → maximizing system outsourcing; increasing incentives for the staff of the Secretariat;

  → strengthening the authority of the Committee by giving the obligatory status of Committee's considerations on draft laws - including budget allocation, legal status, European Integration and anti-corruption measures;

  → creating correspondence and communication systems/tables;

  → and strengthening/standardizing outreach and engagement procedures and systems.

Legislative Priority Recommendations

- Encourage and support the implementation of Resolution No. 930 (9 October 2020) that directs the introduction of gender advisors and gender units within executive bodies at the national and regional levels.
- Policy and procedures to prevent and respond to sexual and gender-based harassment, discrimination and abuse (gender-based violence), including a complaints mechanism that prevents retaliation and promotes confidentiality, and outlines investigative processes, evidentiary standards, relief mechanisms available to the injured party - and disciplinary actions applied to the perpetrator.
- Transparency in the recruitment, selection, assignment and promotion of security and defense personnel.
- Policy frameworks that support and incentivize equal family leave (maternity and paternity leave), and provide for support to families (childcare, primary education, counseling, medical care).
- Appropriate and modern uniforms, equipment, and infrastructure - equally accessible to men and women personnel.
- Integration of gender equality into security science and military education (in accordance with the "Guidelines for the integration of gender approaches into the training system for the security and defense sector of Ukraine").

Replicating Promising Practices

There are a number of civil society and special interest actors that have been created with the specific purpose of advancing gender equality within the security and defense sectors. These particular groups, in addition to civil society organizations with specialized expertise on gender equality, can serve as a critical resource for the Committees. The civil society and special interest actors referenced below represent an opportunity to draw on the knowledge, experiences and insights of women and men security personnel, current and previous, from both the military and the police. This is an invaluable asset to the Committees that can credibly inform their understanding of needs and priorities within the security and defense sectors. Regardless of the civil society or special interest actor, the relationship between the Committees and the particular actor should be specific, clear and formalized and outline the relationship and role of the actor to the work of the Committee.

- In 2018, **the Ukrainian Association of Women in Law Enforcement (UAWLE)** was established. The UAWLE is a non-governmental organization that unites members from the National Police of Ukraine, the Department of Patrol Police, and the State Border Guard Service of Ukraine. The stated mission of the Association is to promote equal rights and opportunities for women and men within law enforcement in Ukraine. As reported by the Committee on Law Enforcement Activities, this Association has not been called on or utilized to inform legislation, guide implementation, or support the Committee in its oversight functions. This Association, in addition to other civil society actors, represents a feasible opportunity for the Committee on Law Enforcement Activities to draw on law enforcement expertise specifically aimed at advancing gender equality, in the context of security provision, management, and oversight.
- **The Invisible Battalion** was launched in 2015 as a sociological survey conducted by the National University of Kyiv-Mohyla Academy on women's participation in the war in the East of Ukraine. The outcome of this research includes a full-length documentary featuring the stories of six women soldiers, among other research reports and materials. This non-governmental research project has since evolved and now aims to advance human rights and promote gender equality in the context of security and defense through research and awareness. This NGO project represents an accessible source of expertise that the Committee on National Security could easily draw on to include expertise on military reform and gender equality.

- Similarly, **The Institute for Gender Programs**, initiated in 2016 as an institutionalized outcome of the non-governmental project, The Invisible Battalion, aims to adopt and implement context specific policies and practices to advance an equal and inclusive Armed Force. Thus, The Institute represents yet another source of key input and guidance on how to advance gender equality and security and defense reform.

In the absence of gender and security expertise in the Committees, within the Main Scientific and Legal Departments or the line Ministries, it is critical that Committees and the Verkhovna Rada broadly, make a **meaningful effort to draw on existing expertise in the area of gender equality and security and defense reform**. Such expertise exists in the Ukrainian context and can fill an identified gap. Moreover, engaging with civil society organizations can more broadly advance awareness and knowledge on the integrated topics of gender and security, and serve to ensure that democratic principles of civilian oversight, representation, and participation are integrated throughout the process of policy and law-making.

Conclusion

Ukraine, the Verkhovna Rada and the Committees responsible for security and defense continue to be confronted with the threat of armed external aggression, in addition to on-going hybrid aggression. Hybrid aggression capitalizes on misinformation and propaganda in order to confuse and divide society. In this context, strengthening co-operation, collaboration and cohesion within the society, and within the security and defense sectors, in particular, is crucial to Ukraine's ability to successfully respond to this aggression. There are those who might argue that gender equality is an unnecessary and ad-hoc goal that simply cannot be prioritized in the context of a threat of armed aggression. Yet, gender equality represents a critical avenue to leverage the diverse and specialized human resources necessary to confront these challenges. Advancing gender equality means supporting and enabling men and women to equally participate and contribute to security and defense provision, planning and oversight. In the absence of such efforts, there is a risk that men and women, respectively, are *pigeonholed* into specific ranks, roles and units on the basis of gender, rather than on the basis of skill, knowledge and merit. Moreover, gender equality seeks to remove the disadvantages, discrimination and harassment that can undermine operationally effective security and defense. When these forms of socio-professional exclusion are in operation, unit cohesion is impeded, trust and co-operation eroded and efficient decision-making and action implementation are undercut. Gender equality is integral to effective strategic, operational and tactical security and defense.

Nonetheless, it is critical to situate reform efforts within the reality of the context. The Committees, their Secretariats' and the Main Scientific and Legal Departments of the Verkhovna Rada are operating at full capacity. This reality is further strained by the on-going hybrid aggression and threat of armed aggression. As such, it may not be feasible to simply add more tasks, duties and responsibilities to the Committees and their Secretariats' – this includes consistently conducting a gender analysis and undertaking oversight functions. Yet, these responsibilities are integral to security and defense reform – they represent existing Government commitments and requirements for European and Euro-Atlantic integration. The Committees have at least three options to address this critical gap and immediate need.

The Committees can:

- Draw on the support and expertise of civil society and special interest actors to support legislative design, gender analysis of draft bills, implementation and monitoring.

- Encourage and support the appointment of gender advisors and the creation of gender units in the executive offices, in order to have expertise available to support policy implementation and monitoring.
- Request civil society, international NGO and/or donor support to build capacity within the Main Scientific and Main Legal Departments on gender and security – enabling these Departments to adequately support a comprehensive impact and legal analysis of draft bills.

With the data presented in this review, the Committees are positioned to make meaningful and feasible steps to advance gender equality, improve security and defense in Ukraine, and implement existing policy commitments to advance European and Euro-Atlantic integration.

According to Article 93 of the Constitution of Ukraine, the right of legislative initiative belongs to the President, members of the parliament, and the Cabinet of Ministers. However, the main agents of legislative activity in terms of the number of bills submitted are members of parliament (MPs). For example, during the IX convocation sessions 1-5 of the Verkhovna

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ANNEX A

Enumeration of Primary Research

The primary research was undertaken between January and August 2021. Due to the Covid-19 pandemic, most surveys and interviews were undertaken virtually, rather than in person.

This analysis was undertaken in three stages:

1. Desk research:

1.1 The review of existing work that has been done on SSR and gender equality in Ukraine since 2015:

- Review of the results of previous research and studies undertaken in the security and gender research sector.
- Analysis of the strategic documents and legal acts:

→ The Law of Ukraine on the National Security of Ukraine;

→ National Security Strategy;

→ Strategic Defense Bulletin;

→ Human development strategy;

→ Military Security Strategy of Ukraine;

→ Strategy of public safety and civil protection of Ukraine;

→ Strategy of development of the defense-industrial complex of Ukraine;

→ Economic security strategy;

→ Biosafety and biological protection strategy;

→ Information security strategy;

→ Cyber Security Strategy of Ukraine;

→ Foreign Policy Strategy;

→ National Security Strategy;

→ National Intelligence Program;

→ Military Security Strategy of Ukraine;

→ Strategic Defense Bulletin.

- Review of the role, mandates and functions of the Verkhovna Rada, in particular the mandates of the Committee on National Security, Defence and Intelligence, the Committee on Law Enforcement and the Committee on Ukraine's Integration into the European Union as they relate to SSR, including gender aspects:

  - → The Rules of Procedure of the Verkhovna Rada of Ukraine;
  - → Law of Ukraine on the Status of the People's Deputy of Ukraine;
  - → Law of Ukraine on Committees of the Verkhovna Rada of Ukraine;
  - → Regulations on the Office of the Verkhovna Rada of Ukraine;
  - → Regulations on the Main Scientific and Expert Department of the Verkhovna Rada of Ukraine.

- Analysis and formation of preliminary conclusions.

2. A field study examining findings of the desk studies and gathering information from key actors responsible for security policymaking at the level of the legislature:

   - Sources of information were representatives of respective parliamentary Committees (MPs, Secretary staff), and CSOs dealing with gender issues in the security and defense sector.
   - Methods of collecting information:

     → Survey; → Interviews; and, → Questionnaires.

   - Analysis of the collected information and drafting the report/review.

3. Presentation and discussion of preliminary research results:

   - with representatives of the relevant Committees' Secretariat staff and finalization of preliminary research results;
   - with MPS, CSOs and representatives of the relevant ministry (Ministry of Internal Affairs) to receive final feedback.

ANNEX B

Security and Defense Bodies

Ministry of Defense of Ukraine

Armed Forces of Ukraine

State Special Transport Service of Ukraine

Ministry of Internal Affairs of Ukraine

National Guard of Ukraine

National Police of Ukraine

State Border Guard Service of Ukraine

State Migration Service of Ukraine

The State Emergency Service of Ukraine

Security Service of Ukraine

Department of the State Protection of Ukraine

The State Service of Special Communications and Information Protection of Ukraine

National Security and Defense Council of Ukraine

Intelligence Service of Ukraine

The central body of executive power, which ensures the formation and implementation of state military-industrial policy

Other state bodies and local self-government bodies perform their functions of ensuring national security, in co-operation with bodies that are part of the security and defense sector.

ANNEX C

Overview of the Legislative Process – Verkhovna Rada

Rada, members of parliament (called the "people's deputies") submitted 3307 bills, while the Cabinet of Ministers submitted 460 bills, and the Office of the President submitted 151 bills.[34]

Article 103 of the Law "On the Rules of Procedure of the Verkhovna Rada" states that a draft law included in the agenda of a session must be sent for 1) scientific examination in preparation for the first reading, and 2) legal examination in preparation for all subsequent readings and editing by the Verkhovna Rada. In practice, this means that each bill submitted to the Verkhovna Rada must be examined by the Main Scientific and Expert Department of the Parliament. Experts analyze documents for:

- compliance with the Constitution and international treaties;
- the legal, economic and social feasibility of the law; and,
- in order to outline the consequences of the legislation.

Following analysis by the Main Scientific and Expert Department of the Apparatus of the Verkhovna Rada, a recommendation is issued on whether the bill should be adopted with or without changes - or rejected altogether.

The Verkhovna Rada are responsible for the bulk of legislative drafting, alongside the expert review and analysis of all legislation. During the IX convocation of the Verkhovna Rada, the Main Scientific and Expert Department of the Apparatus of the Verkhovna Rada reviewed, analyzed and provided recommendations on 766 draft laws (the total number of registered law drafts is more than 4000).[35] There is a gap in resources – human and financial – needed to undertake the required and arguably necessary review and analysis of submitted legislation. This gap may reveal limited oversight of security and defense activities and legislation. In particular, analysis is needed to assess the impact to security at individual and societal levels, given that security and defense has a tendency to primarily operate with a state-centered focus.

34 According to the website of the Verkhovna Rada, as of August 10, 2021

35 According to the website of the Verkhovna Rada, as of August 10, 2021

ANNEX D

Responsibilities of the Committees

Committee on National Security, Defense and Intelligence

According to the Resolution of the Verkhovna Rada the Committee is responsible for:[36]

- national security of Ukraine;
- organization and activity of security, intelligence and counterintelligence services, protection of state secrets;
- legal regime of the state border, martial law and state of emergency;
- defense-industrial complex, state system of insurance fund of documentation, military and military-technical co-operation of Ukraine with other states, as well as Ukraine's participation in international peacekeeping operations;
- state policy in the field of defense;
- fight against terrorism;
- exercising civilian, including parliamentary, control over the military organization of the state;
- military service, the Armed Forces of Ukraine, other military formations formed in accordance with the laws of Ukraine, and their reform;
- alternative (non-military) service;
- social and legal protection of servicemen and members of their families;
- military science and education;
- state system of special communication;
- space activities (in terms of issues related to national security and defense); and
- legislation on ensuring the safety of critical infrastructure.

36 https://zakon.rada.gov.ua/laws/show/19-20#Text

Committee on Law Enforcement Activities

According to the Resolution of the Verkhovna Rada the Committee is responsible for:[37]

- formation of the strategy of functioning of the law enforcement system of Ukraine;
- criminal law;
- criminal procedural legislation;
- legislation on administrative offenses;
- organization and activity of the prosecutor's office, the police, the National Guard, the Border Guard Service, the State Bureau of Investigation, and other law enforcement agencies;
- operational and investigative activities;
- organization and activity of pre-trial investigation bodies;
- combating organized crime and international crime, combating cybercrime;
- counteraction to illegal (illegal) migration;
- crime prevention and administrative supervision of persons released from prisons;
- organization of protection of public safety and order;
- security and detective activities;
- circulation of weapons in civilian circulation;
- state protection of participants in criminal proceedings and state protection of judges, law enforcement officers;
- social protection of law enforcement officers and members of their families;
- international co-operation and coordination on law enforcement issues.

37 https://zakon.rada.gov.ua/laws/show/116/95-вр#Text

Committee on Ukraine's Integration into the European Union

The remit of the Committee on Ukraine's Integration into the European Union includes:

- Ukraine's participation in international integration processes related to the activities of the European Union, the European Atomic Energy Community and their Member States;
- adaptation of Ukrainian legislation to the legislation of the European Union - ensuring its compliance with the obligations of Ukraine within the Council of Europe;
- assessment of compliance of draft laws with Ukraine's international legal obligations in the field of European Integration;
- state policy in the field of European Integration;
- ensuring inter-parliamentary relations in the framework of Ukraine's co-operation with the European Union;
- coordination of European Union technical assistance programs to the Verkhovna Rada of Ukraine and special training programs;
- consent to the binding force of international agreements of Ukraine with the European Union and its member states (ratification, accession to an international agreement, adoption of the text of an international agreement), denunciation of these international agreements of Ukraine;
- cross-border and interregional co-operation with the member states of the European Union;
- co-operation with institutions on ensuring the repulse of external aggression against Ukraine, non-military international forms and methods of deterring the aggressor state.

The role of the Committee on Ukraine's Integration into the European Union is extremely important in the legislative process of the Verkhovna Rada, as the Committee analyzes and prepares conclusions on compliance of all bills, without exception, with Ukraine's international legal obligations in the field of European Integration. This includes areas of security and defense sector reform.

ANNEX E

List of Civil Society Organizations

Name	Description
Resource Center «Maybuttya»	Non-Governmental Organization Resource Center «MAIBUTTIA» (Maibuttia) was founded in the April 2014 as a reaction towards the recent developments in Ukraine by a team of psychologists to disseminate information about social and psychological care, including the military servicemen – combatants. It also provides social and psychological adaptation, employment and retraining on new civilian professions for military servicemen released from the Armed Forces of Ukraine and other military formations, created in accordance with the legislation of Ukraine and their families.
Invisible Battalion	Invisible Battalion is a Ukrainian advocacy campaign, a sociological research group, and a civil rights project for gender equality in the Armed Forces of Ukraine. It is a human rights movement of Ukrainian women soldiers against Russian aggression in Donbas. The project is implemented by the Institute of Gender Programs, with the support of the United States Agency for International Development through the USAID Ukraine – USAID Ukraine U-Media project implemented by Internews Network.
«Women's Veteran Movement»	The Women's Veteran Movement is a consolidation of female veterans, created to increase the opportunities for self-realization in the society. It stands for the: • advocacy and protection of the rights of women veterans and active military personnel; and, • promotion of equal rights and opportunities through law-making and advocacy for a professional and prestigious security sector.
Ukrainian Association of Women in Law Enforcement (UAWLE)	The main mission of UAWLE is to promote equal rights and opportunities for women and men in law enforcement agencies of Ukraine. The UAWLE's overall support to its missions is provided by the PTAP Project, financed by the Ministry of Foreign Affairs of Canada (GAC) through the Peace and Stabilization Program (PSOP).

Public Alliance «Women's Political Action»	Representatives of non-governmental organizations united to strengthen and lobby women's participation in politics.
Public Council on Gender Issues	The Public Council on Gender Issues promotes coordination among people's deputies, social activists and international organizations.
Inter-factional Parliamentary Association «Equal Opportunities» in the Verkhovna Rada	The Inter-Factional Deputy Association for the Promotion of Gender Equality «Equal Opportunities» is a voluntary association of people's deputies of Ukraine. It was created to improve the position of women in society, and to intensify public dialogue; ensuring gender equality in various spheres of socio-political life.
NGO «Women of Luhansk Region»	Protection of women's rights and interests. Unity for peace! Help, support, stimulation and development!
Women's Information and Advisory Center	The history of the Women's Information and Counselling Centre began in 1995. The organization was established at the same time as the Authorized Education Programme. Mandated education is an educational process, based on gender equality and non-violence, aimed at creating conditions for self-organizing skills through direct experience.
Ukrainian Women's Fund (UWF)	The UWF provides civil society organizations (CSOs) in Ukraine, Moldova and Belarus with financial, information and consultation support. The mission of the organization is to provide support (including expert advice, capacity building, finance, advocacy, communications, etc.) – and encourage women's NGOs and other CSOs to develop a vibrant and populated women's movement. It aims to ensure gender equality - empowering women in all sectors of life.
Women's Consortium of Ukraine	Key programme areas include: protecting children from violence, strengthening civil society around the rights of the child, and promoting child participation. The WCU efforts to protect children from violence are primarily aimed at schools and other institutions, as well as the introduction of child-friendly interrogation of child victims of sexual abuse (advocacy for legislative changes to introduce child-friendly interrogation mechanisms and special premises for these purposes in Odessa).