

# WRITTEN COMMENTS

of the European Roma Rights Centre and the International Charitable Organization Roma Women Fund “Chiricli” Concerning the Republic of Ukraine

For Consideration by the Committee on the Elimination of All Forms of Discrimination against Women at its 45<sup>th</sup> session.



CHALLENGING DISCRIMINATION PROMOTING EQUALITY

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## OVERVIEW

The European Roma Rights Centre (hereafter “ERRC”) and International Charitable Organization Roma Women Fund “Chiricli” (Chiricli) hereby presents written comments on the situation of Romani women in Ukraine to the United Nations Committee on the Elimination of Discrimination Against Women (the Committee) for consideration in its review of the Republic of Ukraine’s compliance with the Convention on the Elimination of All Forms of Discrimination Against Women (the Convention).

The need for a specific shadow report on the problems experienced by Romani women in Ukraine flows from the total lack of information about the situation of Romani women contained in the State report which covers the period 1999-2006,<sup>1</sup> despite indications that Romani women are one of the most vulnerable groups in the country.

According to the 2001 census in Ukraine, 47,917 persons declared themselves to be Romani.<sup>2</sup> Unofficial sources estimate the number of Roma to be between 200,000 and 300,000 persons;<sup>3</sup> approximately half of them are female. Roma live throughout the country; however, population density varies. The largest concentrations of Roma live in the following regions: Odessa, Poltava, Cherkassy, Donetsk, Dnipropetrovsk, Kharkov, Chernovtsy and Transcarpathia.<sup>4</sup>

This submission is based on ERRC research from 2006<sup>5</sup> on the general situation of Roma in Ukraine and further research conducted jointly by the ERRC and Chiricli between July and October 2009 on the situation of Romani women in Ukraine.<sup>6</sup> The research was carried out in several regions of Ukraine including Odessa, Kiev, Donetsk, Kharkov and Transcarpathia. In total, 240 Romani women of different age groups were interviewed. The research shows that Romani women in Ukraine face serious problems in every field of their social life and within their domestic environment as a result of discrimination on the basis of gender and their membership in a disadvantaged ethnic group, as well as widespread poverty.

The human rights situation of Romani women is aggravated by the fact there is no comprehensive anti-discrimination law in Ukraine via which Romani women can seek to defend their rights and challenge abuses when these occur. This is especially worrying in a light of the fact that Romani women in Ukraine are at times subject to a multiple and/or intersectional discrimination. Although the Constitution and the Criminal Code include certain provisions that condemn the infringement of principles of equality, there is no comprehensive anti-discrimination legislation that effectively bans racial or ethnic discrimination. The absence of adequate provisions in civil or administrative law, or in related regulations, to expressly prohibit non-criminal acts of racial or ethnic discrimination effectively enables and promotes harms of this kind. In practice, there are few or no procedural mechanisms in place for a victim of racial discrimination to lodge an effective complaint.

In September 2005 a new law on equal rights of men and women was adopted in Ukraine (the Gender Equality Law).<sup>7</sup> In 2006, a state programme on gender equality was introduced as a first step to ensure implementation of the principles of the law. There has been an ongoing consultation with NGOs in the development of the law and the programme concerning gender equality however, no Romani women were included or invited to these consultations.<sup>8</sup> A Commission on Gender Discrimination has also been set up. Research for this report revealed that the vast majority of Romani women interviewed are not aware of the law, the programme or the Commission; moreover they are not aware that it is possible to complain about discrimination to the Commission, without reference to the court.

1 Ukrainian Ministry for the Family, Youth and Sports/State Institute for the Development of the Family and Youth. Report on the implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women. 2006. Available online at: <http://www2.ohchr.org/english/bodies/cedaw/cedaws45.htm>.

2 State Statistics Committee of Ukraine, *All-Ukrainian Population Census 2001*: [http://www.ukrcensus.gov.ua/g/d5\\_other.gif](http://www.ukrcensus.gov.ua/g/d5_other.gif).

3 Ukrainian Institute for Social Studies, International Renaissance Foundation. *Analysis of Real Problems and Needs of Roma People in Ukraine*. Kiev, October 2003, p. 7.

4 Muller, Stefan and Chiricli. *Development of a Comprehensive National Plan for Roma in the Ukraine*. Assessment Report for the Council of Europe and the European Commission. November 2008.

5 European Roma Rights Centre. *Proceedings Discontinued: The Inertia of Roma Rights Change in Ukraine*. Budapest, 2006.

6 The ERRC and Chiricli carried out this research with a team of Romani women activists, partner NGOs and volunteers including Oksana Szvets, Valentina Zolotareno, the Roma woman’s NGO “Miriclya,” the Kharkov Roma NGO “Ame Roma” and the Merefa Roma NGO “Chachimo”.

7 See Law 2866-IV from 08/09/2005, as adopted by the Parliament of Ukraine. Available at: [www.rada.gov.ua](http://www.rada.gov.ua).

8 According to information provided by Chiricli; December 2009.

To date, Ukraine has failed to adopt a comprehensive strategy for the inclusion of Roma. Ukraine also does not participate in the Decade of Roma Inclusion, an international initiative to facilitate improvements in the situation of Roma as regards education, employment, housing, health, gender equality and non-discrimination.

This submission intends to highlight the key areas of human rights concern for Romani women in Ukraine as related to the Convention. The ERRC and Chiricli hope that this report will help the Committee to formulate Concluding Comments and Recommendations for the Ukrainian Government to ensure that the rights of Romani women are fully respected.

Research undertaken by the ERRC and Chiricli focused on the following human rights concerns of Romani women in Ukraine:

- Violence, both physical and verbal, which Romani women experience both in wider society where they are discriminated against as “Gypsies” by both state and non-state actors and in their domestic environment as women;
- Education;
- Health care;
- Housing; and
- Employment.

## FREEDOM FROM VIOLENCE

ERRC research in Ukraine over the past 13 years indicates that violence against Romani women in the country is widespread and both outside and within the Romani community. Violence experienced by Romani women is exacerbated by a lack of mutual trust between Romani women and law enforcement authorities, which was evident in the research as numerous instances of harassment by the police were reported. During discussions about violence by law enforcement officials many interviewees were reluctant to speak openly or refrained from answering questions at all due to an apparent fear.

Out of 240 Romani women interviewed during research for this submission, 112 (46%) reported having experienced domestic violence, including both physical and psychological abuse. The State has not responded effectively to either prevent domestic violence, to punish offenders or to provide services to victims.

Within wider Ukrainian society, the majority of Romani women reported having experienced violence in various spheres of life. Some interviewees recalled having experienced abusive, offensive or discriminatory remarks in their homes, when on the markets selling goods, which is the main occupation of Roma in Ukraine, in hospitals and in schools. As one example, a young woman from Yasinovka stated, *“For several years now, I have stood and traded at the local market. All of this time we have had to fight and brawl with non-Romani traders. They think that all Roma are illiterate and unaware of their rights and therefore they pick on me.”*<sup>9</sup>

Acts of violence perpetrated by non-Roma against Romani women in Ukraine can reach particularly extreme levels and can target individuals over long periods of time. According to ERRC research, over the period of a year from January 2004 until January 2005, Ms O. Stefanko’s family was the subject of systemic attacks of violence by non-Romani inhabitants of the village of Komjaty in the Zakarpatia region. The culmination of events occurred on 2 January 2005 when at about 12:00 PM six persons broke down her gate while verbally assaulting and threatening to kill Ms Stefanko and her children. The attackers also threatened to rape the females of the family. A shot was fired but no one was injured. The next day Ms Stefanko reported the attack to the Vynogradiv police. Two days later on 5 January, the family was informed that the police refused to begin a criminal investigation. With financial assistance from the ERRC, a Ukrainian lawyer was appointed to represent Ms Stefanko in action against police treatment of the family as well as the police’s failure to initiate criminal proceedings.<sup>10</sup>

<sup>9</sup> ERRC/Chiricli interview with a 37-year-old Romani woman. Yasinovka, Donetsk region.

<sup>10</sup> European Roma Rights Centre. *Proceedings Discontinued: The Inertia of Roma Rights Change in Ukraine*. Budapest, 2006, p.56.

Of those who experienced violence, only 4 women (3.6%) from Kiev and the Kiev region stated that they turned to the police to report violent incidents.

ERRC documentation over the years indicates a widespread practice by Ukrainian police officers of extorting money from and otherwise abusing Romani women and men.<sup>11</sup> Discriminatory remarks by police officials about Romani women have also been disseminated in the media, setting the tone for police interactions with this group. For example, on 13 April 2006, the newspaper *Dosie 02*, published by the Ministry of Interior, included an article quoting a police officer from the Reshitilovsky district police department, as having stated:

*“Gypsies often visit houses under different pretences: to buy nuts, to drink water, swaddle the baby, fortune-telling, selling, money changing, etc. Most often, they obtain the money by fortune-telling [...] and there was one occasion last year, where the circumstances warranted an opening of criminal investigation. In that particular case, Gypsies robbed the family of 6 thousands hryvnas and 700 dollars. They entered the house allegedly to swaddle their baby. While one old Gypsy woman fussed about the child, another one entered the house and took away all the money...Gypsies look out for their victims by speaking to the neighbors of a prospective victim. As soon as they find pensioners living alone, they immediately do their “black” deal. Therefore, we are warning the population of a region: when Gypsies appear in a village, you should necessarily call the district department of police. In response to your appeal the investigative group or local policemen will get there immediately. They will take specified persons to custody, bring them to the district department, take their photos and finger-prints, will write their passport data and will place this information into records.”<sup>12</sup>*

Discriminatory attitudes towards and the mistreatment of Romani women and men by police makes it unlikely that the same police officers would respond effectively to complaints of violence by Romani women.

In some instances, police do appear to respond to domestic violence against Romani women, though the adequacy of the response is questionable: *“I turned to the police several times over the nightmarish behavior of my father, who battered my mother and their children repeatedly. [...] The police would come and take my father away, jail him for the maximum of 15 days and that would be it before a new incident. Whenever the policemen did not want to waste their time to solve these problems, they just did not respond to the call; they were confident that no one would complain against them.”<sup>13</sup>*

The high proportion of men working in law enforcement gives rise to gendered responses to domestic violence against women, including Romani women. The distinction between ethnic discrimination and gender discrimination in this area can be quite blurred for Romani women, while clear evidence of multiple discrimination is difficult to ascertain in individual cases. One interviewee noted: *“The neighbors called the police when I was beaten by my husband but the reaction of the police was not very active. We live in a small town where everyone knows each other and often the police officials are good friends with our husbands or their classmates. They do not want to interfere in the problems of Romani families because they believe that the people themselves will settle the affairs [...]. It is not accepted with us to turn to the police, it’s a shame, you can not do so, we do not trust the police officers.”<sup>14</sup>*

Considering all responses to questions about domestic violence and the state response to such by the Romani women interviewed for this submission, the ERRC/Chiricli researcher from the Kiev region summarised her research findings in this area as follows: *“Only a couple women turned to the police. Some women said that their neighbours turned to the police. The reaction of the police is practically identical in all cases: They tend not to interfere and they advise the involved parties to deal with their families themselves. In reality they do not want to interfere in the relations of Romani families because that would create unnecessary trouble for the police.”<sup>15</sup>*

Most Romani women have little to no trust in the ability of the police to protect them. The ERRC/Chiricli researcher from the Kiev region observed: *“How can you seek help from the police if in the daylight any Romani person can be unceremoniously stopped in the street, asked for papers, taken to the police station without any explanation, insulted, treated rudely and, in the worst case, accused of crimes that they have not committed.”<sup>16</sup>*

11 European Roma Rights Centre. *Proceedings Discontinued: The Inertia of Roma Rights Change in Ukraine*. Budapest, 2006, p. 58.

12 Shebalina, Ekaterina. “After Presenting Themselves as Employees of a Pension Fund, the Criminals Took Away Three Thousand Hryvnas from the Elderly.” *Dosie 02*.

13 ERRC Chiricli interview with Ms Elena S., a Romani woman from Kiev.

14 ERRC/Chiricli interview with Ms Tamara K., a Romani woman from Kiev.

15 Observations of Ms V.Z., ERRC/Chiricli researcher in the Kiev region.

16 Observations of Ms V.Z., ERRC/Chiricli researcher in the Kiev region.

None of the women surveyed knew about available services for the protection of violence victims, such as shelters and hotlines. As one interviewee stated, *“I have never turned anywhere for help and the only thing in my power was to leave my husband and to go live with my mother. Yet after some time the circumstances were such that I returned to my husband.”*<sup>17</sup>

The majority of interviewees said that they rarely seek medical care after violent attacks occur within the home. On the one hand they are ashamed that the perpetrator is the family member. On the other hand, Romani women interviewed noted that it often happens that doctors refuse to provide medical assistance once they learn that the victim is Romani and state that they do not want to interfere. At the same time the interviewees acknowledged that there has been some level of positive change with respect to medical care and medical assistance, with several women indicating their satisfaction with the way they are treated in hospitals and other medical facilities.

Many of the Romani women interviewed expressed their desire to be able to come forward and seek help, including psychological assistance, within special networks in support of victims of domestic violence. Most of the women expressed the need for the establishment of special support centres and the dissemination of information among Romani women.

## ACCESS TO EDUCATION

Access to education was among the most serious human rights issues for Romani women in Ukraine, if not the most important.

Of the 240 Romani women interviewed in this study, 15 never attended school and 45 respondents did not graduate from primary school.

Of 70 Romani women interviewed in Sverdlovsk, Poroshkovo, Kharkov, Meref, Donetsk, Mariupol, Kiev, Odessa and Makeyevka only 11 (15.7%) had completed 10 grades in school. Most Romani girls finish education between grades 5 and 8. Research conducted in Lugansk, Sverdlovsk and the Kharkov region showed that 7 out of 40 Romani women completed grade 8, while only 2 out of the 40 completed grade 10.

Among the 240 respondents, only three had graduated from a vocational school, one woman had graduated from a teacher's training college and had been employed for four years as a primary school teacher and two women had graduated from university: this indicates a 2.5% completion rate of higher education among the research sample. By way of comparison, the State report notes that according to the latest census data, “128 women out of every 1,000 [...] were in higher education” – or 12.8%.<sup>18</sup> Romani women are therefore less likely than the average Ukrainian woman to reach higher levels of education.

There are a number of barriers which block the access of Romani girls and women to education. According to the interviews, barriers to education are rooted in poverty, in patriarchal traditions within the Romani community that result in lower expectations on Romani girls to complete education and in discrimination on the basis of ethnicity that in numerous instances has resulted in the school segregation of Romani children in Ukraine.

Many Romani families take girl children out of school due to poverty; there is an expectation in many Romani families that girls more than boys should bear responsibility for helping out at home, which has a negative impact on school completion rates. Many Romani girls from impoverished families stay home from school to look after younger siblings while their parents are out working or themselves participate in income-earning activities. Women interviewed during ERRC/Chiricli research stated of their own experience as children:

*“I have almost no education because as soon as I started the school my parents took me out so that I would help them with the household chores.”*<sup>19</sup>

17 ERRC/Chiricli interview with Ms T.P., a 33-year-old Romani woman. Poroshkovo, Transcarpathia region.

18 Ukrainian Ministry for the Family, Youth and Sports/State Institute for the Development of the Family and Youth. Report on the implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women. 2006. Available online at: <http://www2.ohchr.org/english/bodies/cedaw/cedaws45.htm>, p. 52.

19 ERRC/Chiricli interview with Ms Marina K., a 46-year-old Romani woman. Poroshkovo, Transcarpathia region.

*"I graduated from grade 4 at a Hungarian school. I could not go to school because my mother had six children, and while she was begging I looked after the other children."<sup>20</sup>*

*"My mother took me out of school because it was necessary to look after my brothers and sisters. We were five people in the family. Mama said that a Romani girl should be able to serve tea, welcome visitors, to clean and do the laundry."<sup>21</sup>*

Some of the Romani women interviewed stated that they would like their children go to school but that they cannot because they do not have adequate clothing to wear. Interviews conducted for this submission confirm the continued exclusion of Romani children from school as a result of poverty in Ukraine:

*"I did not go to school for the simple reason that I was forced to earn my living. My children now, too, do not go to school because they do not have shoes and dress."<sup>22</sup>*

Other times, the exclusion of Romani girls from school in Ukraine is the result of the practice of early marriage among some Romani families. An unpublished report by a Romani volunteer after working a year from September 2004 to August 2005 in Mukacheve, a town in southwestern Ukraine, noted that in the local predominantly Romani primary school, the number of female Romani students suddenly dropped after the 5th grade, when Romani boys and girls are between 12 and 13 years old. In the previous years, the percentage of Romani girls among all Romani pupils was over 50%, but in the 5th year it was only 20-25%. General monitoring of the situation of Romani women in Ukraine by Chiricli indicates that this practice continues today.

Romani women reported that other times children refuse to go to school because they face offensive and discriminatory remarks by classmates, which are generally tolerated by the teachers, even when reported by Romani parents:

*"My kids go to a Ukrainian school. The girl is in the 7th grade and the boy is in the 5th grade. They are treated in a bad manner. The other children hurt and beat them; the teachers do not pay enough attention. The children shout, "Dirty Gypsies!" The teachers rarely ask my children. There are times that my children come home from school and cry, 'Mummy, why are we hurt?' I reply: 'Roma have always been mistreated. You have to endure because you are Roma.' We have not addressed the school administration on this issue - there would be no positive outcome. Bad attitudes cannot be changed."<sup>23</sup>*

*"I was subjected to physical violence at school but not by the teachers. It was the Ukrainian children with whom I studied. The children beat me and called me names. My parents complained to the principal. The principal summoned the parents of these children but the measures taken have not helped and the children continued to mock me."<sup>24</sup>*

*In Odessa, a 14-year-old Romani girl testified: "People from school only say rude words to me and remind me about my origin; that I am Gypsy and that no Gypsy ever studied normally at school. Then I did not want to go to school."<sup>25</sup>*

Language poses another reason why education can become problematic for Romani children. Families from Western and Southern Ukraine mostly speak the Romani language at home and when they go to school they are face language difficulties. *"There were problems with the language; at home we spoke Romanes only; it was hard to understand the material at school. It was the same with all of my relatives."<sup>26</sup>* These difficulties are as a whole not addressed by teachers and school officials:

Educational segregation of Romani children also exists in Ukraine, and can take place in several forms. According to some research, Roma and non-Roma may study in the same schools but it often happens that

20 ERRRC/Chiricli interview with Ms Sveltana N., a 43-year-old Romani woman. Holmok, Transcarpathia region.

21 ERRRC/Chiricli interview with Ms N. Turkoman, a 38-year-old Romani woman. Makeyevka, Donetsk region.

22 ERRRC/Chiricli interview Ms Julia K., a 49-year-old Romani woman. Poroshkovo, Transcarpathia region.

23 ERRRC/Chiricli interview with Ms Mariana K. a 33-year-old Romani woman. Poroshkovo, Transcarpathia region.

24 ERRRC/Chiricli interview with Ms Maria K., a 25-year-old Romani woman. Poroshkovo, Transcarpathia region.

25 ERRRC/Chiricli interview with a 14-year-old Romani girl. Odessa, Odessa region.

26 ERRRC/Chiricli interview with N., a 49-year-old Romani woman. Donetsk, Donetsk region.

non-Romani children sit in separate classrooms, or if Romani and non-Romani children are placed in the same classroom Romani children are be located separately within the classroom.

*“I went to a Ukrainian school. Roma also studied there; we had lessons together with the Ukrainians but the Romani children sat in the classroom separately.”<sup>27</sup>*

*“I studied at “Roma school N13” in Radvanka; only Romani children studied there.”<sup>28</sup>*

## ACCESS TO EMPLOYMENT

The prospects of Romani women to secure gainful employment are dire. In addition to the barriers to employment resulting from ethnic discrimination, employers also discriminate against Romani women on the basis of their gender.

In 2005, Human Rights Watch reported that gender discrimination in the Ukrainian workforce, in both the public and private sectors, is widespread, with most women forced into lower paying jobs if any at all. Fully 80% of Ukraine’s unemployed population is female.<sup>29</sup> In its 2006 report to the CEDAW Committee, the Ukrainian government reported that women account for 70% of all unemployed persons in the country.<sup>30</sup>

Of the 240 respondents in research for this submission:

- 70 women were unemployed (29.1%);
- 24 were formally employed (with contract; 10%);
- 16 were informally employed (no contract; 6.7%); and
- 130 worked informally on the market selling goods or begging, or worked in the home (54.2%).

Among the women interviewed for this submission, therefore, 83.3% of women are out of work. Romani women are therefore disproportionately out of employment compared to general figures available from the government for all women in the country. Different sources of discrimination may contribute to this.

Romani women face direct discrimination when seeking employment by officials who are responsible for assisting them to enter the labour market.

*“At the employment bureau, I was registered for a couple of days and then I was removed from the register. I do not know why and when I asked the workers treated me poorly; they insulted me because they saw that I am a Romani woman. They told me: ‘look, you Gypsy who came here to find a job. Go away, you don’t need a job. Leave our place.’”<sup>31</sup>*

*“I was treated badly at the employment bureau. They shouted, “You, the Gypsies, do not want to work!”<sup>32</sup>*

Romani women also face direct discrimination by employers and are often not even given the chance to apply for available jobs.

*“Even if job openings have been announced, they [employers] would say “No” upon seeing me. They never spoke openly about nationality but it was a reason also.”<sup>33</sup>* Indeed, one of the ERRC/Chiricli

27 ERRC/Chiricli interview with Ms Nora L. a 38-year-old Romani woman. Poroshkovo, Transcarpathia region.

28 ERRC/Chiricli interview with Ms Nadezda L., a 23-year-old Romani woman. Uzghorod, Transcarpathia region.

29 Human Rights Watch. *World Report 2005*. Available at: <http://www.hrw.org/legacy/english/docs/2005/01/13/ukrain9884.htm>.

30 Ukrainian Ministry for the Family, Youth and Sports/State Institute for the Development of the Family and Youth. Report on the implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women. 2006. Available online at: <http://www2.ohchr.org/english/bodies/cedaw/cedaws45.htm>, p. 59.

31 ERRC/Chiricli interview with Ms Sveltana F., a 28-year-old Romani woman. Poroshkovo, Transcarpathia region.

32 ERRC/Chiricli interview with Ms Mariana K., a 33-year-old Romani woman. Poroshkovo, Transcarpathia region.

33 ERRC/Chiricli interview with Ms B., a 21-year-old Romani woman. Kiev, Kiev region.

researchers accompanied Ms B. to the employment bureau where the staff members were helpful but once Ms B. left the staff member said that such an obvious Roma appearance would prevent her from getting a job.<sup>34</sup>

*“I graduated from the Faculty of Psychology at the University in Kiev. I was one of the best students at the University and thought I would find a job without problems. In October 2009, I saw information about job vacancy at the centre for women. I have called and told about my skills and the diploma I have. The head of the centre told me that I should come and work there, as they need people like me. She told me ‘do not go to any other places, come to us.’ I followed her advice and didn’t call to any other places. The next day I went to meet with the woman but when her assistant saw me and understood that I am Romani, she told me that the head is not at the office and that they don’t have any vacancies. Sometime later I went to the polyclinic, I had my CV and wanted to ask if they had any vacancies. As soon as the doctor saw me she didn’t want to talk to me, she was aggressive and insulted me by treating me in this way. It was obvious that she understood that I am Romani. I wanted to give her my CV, but she didn’t want to take it.”<sup>35</sup>*

## ACCESS TO HEALTH CARE

Extreme poverty, inadequate housing and the disadvantaged position of Romani women make their health situation significantly worse than that of the other female populations in Ukraine, or that of Romani men. Many of the healthcare concerns of Roma in Ukraine are directly linked to the extreme poverty in which the majority live.

Interviews with public health officials across Ukraine in a study by the Ukrainian Institute for Social Studies on the current problems of Roma in the country revealed that the general health level of Roma residents in high-density “compact living” communities was poor, mostly a result of widespread poverty, inadequate nutrition, poor hygiene and substandard housing. Only 50% of the Romani respondents of the nationwide study said that they had sufficient daily meals, 31% reported that they did not have enough food several times a month and 15% said they had no food at least one day a week. In some locations, the figures vary. Paradoxically, in some urban areas where the average income levels of Roma are higher than in rural areas, more people experience regular hunger and starvation. In Uzghorod, for example, according to one estimate, around 70% of the Romani population face regular malnutrition. The study also showed that many Roma run serious risks of intestinal infections from unclean water. According to the study, only 32% of respondents said that they had water connections to their homes, and nearly 20% used surface water for cooking and drinking.<sup>36</sup>

There appears to be little to no visible improvement in the ensuing period in this regard: All Romani women interviewed for this submission testified as to the poor housing conditions in which they live.

*“Housing conditions greatly affect our health. The house is wet and cold; there is a cement floor in the house. The heating has been turned off. We have no funds to install individual heating so we will again be cold in winter.”<sup>37</sup>*

*“The conditions of the house are very bad. Our basic needs are not met. Children have nowhere to sleep; there are no beds for them. We live in poverty and we do not have any money for food or firewood. [...] We have almost no food in our house now.”<sup>38</sup>*

The impact of these conditions on the health situation of Romani women can be acute. Separate attention should be paid to the high rate of tuberculosis among the Ukrainian Romani population. According to a recent assessment on the need for Romani health mediators in Ukraine, medical experts have noted that the number of adult Roma suffering from tuberculosis ranges between 10% (for wealthier communities) to 30-40% (among

34 Observations of the ERRC/Chiricli researcher. Kiev, Kiev region.

35 ERRC/Chiricli interview with a 25-year-old Romani woman. Kiev, Kiev region.

36 Ukrainian Institute for Social Studies, International Renaissance Foundation. *Analysis of Real Problems and Needs of Roma People in Ukraine*. Kiev, October 2003, p. 13.

37 ERRC/Chiricli interview with Ms Lubov B., 50-year-old Romani woman. Sverdlovsk, Lugansk region.

38 ERRC/Chiricli interview with Ms Julia K., a 49-year-old Romani woman. Poroshkovo, Transcarpathia region.

**Access to adequate housing** is one of the biggest human rights concerns for most of Romani women in Ukraine. All Romani women interviewed for this submission testified as to the poor housing conditions in which they live. Many Romani women live in houses without gas, water supply, electricity, heating, etc. Many houses have no proper roof or windows, the walls often leak. Such substandard housing has a tremendously negative effect on the health status of Romani women. It often happens that several families live together in one small room without any possibility to move into separate houses. Many Roma do not have proper registration documents for their property and face constant fear of being eviction and living on the street with small children. Public services or improvements such as road construction or basic renovations are thoroughly absent. Many Roma testified to the ERRC and Chiricli that local authorities continuously refuse to provide proper documentation or permission for eligible Romani families to legalise their current homes or build improvements. The Ukrainian government has no programmes that address the uniquely problematic housing concern of Roma that arise directly from their stigmatisation by non-Roma.

the poorer communities). Medical experts note that there are twice or three times as many Roma suffering from tuberculosis than is affirmed by official statistical data. In this assessment, the respondents specified that their poor health position resulted from several reasons: “the pension is not big enough to buy food, clothes and other basics,” “Roma are so poor that they do not have enough money even to buy medication,” “We cannot afford to pay for education of their children and grandchildren,” and “Our living conditions are bad”.<sup>39</sup>

Difficulties in access to health care arise from a number of factors, one reason being the absence of medical registration cards or insurance. For example, out of 30 Romani women in Odessa interviewed for this submission only six (20%) had medical insurance and medical registration cards. At the same time, the women interviewed did not know of any measures by the responsible public authorities to facilitate the provision of medical registration cards to enable them able to access health care.

Discrimination against Roma by medical professionals also affects the access of Romani women to adequate health care. A high number Romani women interviewed for this submission said that they faced discrimination, inhuman and degrading treatment by doctors and other hospital staff, which in some cases culminated in denial of a health care treatment. For example, one interviewee recalled that in 2007 her 2-year-old son had pneumonia but was turned away from the local hospital because the doctor did not accept ‘Gypsies’.<sup>40</sup>

Romani women in the Odessa region in particular noted discriminatory treatment in access to medical services. All 30 women interviewed in the region noted that doctors treat Romani women differently than non-Roma, that doctors are afraid to visit Romani settlements and that they often hear derogatory remarks about Roma in hospitals. As one Romani woman stated: “Every time I go to the hospital, the doctors insult me. They tell me that I am Gypsy and that Gypsies are dirty and criminals.”<sup>41</sup>

All Romani respondents during a July 2006 ERRC field mission in the Dnipropetrovsk region stated that they had negative experiences with health care institutions. Thirty percent of persons interviewed said they did not receive qualified medical assistance including free choice of a doctor and health care institution. This, in particular, according to the respondents, manifested itself in the form of “improper and disrespectful attitudes on the part of doctors”, “medical staff extorting bribes”, “refusals to provide medication for free” and “low proficiency of the doctors”.<sup>42</sup> While some of these problems may be faced by the non-Roma population, evidence suggests that the problems are exacerbated for Roma.

During research for this submission in 2009, many Romani women stated that doctors refuse to provide any kind of medical assistance until being paid for the service. The interviews also revealed that discrimination occurs in the level of payment required of Roma and that Romani women are particularly vulnerable to discrimination and bribery during pregnancy.

39 Chiricli. *Declaration on the need of Romani health mediators in Ukraine*. November 2008.

40 ERRC/Chiricli interview with Ms K., a young Romani woman. Pavlograd, Donetsk region.

41 ERRC/Chiricli interview with Ms Sveltana N. Odessa, Odessa region.

42 European Roma Rights Centre. *Proceedings Discontinued: The Inertia of Roma Rights Change in Ukraine*. Budapest, 2006, p.76.

*“At the hospital there is a good attitude towards you when you give money to doctors. If you do not give money they can put all Roma in one room - both the dirty and the clean (those who live a normal life). If you give them money they will place you in a ward with the Ukrainians.”<sup>43</sup>*

*“The difference in treatment is significant. We went to a hospital when my daughter was giving birth to her child. We were told that we had to pay the doctor 500 USD or look for another hospital. After talking with other people who were not Romani, I found out that we were told an amount twice as high as the other people. But I did not have any other choice. I borrowed this money and paid because the health of my children is more valuable for me.”<sup>44</sup>*

In one extreme case, in February 2005 Ms T.M., a pregnant Romani woman was nearly killed by the negligent medical intervention of a gynaecologist in Chop, Zakarpatia region. On February 1, the woman went to hospital for a check-up, after feeling ill. After examining her, the gynaecologist told her that she was in fact pregnant and advised her to have an abortion and have no more children in the future, saying that “you Gypsies should not multiply like cockroaches.” As the woman was only in the second term of the pregnancy, the doctor decided there was no need to perform the abortion in a proper surgical environment. Instead, the doctor immediately began the surgery in the same out patient ward that the examination took place in. The doctor concerned apparently undertook none of the required preliminary medical tests before commencing and continued the operation even when the woman began to complain of a sharp pain and pleaded with her to stop. It was only when she began to bleed profusely that the gynaecologist sent her to the local hospital where three doctors struggled for three hours in surgery to save her life. Once her condition stabilised, the gynaecologist offered her family money (the Hryvna equivalent of less than 10 EUR) so that they would not lodge a complaint.<sup>45</sup>

Worryingly, even emergency services were inaccessible for many of the Romani women interviewed. Ambulances often do not go to Romani neighbourhoods: As soon as they learn that the call for assistance is from Romani neighbourhood ambulance operators simply hang up the phone: *“The ambulance does not come to our area.”<sup>46</sup>*

## RECOMMENDATIONS

The ERRC and Chiricli urge the Committee to recommend to the Ukrainian government the following measures as necessary to be implemented in the shortest time possible in order to redress the worrying situation of Romani woman in Ukraine:

- Without delay, adopt and proactively implement a comprehensive anti-discrimination law providing protection against discrimination on the basis of both ethnicity, gender and multiple discrimination, with a special emphasis on mechanisms to ensure an effective remedy in cases of discrimination against Romani women;
- Victims of alleged violations should be encouraged to bring complaints against their perpetrators. Information should be disseminated on how to bring complaints and should be always available to the public;
- At the highest levels, speak out against discrimination against Romani women and make it clear that racism will not be tolerated;
- Join the Decade of Roma Inclusion and adopt and implement the requisite action plans in the areas of health, employment, education, housing, gender equality and non-discrimination;
- Collect, disseminate and use for effective policy development purposes, data disaggregated by ethnicity and gender in all areas relevant to the human rights situation of Romani women;
- Sanction police officers for abusing or failing to protect Romani women from all forms of violence, and train them to respond to the needs of this group in a manner which respects human rights and procedural norms;

43 ERRC/Chiricli interview with Ms Mariana K., a 33-year-old Romani woman. Poroshkovo, Transcarpathia region.

44 ERRC/Chiricli interview with Ms Anna S., a 46-year-old Romani woman. Kiev, Kiev region.

45 European Roma Rights Centre. *Proceedings Discontinued: The Inertia of Roma Rights Change in Ukraine*. Budapest, 2006, p.77.

46 ERRC/Chiricli interview a 20-year-old Romani woman. Odessa, Odessa region.

- Establish an effective mechanism for redressing instances of domestic violence and make it known to Romani women;
- Introduce and adequately support financially measures to end all discriminatory practices against Romani children and in particular Romani girls with the special focus and attention placed on access to pre- and elementary school levels on equal grounds;
- Encourage cooperation among teachers, authorities and parents to promote the continued education of Romani girls. Romani teachers should be employed both in mainstream schools and in schools with significant number of Romani children;
- Integrate Romani children in mainstream schools, and phase out all segregated schools;
- Improve work opportunities for Romani women by adopting vocational programmes, actively condemning and punishing every instance of employment related discrimination against Romani women;
- Introduce necessary measures to provide Romani women with equal opportunities to enjoy access to health care on a non-discriminatory and basis; and
- Take urgent action to improve the housing conditions of Romani women as a measure that will have significant positive impacts on other rights areas including health, education and employment.