



UKRAINE

ANALYSIS OF THE SITUATION

A. General situation

Ukraine, is an independent country following the dissolution of the Soviet Union in 1991, with a total population of 42.6 million inhabitants in 2016, of which 7 million (18%) were under the age of 18.¹ In March 2014 the Crimean peninsula was de facto annexed to the Russian Federation and in April 2014 pro-Russian military groups took control of the regions of Donetsk and Lougansk demanding their exit from Ukrainian territory. The escalation of the conflict is restrained by the Minsk Accord but the situation is far from stable. According to the Ombudsman for children, 20% of Ukrainian children have been affected by the armed conflict.²

The economic growth that marked the early 2000s was followed by a recession. In addition, public resources have been allocated to resolving the conflict and providing support for displaced populations. Since 2014 and the beginning of the military conflict with Russia, 235 6000 children have been internally displaced.³ Despite major loans from the IMF, a part of which provided in 2014 were destined to reform social support for the population and the care of children deprived of parental care, the Ukrainian economy is still far from being stable. According to the Ombudsman for Children, 30% of Ukrainian children live below the poverty line.⁴

In terms of children's rights in surrogacy arrangements, Ukraine allows for commercial surrogacy arrangements (Arts 123 and 139 of the Family Code and Law N°1007-14 of 9.06.1999). Article 123 allows for intending parents to be registered as legal parents at birth. It does not appear that the details of gametes, nor of the surrogate mother are required to be preserved, for future access if need be. In addition, it does not seem that there is any oversight of the intermediaries acting in surrogacy cases or of the different arrangements, which can lead to sale of children according to article 2a OPSC as well as other harmful practices.⁵ For example in one recorded case, intending parents changed their minds as the child was born with a disability. This child is now being cared for in a residential care facility without any support from the intending parents. Furthermore as a result of COVID-19 many children are "stranded" without proper family based care.⁶ It is of concern that there is massive pressure on Ukrainian authorities to allow for intending parents to have legal parentage and parental responsibility of these children without proper safeguards in place, such as ensuring that

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¹ Ombudsperson for Children with The President of Ukraine, Building a Better Future for Children in Ukraine, Deinstitutionalization Reform, 2017.

² Idem Ombudsperson.

³ <http://www.openingdoors.eu/wp-content/uploads/2018/02/country-fiche-Ukraine-2017.pdf>

⁴ Ombudsperson for Children with The President of Ukraine, Building a Better Future for Children in Ukraine, Deinstitutionalization Reform, 2017.

⁵ <https://www.abc.net.au/news/2019-08-20/ukraines-commercial-surrogacy-industry-leaves-disaster/11417388> and <https://www.abc.net.au/news/2019-08-21/australian-parents-warn-about-ukraine-surrogacy-lotus/11426396>

⁶ https://rmx.news/article/commentary/video-over-500-surrogate-babies-left-in-limbo-in-ukraine-after-parents-barred-from-entering-country-over-coronavirus?fbclid=IwAR2zauKGy1xwo47w8in7L_TzoKSih7M_0Cbu4pte5qdNZ1ymHy4KfhcFOps



records are preserved and that illicit practices such as sale have not occurred. Reforms of the surrogacy laws have been in the pipeline for many years and it is important that any changes prioritise the best interests of children from these arrangements.

B. Children deprived of their family and alternative care options

The Government of Ukraine continues to recognize the need to strengthen the national child protection and child care system. In part, such aims are reflected in the National Strategy on Reform of Institutional Care System for 2017-2026 and subsequent Action Plans. The Ministry of Social Policy (MSP) leads the reforms. However, a review of progress in Ukraine suggests a fragmented approach has resulted in failure to achieve the objectives of numerous strategic plans aimed at improving 'gatekeeping', the development of suitable alternative care options, and deinstitutionalisation.

Legal and policy framework

The Family Code of Ukraine (2002) includes provision for the delivery of child protection and care. It includes protections of children from abuse and neglect and prioritisation of raising a child in a family environment. It provides for State protection for children without parental care and stipulates conditions for State support. Within the Code, courts are held responsible for determining termination of parental rights and custody of a child. All decisions must reflect the child's views and should be in their best interest. The 2001 Law on Protection of Childhood (and subsequent amendments) also contains specific provision for children without parental care as well as the Poverty Reduction Strategy, CMU resolution #161-p, dated 16.03.2016. The Law also calls upon the State to act in loco parentis when parents are unable to provide care for their children, or have been deprived of parental rights. Local authorities are to provide child welfare programmes to assist children through guardianship, family-based and residential care.

Yet it is of concern that laws provide for institutionalisation of children including special institutions for children with disabilities. The Family Code specifically allows for a child to be placed in residential care solely on the basis of his or her disability - in contradiction to 2005 Law on Ensuring Organizational and Legal Conditions for Protection of Children without Parental Care, and amendments in 2016, giving the child a right to live in a family setting.

One of the main challenges in Ukraine is the plethora of laws, policies and strategic plans, as well as several amendments. Such changes were proposed by different governments with different views resulting in contradictions, lack of clarity, duplication in terms of roles and responsibilities as well as a deficit of detailed guidance, tools and mechanisms, that would assist with effective implementation as discussed below.

Coordination and oversight

The MSP is responsible for instituting labor relations, support of family and children, immigration and trafficking, women's rights, children's rights, and humanitarian aid (see Law n°3381-VI from 19 May 2011 amending the Ukrainian Family Code (2002)). The MSP administers the:

- Department on Adoption and Protection of the Rights of the Child responsible for adoption, foster care and family type home.
- Department on State Social Services for Family, Children and Youth responsible for support and preventive services, shelters for children and rehabilitation and social adaptation institutions for temporary accommodation.
- Directorate of Social Services and Integration responsible for strategic planning and policy making in child protection and social services fields.

The Ministry of Education and Science and the Ministry of Health are also primary providers not only for the delivery of health and education service, most essential in prevention of family separation, but also the vast majority of children's residential institutions.

Stakeholders from these three different ministries, in addition to the work of other Ministries, child protection bodies, and guardianship authorities, intervene therefore at national, regional (oblast municipal (rada) and local (raion) level. Due to the current national process of decentralisation, the country will now establish new unitary geographical configurations at local level. The two principle government bodies responsible for delivery of child protection and alternative care provision are the Service for Children's Affairs (SFC) administered by the Department for State Social Services and Centres of Social Services for Family, Children and Youth (CSSFCY).



Human resources – social workers and child protection professionals

In 2012, a total of 12,000 social workers had been employed across Ukraine with central government funding. However, in early 2014, a UNICEF statement⁷ warned that government funding of these posts was threatened and later this funding was indeed withdrawn. Only a small number of social workers (less than 1000) were retained under local budgets.⁸ It now seems that in practice there are challenges in recruiting and retaining a professional and effective workforce.⁹ These challenges included concerns about low salaries, low esteem afforded social work and care provision, as well as the stress of managing very high case loads.¹⁰ These challenges have been exacerbated during COVID-19.

Necessity principle: Gatekeeping, prevention of family separation, and family reunification

Ukrainian 2001 Law on the Protection of the Childhood broadly covers prevention and family support. If a child has been referred to, and assessed by, the authorities due to concerns for the child's protection or wellbeing, their case is referred by Service for Children's Affairs to the local Guardianship and Custody Body for a decision that would confer status of a child as an orphan or a children deprived of parental care. If a recommendation is made by Service for Children's Affairs for removal of parental rights, the case must be referred to the court for the final legal decision of a judge. It seems that as children's hearings are not prioritised, a child can wait for for the court for several months, even years.¹¹ If the judge removes parental rights, the child can receive a 'status' that leads to placement in alternative care from where they can be placed for adoption.

In practice it is of concern that a significant proportion of children are relinquished by families directly into residential institutions. This happens without any administrative body involvement in a formal referral and assessment process that should be undertaken by social workers and other professionals. Hope and Homes for Children¹² indicated that 2015, 38,168 (38.2%) of the 99,915 children placed in residential institutions were there as a result of a direct application by parents or guardians. It is also worrying that abandonment through the baby box scheme is lawful, whilst article 155 of the Family Code (2002), abandonment is 'unlawful'. Furthermore it seems that re-integration efforts are quite limited. According to the 2015 report of Hopes and Homes for Children, 'the institutional care system in Ukraine does not view a child's return to a family environment as one of its priorities. Therefore staff members do not work with parents to return children to their biological families or place them in family-based forms of care.'¹³

Suitability principle: quality alternatives when a child is separated¹⁴

Whilst informal care exists in Ukraine, limited information is available about the extent of and nature of its provision. Formal family-based care in Ukraine is provided in several different forms of alternative care settings including:

- Foster care - a non-relative carer can care for up to four children
- Patronage care' introduced in 2017 as short term foster care for a legal maximum period of 6 months
- 'Family Type Children's Houses' - a family-like arrangement allowing for care of up to 10 children in a carers' own home or a house that has in part, been built with some financial assistance. The carer might or might not also have children of their own in the household.
- Guardianship (care offered by a member of a child's extended family or, with a non-related carer)

As of 31 December 2019, there were:

- 6,187 children in foster care¹⁵

⁷ UNICEF (2014) Ukraine Humanitarian Situation Report No.5., 28th March 2014.

Available at: http://www.unicef.org/appeals/files/UNICEF_Ukraine_SitRep5_28March2014.pdf

⁸ Information from a local contact

⁹ Oxford Policy Management (2018) Literature Review on the development of the social work and social service workforce in the Europe and Central Asia Region: Technical support to UNICEF Europe and Central Asia Regional Office (ECARO) for a Regional Conference on Social work/Social Service Workforce Strengthening.

¹⁰ ISS/IRC Evaluation mission report of 2020.

¹¹ Information from a local contact.

¹² Hope and Homes for Children (2015) *The Illusion of Protection, An Analytical Report Based on the Findings of a Comprehensive Study of the Child Protection System in Ukraine*. Hope and Homes for Children. p.43.

¹³ Hope and Homes for Children (2015) *The illusion of protection, An analytical report based on the findings of a comprehensive study of the child protection system in Ukraine*. Hope and Homes for Children. p.50.

¹⁴ When rigorous assessment and participatory decision-making processes deem separation from parental care as necessary and in the best interest of the child, a continuum of suitable care options must be available in line with the 'suitability principle' as enshrined in the UN Guidelines. In this manner, a range of quality care options should be in place to respond to the differing needs, circumstances and wishes of children and young people.

¹⁵ Figures received from UNICEF Ukraine in March 2020,



- Approximately 200 children in Patronage care (see 2018 figures below)¹⁶
- 7,869 children in Family Type Children’s Houses¹⁷
- 49,714 children in guardianship

The concept of **foster care** in Ukraine was introduced in the Family Code (2002). Additional legislation has since been developed with a view to promoting foster care in the country including 2016 legislation¹⁸ which allowed for the increase of governmental aid¹⁹ for foster families and institutions caring for children deprived of parental care. Efforts are being made to recruit foster carers in different regions of Ukraine, which is the primarily the responsibility of an Oblast Centre of Social Services for Family, Children and Youth. In 2017, Standing Operating Procedures (SOPs)²⁰ and training for foster carers were developed and approved.²¹

A major challenge is finding foster carers willing to offer care to a child with disabilities and older children. As there are currently not enough foster carers in Ukraine, this leads to a vast differential in the numbers of available family-based placements in comparison to places in institutional settings. This means social and other workers, often have little option but to place a child in an institution. Moreover it seems that in practice, the matching process prioritises the wishes and capacities of the prospective foster families as opposed to starting from those of a particular child.

In 2017 a new form of family-based care denoted as ‘**patronage care**’, was introduced. In the Ukraine Family Code (2002). This form of temporary care for a child in the family of a patronage caregiver during which time, the situation that led to the child’s removal into care should be addressed. Patronage care was developed with a view of offering temporary care ‘for the shortest possible duration’²² with a view to family reunification. In 2018, there were 204 children in patronage care across the whole country.²³ Whilst there is clear investment to develop patronage care, the challenge for Ukrainian authorities will be to ensure its sustainability by providing adequate support to children in foster care, foster care families and the birth families of children, which is currently financed from the State budget.

The Family Code (2002) allows for **Family Type Children’s Houses** (i.e. state section of law). As of 31 December 2019, there were 7,869 children in the care of 1,153 Family Type Homes for Children.²⁴ As the homes can house groups up to ten children, authorities should be careful to ensure that they do not become a type of small scale residential care. It is noted that if children can receive individualised care where the foster parents, are able supported to create an environment of affection and warmth, these settings may be considered family based. Since 2017 Ukraine has a special Budget program for buying/building houses for FTCH by 100% financing from the state budget. During the 2017-2018 years 121 houses were bought for FTCH.²⁵

In Ukraine, **Guardianship** is a formalised process in that it is an arrangement that comes to the attention of an administrative body allowing caregivers to receive financial support. The vast majority of children in guardianship remain in the care of relatives (kin) however, it is also possible for non-related carers. The process of acquiring guardianship status is approved by the Service for Children's Affairs. Guardianship status is conferred on one member of a household. Article 243 of the Family Code (2002) allows for Guardianship to be placed on a child who is under fourteen years of age and Custody for a child between the ages of fourteen and eighteen.

A 2019 UNICEF report²⁶ calls attention to the fact that families are still not receiving assistance that adequately meets financial and other needs of the children they are caring for under guardianship. The report indicates that, coupled

¹⁶ Ministry of Social (2019) Report on the review of expenditures of the state budget in the field of social policy in the area of social protection of children.

¹⁷ Figures received from UNICEF Ukraine in March 2020.

¹⁸ Law of Ukraine No. 936-VIII On Amendments to Certain Legislative Acts Concerning the Strengthening of Social Protection of Children and Support of Families with Children of January 26.01.2016.

¹⁹ In 2020 there was additional increases in state aid.

²⁰ Resolution No. 148 of the Cabinet of Ministers of Ukraine On Some issues of the Implementation of Foster Care over a Child dated 16.03.2017

²¹ Order No. 1349 of the Ministry of Social Policy On Approval of the Foster Care Training Program dated 19.08.2017.

²² UN General Assembly, Guidelines for the Alternative Care of Children: resolution / adopted by the General Assembly, 24 February 2010, A/RES/64/142, available at: <https://www.refworld.org/docid/4c3acd162.html>.

²³ Ministry of Social (2019) Report on the review of expenditures of the state budget in the field of social policy in the area of social protection of children.

²⁴ Ministry of Social Policy (2019) Report on the review of expenditures of the state budget in the field of social policy in the area of social protection of children.

²⁵ Information from local contact.

²⁶ ibid



with lack of follow-up by social workers, limited resources of Services for Children's Affairs and Centres of Social Services for Family, Children and Youth - including understaffing and poor knowledge and weak gatekeeping methodology - as well as lack of cooperation with other service providers, some children under guardianship can be swiftly be relinquished and sent to institutions.

Data published on the Government of Ukraine website²⁷ accessed in March 2020, indicates there are 718 **institutions** in which 102,570 children reside. This includes:

- Ministry of Education: 555 institutions housing 93,506 children
- Ministry of Social Policy: 125 institutions housing 6,230 children
- Ministry of Health: 38 baby homes housing 2,834 children under 4 years old

Of concern is how these figures indicate very little change in the number of children who continue to be placed in institutions. According to a publication by Opening Doors for the Children of Europe, as of September 2017, there were 104,000 children residing in 759 institutions.²⁸ Some of which were accommodating 300-400 children per setting. A further conclusion regarding the ongoing use of institutions drawn in the 2015 report of Hope and Homes for Children, is 'evidence of the artificial 'filling' of residential institutions with children to preserve funding'.²⁹

The **Ministry of Health** manage baby homes and Centres of Medical and Social Rehabilitation for children up to the age of 17 years old. Ministry of Health. According to Government of Ukraine data³⁰, in 2019, a total of 38 baby homes were providing residential settings for 2,834 children under the age of 4 years. Whilst these large scale facilities benefit from multi-disciplinary teams of professionals (medical and educational background), the primary focus of staff is to ensure that the child was "living in a safe environment", instead of finding family based care for children.

The **Ministry of Social Policy** provide accommodation for 6,230 children. Despite the regulation³¹ allowing for a maximum of 35 children, contravening international guidance, in practice it seems that greater numbers are admitted.

As of 2019, there were 555 institutions housing 93,506 children being managed by the **Ministry of Education and Science**, most boarding schools. The great majority of children in these boarding schools have parents and are in these institutions "due to crisis and difficult circumstances in their families, such as poverty, unemployment and alcoholism".³² It is of great concern that on 21 August 2020, the Prime Minister of Ukraine Denys Shmygal introduced an order for amendments to the National Strategy for reforming the institutional care system for 2017-2026 and to the Resolution №586 adopted on 01.06.2020 "On the Procedure for enrolling children for an around-the-clock stay in institutions providing institutional care and upbringing of children". This order would result in boarding schools being excluded from the de-institutionalisation strategy and therefore efforts to find family based care for over 90,000 children would be limited. **Further, some boarding schools were closed with approximately 42, 000 children "returned" to their families as a result of COVID-19.** UNICEF is working with authorities to track the safety of the children.

Children with disabilities

A 2015 report³³ issued by Hope and Homes for Children indicated that at time of reporting, of the 663 institutions in Ukraine 351 were built specifically for children with physical and mental disabilities. This included 218 special boarding schools, 57 education and rehabilitation centres, 26 specialised baby homes and 50 care homes. The findings of this study by Hope and Homes for Children also demonstrates that residential facilities have limited capacity and insufficient staff with appropriate qualifications to ensure the quality delivery of rehabilitation and educational

²⁷ Data sourced from: <https://www.msp.gov.ua/content/deinstitutualizaciya.html> accessed 29th March 2020

²⁸ <https://www.openingdoors.eu/wp-content/uploads/2019/03/country-fiche-Ukraine-2018.pdf>

²⁹ Hope and Homes for Children (2015) *The illusion of protection, An analytical report based on the findings of a comprehensive study of the child protection system in Ukraine*. Hope and Homes for Children.p.39

³⁰ Data sourced from: <https://www.msp.gov.ua/content/deinstitutualizaciya.html> accessed 29th March 2020

³¹ MoSP Order on Social and Psychological Support Centres, #1291/9893 from 24.09.2004

³² Press Release, The Ukrainian Child Rights Network calls on Government of Ukraine to ensure the rights of the child and not to serve the adults' interests, Recent actions by the Government of Ukraine and members of Ukrainian Parliament constitute a threat to the rights of the child and DI reform in Ukraine!, August 2020

³³ Hope and Homes for Children (2015) *The Illusion of Protection, An Analytical Report Based on the Findings of a Comprehensive Study of the Child Protection System in Ukraine*. Hope and Homes Children



services for children with mental and physical disabilities. As a result, even after an extended stay in such institutions, there are no obvious improvements in children's health and academic performance.

Comments of the ISS/IRC

The plethora of different statutory requirements for development and delivery of systems and services does highlight an ongoing commitment of successive political administrations to improve child protection and alternative care. Of concern however, is the quantity of different laws, policies and strategic plans that have been issued which contain contradictions and duplication in terms of roles and responsibilities as well as a deficit of detailed strategic guidance accompanied by gatekeeping tools and mechanisms, that would promote effective implementation. Furthermore, implementation of this legislation and statutory guidance has not yet resulted in the attainment of proposed targets for closure of institutions or, significant increase in the development of suitable alternative care settings. Indeed, legislation continues to permit the use of institutional care.

This complexity in the normative framework may also be a contributing factor regarding a repetitive division of roles and responsibilities across the different services responsible for child welfare, child protection and alternative care, as well as the creation of different pathways into care as a result of different mandates that allow decisions about children and families to be taken by an array of different stakeholders.

The quality of the care and child protection is reliant on adequate numbers of highly skilled staff, effective case management, and multi-sectoral planning and service provision. Although there is mandated use of inter-disciplinary methodology for child protection assessments, there is a noted lack of professional skills and poor inter-sectoral cooperation when gathering information on the situation of children and their families as well as lack of understanding of 'risk thresholds'. In order to fulfil the mandate of an effective national child protection and alternative care system in Ukraine, and, to bring about the necessary reforms, the Government must urgently acquire an in-depth understanding of both the current effectiveness of the workforce as well as future needs in terms of skills, numbers and training required.

Improved care options for children and families and deinstitutionalisation programmes are not possible without the allocation of adequate finances. It has been noted that substantial financial resources are being made available for the continued provision of institutional care with little evidence that adequate resources are available for prevention of family separation, family reunification, and the provision of suitable alternative care placements. In terms of current financial allocation, although there is a general perception that there is lack of money being made available for child protection and alternative care, some funds allocated for such services are being annually returned to central government. This suggests that it is not only the allocation of finances that is a challenge, but the lack of ability of local authorities to implement the reform programmes necessary to achieve deinstitutionalisation and provide more suitable alternative care options even with the monies allocated.

The lack of a national data system containing disaggregated qualitative and quantitative data that will provide evidence, including the exact reasons children are being referred to social services, results in an inability of those working within the national child protection and alternative care system to verify the incidence and prevalence of children requiring protection in Ukraine. This lack of data impacts on the ability of policy makers and service providers to accurately plan and budget for the development and implementation of child protection and care services including actions that contribute to preventing unnecessary family separation.

In terms of implementing the 'necessity principle', although there are examples of promising practice as well as copious national standards, this has not prevented the unnecessary separation of children from parental care. There is a need to provide adequate support services that mitigate the reasons children are removed from parental care in the first instance. Furthermore, gatekeeping mechanisms, including, case management tools are not being systematically and rigorously applied. This includes poor implementation of assessments that allow for well-informed and participatory decision making and lack of ongoing review to assess any changes in the situation of children and their families once a child is in care. Institutions continue to accept children without any due process as laid out in Ukrainian legislation and guidance, and systematic efforts to reunite children with their families are not being undertaken.



With regards the implementation of the ‘suitability principle’, the provision of good quality family-based care in Ukraine is essential in providing a suitable alternative care provision for children for whom this is a necessity. There are examples of promising practice most especially in terms of the standards being developed for patronage care. However, evidence suggests there is a need to strengthen professional capacity that will guarantee high standards related to assessment, recruitment, training and support foster carers, guardians, and children. In line with international treaties and guidance, foster care should only be temporary. There are concerns regarding the poor matching process and, how some forms of foster care have become long term settings with poor monitoring and no efforts to reunify a child with their own family. As a result, there may be hundreds of children in foster care – also known informally as ‘paid adoption’ - who remain in foster care indefinitely.

Ukraine has not been successful in fulfilling reforms that would eliminate the use of institutions. Although there has been ongoing political will to make changes, there is poor implementation of legislation and gatekeeping mechanisms by relevant ministries, including the Ministries of Social Policy, Education and Science, and Health. In addition, although legislation calls for children to have Care Plans and for regular monitoring of children in institutional care, it is evident these laws are not being systematically or rigorously applied. As a result, generations of children are denied their rights and continue to spend their childhood in institutions. As such, Ukraine continues to have one of the highest numbers of children separated from their families in Central and Eastern Europe. UNICEF Ukraine (sourced from the Ministry of Social Policy in 2018), indicated a total of 105,783 children (1.4% of the total child population of Ukraine) living in 751 residential institutions in that year. Of these children, it was estimated that 91.7% had at least one living parent.

In terms of new opportunities, the formation of the new unitary administration level of Hromada offers Ukraine a great opportunity for development and delivery of localized services that accurately address the protection of children and provide, when necessary, the most suitable forms of alternative care.

C. Adoption

Particular attention is needed while undertaking intercountry adoptions as Ukraine has not ratified the 1993 Hague Convention.

THEMES	INFORMATION
CENTRAL/ COMPETENT AUTHORITY	<p>Department for Adoptions and Protection of the Rights of a Child Ministry for Social Policy of Ukraine 8/10 rue Esplanadna, 01601 KIEV http://www.mlsp.gov.ua/ Email. iadopt@mlsp.gov.ua</p> <p style="text-align: right;"><i>Sources:</i> Law n° 3381-VI of 19 may 2011 (arts. 283ss) French Central Adoption Authority US Central Adoption Authority</p>
FULL/ SIMPLE ADOPTION	<p>The adoption decision severs the blood ties between the child and his or her birth family (full adoption). In case of intercountry adoption, the Ukrainian child keeps his or her Ukrainian nationality until the age of 18.</p> <p style="text-align: right;"><i>Sources:</i> Arts. 232, 236 and 237 Family Code</p>
SUBSIDIARITY PRINCIPLE	<p>A Ukrainian national, who already has a relationship with a child has priority for adopting him or her. A child may only be adopted by a foreigner if, after one year of being on the national register of adoptable children, no Ukrainian national has adopted him or her or if he or she has not been subject to guardianship. Moreover, the Ministry for Social Policy specifies, in a communiqué of February 6th, 2016, that Ukrainian nationals have priority for intercountry adoptions requests.</p> <p style="text-align: right;"><i>Sources:</i></p>



**CHILD
ADOPTABILITY**

Following the Resolution of the Ministers Cabinet N°580/2015 “amendments to the adoption procedures and to the follow up of the adopted children rights”, this procedure is compulsory for the adoptability decision concerning children, including children born in or displaced from conflict zones. In this context, the authorities must establish the following documents:

- Act relating to a child abandoned at the maternity clinic or in another medical establishment (applicable in cases using ‘baby boxes’);
- Act of the body for Internal Affairs regarding a child abandoned or found (stating the identity of parents of children found by the police);
- Application for the relinquishment of parental authority (signed by the mother or the parents of the child and including their home address);
- Act relating to a child not collected from the maternity clinic by his/her parents or close family (confirmed after 2 months);
- Decision of the Court in the case of withdrawal of parental authority (which excludes the adoption of children whose parents are engaged in a procedure for restoration of parental authority);
- Civil Act attesting the parents’ death.

Articles 3 to 20 of the Resolution N°905 detail the conditions under which a child may be declared adoptable, and establishes the principle of subsidiarity between the local, regional and national levels. The following may be adopted:

- orphaned children,
- children without parental care,
- children, whose parents consented to an adoption.

In the second case, it is necessary to provide the judicial decision proving the termination of parental responsibility, the recognition of the absence of the parents or their incapacity.

Article 209 of Family Code allows the adoption of child who has been abandoned at a maternity home or found, from the age of two months. Furthermore, the Family Code limits intercountry adoption applicants to matchings with children aged five and above since 2011. This amendment provides for exceptions in any of the following situations:

- The adoption is an adoption by relatives;
- The applicants’ adoption project is aimed at the adoption of a child suffering from an illness that appears on a list, published by the Ukrainian Ministry of Health. In addition, these children are not subject to the one-year registration term on the central database for intercountry adoptions;
- The applicants’ adoption project is aimed at the adoption of a group of siblings, including at least one of the children aged above five;
- The applicants’ adoption project is aimed at the adoption of the brother or sister of a child, who has already been adopted by them.

The Ukrainian authorities have declared that they would quash any requests received, which include adoption projects aimed at the adoption of a child under the age of five.

The Ministry of Social Policy has on its website photos with disaggregated data about the children that can be adopted. <https://www.msp.gov.ua/en/children/motherhood.php>

Sources:

Resolution N°905 of 1 December 2008 (art. 3-20)

Resolution N°580/2015;

Ordinance n° 16, from 2002, from the Ministry of Health on the changes and additions to the list of illnesses, authorising the adoption of sick children without delay;

Law n° 3381-VI of 19 May 2011 (art. 283ss)

See 2011 updates in Ukrainian <https://zakon.rada.gov.ua/laws/show/2947-14#Text>



<p>PROSPECTIVE ADOPTIVE PARENTS</p>	<p>According to art. 211 of the Family Code, a person wishing to adopt an Ukrainian child shall fulfil the following conditions:</p> <ol style="list-style-type: none"> 1. The child's adoptive parent must be a competent person aged at least 21, excepted if he or she is a relative; 2. The difference of age between the adoptive parent and the child may not be less than 15 years and more than 45 years; 3. Only spouses may be adopters; same-sex couples may not adopt; 4. Unmarried couples cannot adopt the same child. <p>According to the Law N°257-VI, the adoption of a Ukrainian child cannot be carried out by foreigners who are not married, except if they are relatives of the child.</p> <p>See art. 212 (1) of the Family Code for details on the conditions prohibiting some persons to become adoptive parents (e.g. incapacity, deprivation of parental rights, etc.) Furthermore, Law N° 3381-VI of 19 May 2011 states that the following persons cannot become adoptive parents:</p> <ul style="list-style-type: none"> - persons, whose state of health requires permanent presence; - stateless persons; - persons, who are married to someone having had his or her parental responsibility terminated ; - persons under a psychiatric or detoxification treatment; - persons suffering from alcohol or another dependence; - persons suffering from an illness mentioned on the Ministry of Health's list; - persons having been sentenced for a crime. <p>The registration of Ukrainian nationals living abroad and foreign citizens, who wish to adopt children, is exclusively undertaken by the Executive's competent adoption and child-rights protection authority, in accordance with the order issued by the Ukrainian Cabinet of Ministers.</p> <p>The competent authority, where the candidates apply, has to examine all the supplied documents and proceed to their analysis. The latter then sends this request to the Ukrainian Ministry of Interior Affairs.</p> <p>The list of required documents is detailed in art. 33 of Resolution N°905. Among these documents, the applicants' evaluation report, prepared by the relevant foreign authority, is required. Ukraine requires, in particular, that this report include information on the applicants' housing conditions (number of rooms, adequate conditions to welcome the child, etc.), the family structure (persons living with the adopters, degree of relationship, presence of biological children, etc.), the position of the applicants in relation to the adoption project, etc. The conclusions of this report also have to contain recommendations on the number, the age and the health of the children the applicants may be capable of adopting.</p> <p>The competent adoption authority has a period of 20 days to verify that all the documents have been provided, and that they are compliant with the requirements of the law. If its conclusion is positive, it registers the candidates on the relevant register.</p> <p>The Resolution n°905 foresees the possibility for the competent adoption authority to refuse to register the files of the foreign candidates when the recommendations formulated in their evaluation report do not respond to the profile of the internationally-adoptable children.</p> <p style="text-align: right;"><i>Sources:</i> Resolution N°905 of 1 December 2008; Law n° 3381-VI of 19 May 2011 (art. 283ss); Child Adoption Procedure published by the Ministry of Social Policy 18 July 2016</p>
<p>CONSENTS</p>	<p><i>Consent of the child:</i></p>



The child should give his or her consent when she or he is 10 years old or above. He/she gives it in a form consistent with his or her age. The child has to be previously informed about the legal consequences of adoption.

Consent of the birth parents:

The consent given by parents to the adoption of their child, who has to be at least two months old, has to be free, given in writing and shall be certified by a notary. Parents have the right to withdraw their consent at any moment before the court has granted the adoption

Without the consent of the birth parents:

A child is considered legally adoptable when: parents are unknown, registered as missing, are legally incapable, are deprived of parental rights, have not been living with the child for more than six months without valid reasons, do not provide the child with parental care, do not bring him/her up nor maintain him/her. In all these cases, children shall be placed in a child care facility and can be adopted as regulated in Resolution N° 905.

Consent of the guardian or the caretaker (or the Custody and Care Authority) and of the institution where the child is placed:

The written consent of the guardian or caretaker is required for the adoption of a child in his/her custody or care. If the guardian or the caretaker of the child has not expressed his/her consent to the adoption, such consent may be given by the Custody and Care Authority.

If a child does not have any parents and is placed in a health or educational institution, the written consent of the institution is required.

A child may be adopted without the consent of the guardian or caretaker, the Custody and Care Authority or the institution where he or she is living, if the court is satisfied that the adoption meets the interests of the child.

Sources:

Arts. 104, 217-219, 221, 222 of the Family Code.

**PROCEDURE/
MATCHING**

The intercountry adoption procedure is available in English on the [website of the Ministry for Social Policy](#).

Once the documents of the prospective adoptive parents (PAPs) have been received and examined by the competent adoption authority; the latter provides them with a) the date of an interview in Kiev, or b) a reasoned refusal explaining why their file has not been accepted.

Should the file of the PAPs have been accepted, on the day of the interview, the competent authority provides them with information about the children, who have been registered at regional and centralised level. During the interview, the competent authority provides the family with a short extract of the children's profiles (basic information such as name, age, region of residence, name of the orphanage, health condition, relatives or other family members, reasons explaining why the child is adoptable, their legal background such as court decisions, etc.). The PAPs study the proposed files with the help of a psychologist of the competent adoption authority and will have the opportunity to request a doctor's consultation on the proposed file upon request.

Once the PAPs have selected a child's file they are interested in, a competent adoption authority's member of staff will contact the director of the facility where the child is placed in order to obtain updated details of the child's situation and health. If the PAPs confirm their interest, the competent adoption authority will issue a letter of referral allowing them to meet this specific child.

While meeting a child at the orphanage, the family will be shown the child's medical history. If any doubts arise, or if the family wishes to get more details on the child's health condition, they may request an additional medical check-up of the child (including blood tests etc.). According



	<p>to the law, every PAP has the right to additional pre-adoption medical examination of the child, undertaken by a private physician in the presence of an orphanage staff member.</p> <p>According to Resolution N°905, the competent authority only allows three appointments to each adoptive family to look at the children’s files. If the family has not accepted a child after the third appointment, the adoption file is returned to the family immediately. The family needs to submit a notarized statement to request a second/third appointment to the competent authority, and then has ten business days to respond to the date proposed for the second/third appointment. Between 10 and 14 days after having selected a child, the file for the case is presented to a judge in the region where the child lives. For ICAs before the judge makes a decision, all cases should pass through Special Commission of Ministry of Social Policy on Intercountry Adoption.</p> <p>The power to approve or deny an adoption remains solely with an individual judge. The judge's decision is then based on a review of various documents relating to each individual adoption case during the court hearing. As a general rule, the judge's decision is announced and issued the day of the hearing. However, it does not take effect for ten days. Once the decision takes effect, the adoptive parents are granted parental rights and legal responsibility for the child. The adoption parents may then obtain a new birth certificate and passport with the relevant Ukrainian authorities.</p> <p style="text-align: right;"><i>Sources:</i> Resolution n°905 of 1 December 2008 Ministry for Social Policy.</p>
<p style="text-align: center;">ADOPTION DECISION</p>	<p>The adoption decision is made by a court, but it does not come into effect until a month has elapsed. During this one month waiting period, the decision can be subject to an appeal. However, the court has the right to authorise the immediate implementation of the decision. The one month waiting period can be cancelled in exceptional cases, for example when a delay in the child’s medical treatment would seriously endanger his or her health or development</p> <p>The parents have the possibility to change the first and last name, place and date of birth of the child and be registered as parents.</p> <p style="text-align: right;"><i>Sources:</i> Arts. 223-233 Family Code Arts. 218, 231.1, 292.1 Code of Civil Procedure Article 354. Civil Procedural Code of Ukraine. Ordinance n° 16, from 2002, from the Ministry of Health on the changes and additions to the list of illnesses, authorising the adoption of sick children without delay</p>
<p style="text-align: center;">ADOPTION EFFECTS</p>	<p>The adoption decision severs the blood ties between the child and his or her birth family (full adoption). In case of intercountry adoption, the Ukrainian child keeps his or her Ukrainian nationality until the age of 18.</p> <p>According to the Family Code, both domestic and intercountry adoption, may be revoked by a Court if:</p> <ul style="list-style-type: none"> - the adoption is contrary to the interests of the child and does not ensure his/her education in the family; - the child suffers from a mental or any other serious irreversible disease, which the adopter did not know about and could not have been aware of at the time of adoption; - the relations between the adopter and the child, despite the adopter’s efforts, make their living together and the adopter’s exercise of his/her parental responsibilities impossible. The cancellation of an adoption can be asked by a child aged 14. <p style="text-align: right;"><i>Source:</i> Art. 238 Family Code</p>
<p style="text-align: center;">POST-ADOPTION FOLLOW-UP</p>	<p>Ukraine requires post adoption follow-up reports until the child reaches the age of 18 years: annual reports for the first three years, and every three years after that.</p> <p>The reports are to be sent in the first instance to the responsible Ukrainian consulate in the receiving country which, after checking them, sends them on to a special unit in the Ministry of</p>



	<p>Foreign Affairs that examines them and then forwards them to the competent adoption authority. Consular officers in the countries concerned are also mandated to visit adoptive homes to verify the child’s progress.</p> <p style="text-align: right;"><i>Source:</i> Resolution N°905 of 1 December 2008.</p>
<p>SEARCH OF ORIGINS</p>	<p>According to art. 226(3) of the Family Code “an adopted person has the right to obtain information on his/her adoption after he/she has attained the age of 14”. However, art. 227(1) of the Family Code states that “an adopter has the right not to disclose the adoption to his/her adopted child and demand that persons who are aware of such information keep it confidential both before and after the child has attained adulthood”. It therefore remains unclear if the child has a right to know about his or her adoption, in other words if this right is given priority over the right of the adopters to keep the adoption secret.</p> <p>The website of the Ministry for Social Policy outlines however that adoption secrecy is lifted in case of:</p> <ul style="list-style-type: none"> - An adoption of a child of Ukrainian citizenship by a person who is citizen of a country that Ukraine has not sign any agreement on legal support with, shall not be secret according to the country of residence of the adopter (will become the child’s country of residence). - An adoption of a child of Ukrainian citizenship by a person who is citizen of a country that Ukraine has not sign any agreement on legal support with, based on the fact that the adopter does not permanently reside in Ukraine. <p style="text-align: right;"><i>Sources:</i> Arts. 226 and 227 Family Code Ministry for Social Policy</p>
<p>ADOPTION ACCREDITED BODIES (AAB)</p>	<p>Any mediation, commercial activity related to adoption of children, their handing over into custody, care or upbringing in a family of citizens of Ukraine, foreigners or stateless persons shall be prohibited.</p> <p style="text-align: right;"><i>Source:</i> https://www.msp.gov.ua/en/content/usinovlennya.html</p>
<p>SANCTIONS IN CASE OF IRREGULARITIES/ ADOPTION COSTS</p>	<p>Intercountry adoption is possible in Ukraine with the participation of the Ministry of Social Policy of Ukraine only. All services of the Ministry of Social Policy and juvenile services are for free of charge.</p> <p style="text-align: right;"><i>Source:</i> Art. 216 Family Code https://www.msp.gov.ua/en/content/usinovlennya.html</p>
<p>STATISTICS</p>	<p>In 2018 the 1730 children were adopted, including 1358 children by citizens of Ukraine and 372 children by internationals. In 2017, there were 2 925 adoptions, from which 2 589 children adopted by Ukrainian citizens, and only 336 by foreign families (from whom 70 children under 5 years old, 110 children aged 6-10 years old, and 156 children aged 11-17 years old). The data since 2008 continue to show the constant drop of inter-country adoptions in Ukraine.³⁴</p> <p>The Ministry has received 1 708 requests from waiting potential adoptive parents, who for the great majority, wish to adopt a child aged less than 5 years, even though this profile of children corresponds to only 5% of the adoptable children files.</p> <p style="text-align: right;"><i>Sources:</i> Annual Data collected by the Ministry of Social Policy of Ukraine</p>

³⁴ http://www.ukrstat.gov.ua/druk/publicat/kat_u/2018/zb/07/zb_zdpus_2017.pdf



ISS/IRC welcomes the efforts in 2017 by Ukraine on two laws regarding the ratification of the 1993 Hague Convention³⁵ - although it is not clear that there continues to be political will in this field.

Ukraine's legislative framework since 2008 guarantees stronger ethics and respect for the rights and the needs of children throughout the adoption process. In particular, Resolution N°905, in force since December 1st, 2008, clearly promotes domestic adoption. In addition, this Resolution gives explicit priority to PAPs prepared to adopt children presenting health problems. It further clarifies that the competent adoption authority has now the right to refuse the application of PAPs who have not been matched with a specific child registered in its central database through the psychosocial evaluation process, which clearly demonstrates the will to further focus on children's needs. Another positive aspect is the establishment of preparation courses for domestic adoption applicants. These progresses have been further strengthened by recent amendments to the Ukrainian Family Code, which, on the one hand, grant priority to searching for domestic adoptive parents, and on the other, limit intercountry adoption for children over the age of five (except for siblings and children with health problems). However, gaps remain at some stages in the adoption process, and therefore call for additional efforts, in particular in relation to the following issues:

1. The **information** provided to the birth parents at the moment of their **consent** seems to be not sufficient. Indeed, it is essential to make them aware that the adoption will sever blood ties with their child. They should not take any decision before knowing all implications of their child's adoption.

2. It is of concern that children as young as two months can be declared "adoptable" when abandoned. This period seems too restricted to be able to carry out proper searches of the family of origin.

3. The **lack of preparation** of the child prior to his or her adoption as well as that of the prospective adoptive parents, despite an increasing number of NGOs in Ukraine working with prospective families. This procedural step is fundamental for a successful future relationship between the child and his or her adoptive family. It is important to ensure that the child and the prospective adoptive parents are prepared, if possible, by a multidisciplinary team. This preparation can be general at the beginning of the process, but should become more specific when a family has been chosen for a specific adoptable child.

3. The Ukrainian Minister of Social Policy dedicates a section of its website to an **Internet-based listing of adoptable children**, practice that must be strictly regulated to avoid any violation of children's rights. However, this list shows pictures, names as well as locations of the children. Considering their potential advantages, listing programmes should not be seen as a purely negative means. It has proved to help reduce the number of children awaiting adoption, especially children with special needs. However, it should always be used in a way, which does not violate the children's privacy and rights. Therefore, while recognizing that the ethical use of listings is not an easy task, such listing should be strictly framed.

4. The need to set up **matching** based on the needs of the child with a multi-disciplinary team. Given the photolisting on MSP website, it seems that the PAPs are able to identify children based on primarily on their own preferences. It is not clear whether a "matching committee" exists.

6. In addition, the **development of adoption follow-up services** to support the adoptive families to resolve conflicts, misunderstandings or difficulties will greatly improve the adoption process in Ukraine. Indeed, such services, ideally bringing together psycho-social professionals, often constitute an important help for adoptive families at the beginning of their life together with the child and in the long run, for instance, during the child's adolescence.

7. Regarding **the search for origins**, the Family Code stipulates that, "*somebody who has adopted has the right not to divulge the adoption to the adopted child and to ask those with this information to keep it confidential both before and after the child comes of age*". This stipulation, in contradiction with international treaties (e.g. articles 7.1 and 8 of the

³⁵ http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=62712; http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=62713

CRC), may prove detrimental to the well-being of the adoptee and his or her personal development. It would be necessary and positive to reflect on this matter.

LEGISLATION

A. International Instruments

INTERNATIONAL INSTRUMENTS	Signature (S) / Ratification (R) / Accession (A) / In Force (F)	Website
United Nations Convention on the Rights of the Child (1989)	28 August 1991(r) 21 February 1990 (s)	http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtidsg_no=IV-11&chapter=4&lang=en
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000)	3 July 2003 (r) 7 September 2000 (s)	http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtidsg_no=IV-11-c&chapter=4&lang=en
Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children (1996)	3 April 2007 (a)	http://www.hcch.net/index_en.php?act=conventions.status&cid=70

B. Regional instruments

REGIONAL INSTRUMENTS	Signature (S) / Ratification (R) / Accession (A) / In Force (F)	Website
European Convention for the Protection of Human Rights and Fundamental Freedoms	11/09/1997 (r and f) 09/11/1995 (s)	https://www.coe.int/fr/web/conventions/full-list/-/conventions/treaty/005/signatures?p_auth=nLqIRnwf
European Convention on the Adoption of Children of 1967 (Revised in 2008)	1 September 2011 (v) 4 May 2011 (r) 28 April 2008 (s)	http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=058&CM=8&DF=29/07/2009&CL=ENG
European Convention on the Exercise of Children's Rights (N° 160)	1 April 2007 (v) 21 December 2006 (r) 7 May 1999 (s)	http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=160&CM=8&DF=2/11/2008&CL=ENG
Council of Europe Convention on Contact concerning Children (N° 192)	1 April 2007 (v) 21 December 2006 (r) 15 May 2003 (s)	http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=192&CM=8&DF=3/4/2008&CL=ENG

C. Country legislation

LAW/REGULATION	Web Site
Family Code	http://www.refworld.org/pdfid/4c4575d92.pdf



Law Project n°0166 of 10.10.2017 as to the adhesion of Ukraine to the 1993 Hague Convention	http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=62712
Law Project n°7195 of 10.10.2017 as to amendments to certain legislative acts related to the adhesion of Ukraine to the 1993 Hague Convention	http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=62713
Law N°1390-VI of 2009 amending the Ukrainian Family Code [art.247(2)], the Civil Code [art. 72(3)] and the <u>Law on Governmental Assistance to Families with Children</u> (art. 10,13 and 16), concerning the rights of the children under guardianship	http://zakon5.rada.gov.ua/laws/show/1390-17(Ukrainian)
Law N° 1065-17 of March 5 2009 regarding the “National Program of measures for the application of the Children’s Rights Convention in Ukraine until 2016”	http://zakon3.rada.gov.ua/laws/show/1065-17 (Ukrainian) - https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/84593/94160/F962346414/UKR84593_English.pdf (English)
Law N° 257–VI, into force since 24th of April 2008, On Amendments to Some Legislative Documents of Ukraine Related to Adoption	http://zakon3.rada.gov.ua/laws/show/257-17 (Ukrainian)
Organizational and Legal Conditions for the Social Protection of Orphans and Children Deprived of Parental Care Act of 13 January 2005, N° 2342-IV, known as Feldman’s Law.	http://zakon3.rada.gov.ua/laws/show/2342-15 (Ukrainian)
Law on Child Protection 1996	Extracts available in English at the ISS/IRC
PRESIDENTIAL AND MINISTERIAL DECREES, DECISIONS, ORDERS AND RESOLUTIONS	
Resolution from the Committee of Ministry of 16 March 2017	Information provided by a local contact
Communiqué of the Ministry for Social Policy of 06 February 2016	Information provided by a local contact
Resolution N°1011 of 12 November 2015 of the Social Policy Ministry “Recommendations concerning the preparation of the child for his return to his/her biological family after a long stay in an institution”	http://www.mlsp.gov.ua/labour/control/uk/publish/article?art_id=183349&cat_id=172394
Resolution N°580/2015 of August 12, 2015 of the Cabinet of Ministers of Ukraine “Amendments to the adoption procedures and of the follow-up of the adopted children’s rights” concerning the Resolution N°905 of October 8, 2008 regarding the adoption and the adopted children’s rights.	http://zakon2.rada.gov.ua/laws/show/580-2015-%D0%BF (Ukrainian)
Decree of the President N° 835/214 of October 29, 2014 “emergency measures to assure social guarantees to certain categories of the population” regarding the priority placement of orphan children or children deprived of parental rights from conflict zones.	http://zakon3.rada.gov.ua/laws/show/835/2014 (Ukrainian)
Resolution N° 624 of October 22, 2014 regarding the amendment of the procedure N°866 of September 24, 2008 « Activities of the guardianship authorities linked to the protection of the children’s rights »	http://zakon3.rada.gov.ua/laws/show/624-2014-%D0%BF (Ukrainian)
Resolution N°1095/1239 of December 17, 2013 of the Health and Interior Affairs Ministry (which replaces Resolution N§ 142/275 of March 17, 2004) regarding	http://zakon2.rada.gov.ua/laws/show/z0073-14/paran13#n13 (Ukrainian)



the “Establishment and approval of the form of the documents regarding the child abandoned at the maternity, in another health institution or refused by relatives”	
Resolution N°341-2013-n of May 15, 2013 regarding the “Approval of the National Social Program on the support to families until 2016”	http://zakon4.rada.gov.ua/laws/show/341-2013-%D0%BF (Ukrainian)
Decree of the president N°609/2012 of October 22, 2012 regarding the “National Strategy for the prevention of abandonment of children for social reasons until 2010”; resolution of the Cabinet of Ministers N°419-p of July 25, 2013 regarding the “Approval of the plan of the measures for the application of the National Strategy for the prevention of abandonment of children for social reasons until 2020”.	http://zakon2.rada.gov.ua/laws/show/609/2012#n9 (Ukrainian) - http://zakon5.rada.gov.ua/laws/show/419-2013-%D1%80 (Ukrainian) - http://www.kmu.gov.ua/control/en/publish/article?art_id=246374318 (English)
Resolution N°905 of the Cabinet of Ministers of 8 th October 2008, replacing the Resolution N°1377 “ On Approval of the Procedure for Registration of Children who may be adopted, of the Persons who wish to adopt a Child, as well as for Control of the Respect for Rights of the Adopted Children”	http://zakon3.rada.gov.ua/laws/show/905-2008-%D0%BF (Ukrainian)
Decree N°1242 of October 17, 2007 of the Cabinet of Ministers regarding the “Approval of the National Program of the reform of the system of institutions of orphan children or children deprived of parental care”	http://zakon5.rada.gov.ua/laws/show/1242-2007-%D0%BF (Ukrainian)
Presidential Decree concerning the most important measures on the Child rights protection, 11 July 2005, N°1086/2005.	http://zakon3.rada.gov.ua/laws/show/1086/2005 (Ukrainian)
Resolution N°565 of April 26, 2002 “Approval of the status of foster families”	http://zakon2.rada.gov.ua/laws/show/565-2002-%D0%BF

Documents in the framework of the Committee on the Rights of the Child

- Combined fifth and sixth State party’s report, CRC/C/UKR/5-6, 23 November 2018.
- Annex to the State party’s report, 28 November 2018.
- Concluding Observations of the CRC Committee, CRC/C/UKR/CO/3-4, 21 April 2011.

Source: Committee on the Rights of the Child – including documents related to former sessions of the Committee: https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx?CountryCode=UKR&Lang=EN.

