

Research into the awareness of certain target groups of people regarding the provisions of the European Social Charter

Survey report

June – September 2020



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The Report was prepared in framework of the "[Promoting Social Human Rights as a Key Factor in Sustainable Democracy in Ukraine](#)" Council of Europe Project. The report summarises the results of a survey of clients of the FLA (free legal aid) system, students, the FLA system professionals, lawyers, judges on awareness of the European Social Charter provisions, the practice of their application, and further actions. The survey was conducted in June-September 2020 by the free legal aid system professionals.

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Abbreviations

FLA	Free legal aid
FSLA	Free secondary legal aid
ESC	European Social Charter
ECSR	European Committee of Social Rights

About research

The research is dedicated to measuring the awareness of the clients of the FLA system, students, the FLA system professionals, lawyers and judges about the content of the provisions of the European Social Charter.

The research was carried out by the FLA system professionals in partnership with professional sociologists for the "Promoting Social Human Rights as a Key Factor in Sustainable Democracy in Ukraine" Council of Europe Project.

The objective of the research was to find out the level of awareness of certain target groups with social human rights enshrined in the European Social Charter, and scope of the use of the ESC provisions by social sphere specialists and lawyers. The results of the research will be used to raise the level of awareness and knowledge of target groups of people about the fundamental rights and freedoms guaranteed by the ESC, as well as to promote the widespread practical application of certain ESC provisions in access to justice in Ukraine.

Questions for the target groups were related to: 1) awareness of current international documents in the field of human and civil rights protection, to which Ukraine is a party; 2) awareness of social human rights and the content of the ESC; 3) practical application of the ESC provisions; 4) activities aimed at raising awareness of target groups on the ESC.

During the research:

1. the level of awareness of target groups with social human rights and the European Social Charter as a tool for the protection of social human rights was determined;
2. the frequency of application of the provisions of the European Social Charter and the practice of the European Committee of Social Rights by target groups was determined;
3. the reasons for the non-use of the provisions of the European Social Charter in the exercise of professional activity were established;
4. the training needs of the target groups on the European Social Charter were identified.

The survey was carried out from June through September 2020. The data collection was carried out by the FLA system professionals, who received specialised training in conducting sociological survey. Taking into account the introduction of quarantine restrictions related to countering the pandemic caused by COVID-19, data collection was carried out using telephone interviews and online surveys.

The target groups of the research were:

- lawyers;
- judges;
- students of law and social service faculties of higher educational institutions majoring in 081 – Law, 231 – Social Work, 232 – Social Security, 262 – Law Enforcement Activities, 293 – International Law;
- professionals of the centres for free legal aid provision with legal education, at all levels of positions and departments, except for the department of finance, accounting and reporting;
- citizens of Ukraine who had applied to the FLA system since January 1, 2019.

Data were collected:

- among lawyers using telephone survey (85 persons), and an anonymous survey using Google Forms (174 persons);
- among the judges by anonymous questioning using Google Forms (255 persons);
- among students by anonymous survey using Google Forms (411 persons);
- among professionals of centres providing free secondary legal aid through anonymous questionnaires using Google Forms (820 persons);
- among clients of the FLA system by telephone survey (286 persons).

Key findings

1. **Lawyers** (FLA system professionals) demonstrated below-average awareness with the ESC provisions. In particular, 39% of the respondents considered themselves aware of the ESC provisions, and 26% rated their level of knowledge about ESC at 3, 4 or 5 points out of 5 maximum. When determining the level of prevalence and practice of applying the ESC provisions, it was found that only 17% of respondents used the ESC provisions in their professional activities. The main reason for non-use was the lack of relevant cases in practice (53%). The level of awareness of the activities of the European Committee of Social Rights can be described as low. In particular, only 17% of the respondents answered that they had known about the ECSR activities. To better understand the practical application of the provisions of the European Social Charter and the conclusions of the European Committee of Social Rights, the respondents most lacked educational programmes and training courses (66%), summaries of the practice of the European Committee of Social Rights on the practical application of the ESC provisions (62%), explanations and methodological recommendations (58%).
2. The level of awareness of **judges** with the provisions of the European Social Charter can be defined as above average. More than half of the interviewed judges (58%) considered themselves thoroughly aware of the ESC provisions, while 2% of judges considered themselves thoroughly aware (5 points), and 45% rated their level of knowledge about the ESC at 3, 4 or 5 points out of 5 maximum. The main reason for not using the provisions of the ESC in practice is the lack of relevant cases in practice (74%). Almost all the interviewed judges (93%) expressed a desire to learn more about the provisions of the European Social Charter, and 20% wanted to familiarise themselves with the annual conclusions on Ukraine's implementation of certain adopted provisions of the European Social Charter.
3. **Student awareness** of the European Social Charter is at an average level. Self-assessment of their knowledge of the ESC was the highest among this category of respondents: 78% –consider themselves knowledgeable, and 48% of the respondents rated their level of knowledge about the ESC at 3, 4 or 5 points out of 5 maximum. However, the actual level of awareness is actually lower, as indicated by the answers to the test questions to check the understanding of the ESC content. Most of the respondents knew about the guaranteed ESC rights: the right to social protection (76%), the right to employment (57%) and non-discrimination (56%), the right to housing (54%), the right to education (50%). 73% of respondents wanted to deepen their knowledge of the provisions of the ESC.
4. **FLA system professionals** showed an average level of awareness of the ESC provisions: 44% were familiar with it, and 34% rated their level of knowledge about ESC at 3, 4 or 5 points out of 5 maximum. 20% of the total number of respondents used it in practice. The main reason for not using ESC in practice was the lack of relevant cases in practice (70%). The level of awareness of the activities of the European Committee of Social Rights is below average, as only 26% of those who participated in the survey knew about it. More than 80% of respondents saw a need to gain new knowledge regarding ESC regulations and ECSR practices. To better understand the practical application of the European Social Charter provisions and the conclusions of the European Committee of Social Rights, the respondents most of all lack explanations and methodological recommendations (63%).
5. **Clients** of the **FLA system** were not aware of the European Social Charter. Only 9% of the respondents noted that they knew about the ESC existence, and only 2% of them rated their level of awareness at 3, 4 or 5 points out of 5 maximum. More than half of the respondents knew that the state guaranteed their right to health, a significant part of the respondents knew about the right to social protection, the right to education and the right to housing. At the same time, less than 20% indicated that they were guaranteed the right to non-discrimination and the right to integration and participation in the life of the community. Over the past two years, 28% of respondents have had problems with violation of the guaranteed by the ESC rights. Two-thirds of the respondents tried to solve the problem. 25% of respondents want to undergo additional training on fundamental social rights.

Section I. Survey of lawyers to determine the level of awareness of social rights provided for by the European Social Charter and practice of their application

1.1. General review

Geography: the survey was carried out throughout Ukraine, except for the temporarily occupied territories.

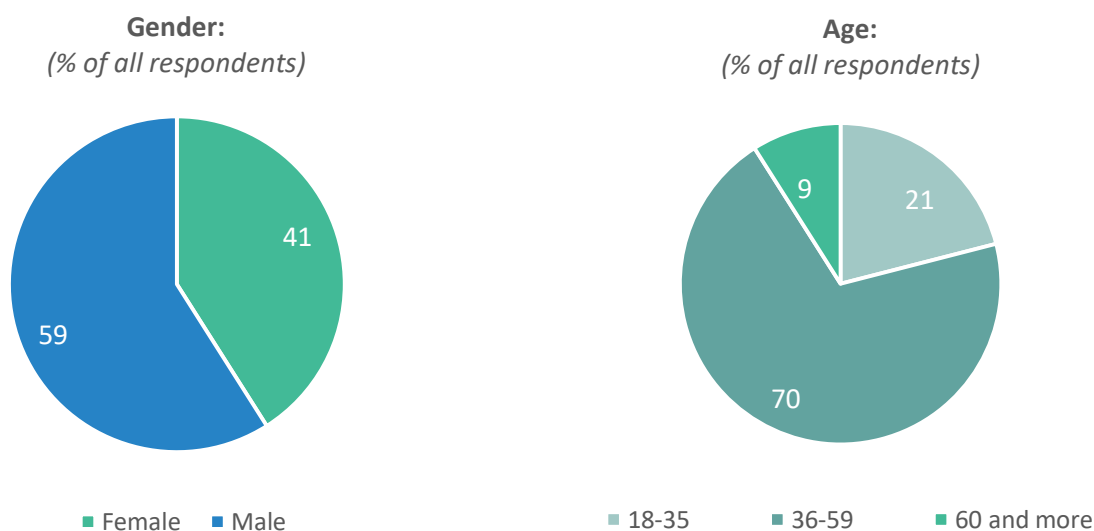
Target audience: lawyers whose information is contained in the Unified Register of Lawyers of Ukraine.

Sampling: The lawyers' database of the Unified Register of Lawyers of Ukraine was the basis for the multi-stage stratified random sampling¹. In the first step, stratification was carried out by the region where the lawyer was registered (western, central, southern, eastern oblasts and Donbas), the certificate date of issue (till 1999 inclusive, from 2000 to 2009, from 2010 to 2014) and gender. The distribution of respondents among strata reflected the actual proportions by gender, region and the period of obtaining a lawyer's certificate among lawyers. In the second step, within each stratum, the required number of persons for the survey was randomly selected.

Methods of sociological research: questioning by using various communication channels, in particular: (1) the public page of the PRAVOKATOR law club on the Facebook (in this way, 4 respondents were interviewed), (2) the National Association of Lawyers of Ukraine by sending an e-mail support message with the specified link to the Profile (20 respondents), (3) to the email addresses of lawyers included in the sampling of the sociological survey (150 respondents), (4) interviewing lawyers included in the sampling of the sociological survey, by telephone survey (85 respondents).

1.2. Description of respondents

Among the interviewed lawyers, 107 persons (41%) were women, and 152 persons (59%) – men². Every fifth respondent (55 people or 21%) belonged to the category of 18-35 years of age, but the majority of lawyers (181 persons or 70%) were between 36 and 59 at the time of the survey. 23 respondents (9%) were 60 or more.



The number of respondents who answered the question: 259 persons.

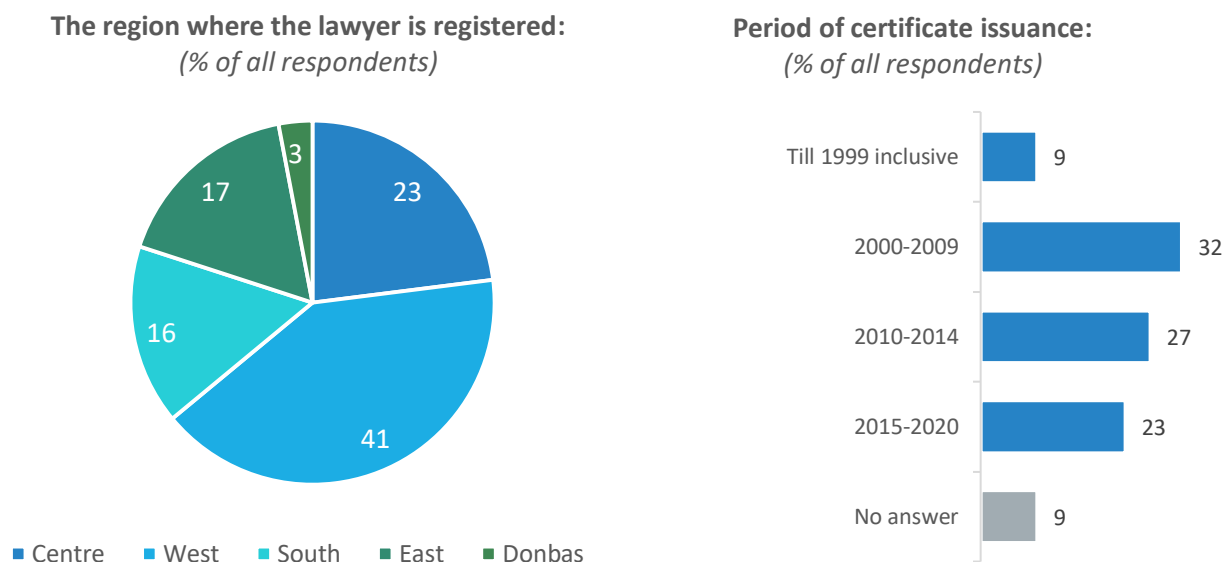
The largest share of respondents was registered in the councils of lawyers in the western oblasts³ – 106 persons or 41% of the entire sampling. Almost a quarter of the respondents (59 persons or 23%) represented the central

¹ The research group had the Unified Register of Lawyers of Ukraine for 2014, which was used to construct a sampling of the telephone survey. The online survey also covered lawyers who received their certificates after 2014.

² According to the Unified Register of Lawyers of Ukraine for 2014, women make up one third (33%) of all lawyers. Therefore, women are somewhat overrepresented in the sampling.

oblasts and Kyiv. 42 persons worked in the southern oblasts (16%), in the eastern oblasts – 43 persons (17%), and in the Donbas – 9 persons (3%)⁴.

Almost a third of the lawyers who took part in the research received a certificate of the lawyer in the period from 2000 to 2009 (83 persons or 32%). 69 lawyers (27%) received their certificates from 2010 to 2014, 60 persons (23%) – from 2015 to 2020. 23 respondents (9%) received it before 1999. The remaining 9% of respondents did not answer the question.



The number of respondents who answered the question: 259 persons.

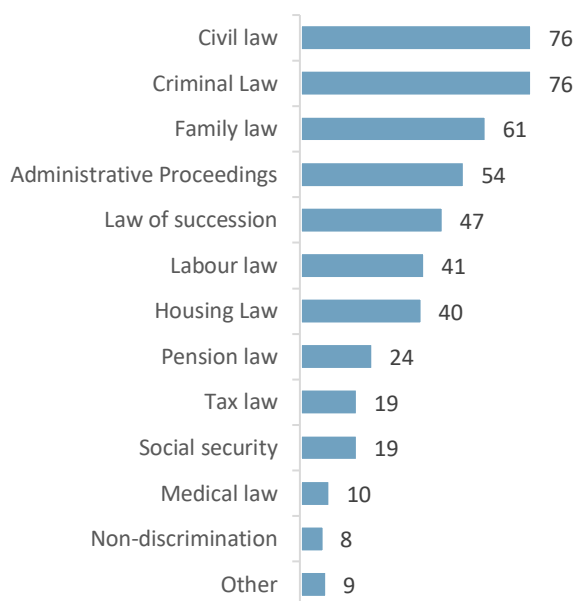
More than three-quarters of the interviewed lawyers specialised in civil and criminal law (63 persons each or 76% of all respondents). Other common areas of specialisation mentioned were family law (157 persons or 61%), administrative legal proceedings (139 persons or 54%), inheritance law (121 persons or 47%), labour law (105 persons or 41%), housing law (104 persons or 40%). Less than a quarter of respondents specialised in pension law (63 persons or 24%), tax law (48 persons or 19%), social security (50 persons, or 19%), medical law (25 persons or 10%) and countering discrimination (22 persons or 8%). Among other specialisations, commercial and land law was also often mentioned.

The categories of clients with whom more than half of the interviewed lawyers work included people with low-income (181 respondents or 70%), elderly persons (161 respondents or 62%), persons with disabilities (139 respondents or 54%), combatants / war veterans (136 respondents or 53%), minors and children (138 respondents or 53%). More than a third of lawyers work with legal entities (118 respondents or 46%), IDP (96 respondents or 37%) and foreigners (87 persons or 34%). The smaller share was involved in assistance to stateless persons (45 respondents or 17%) and refugees (35 respondents or 14%).

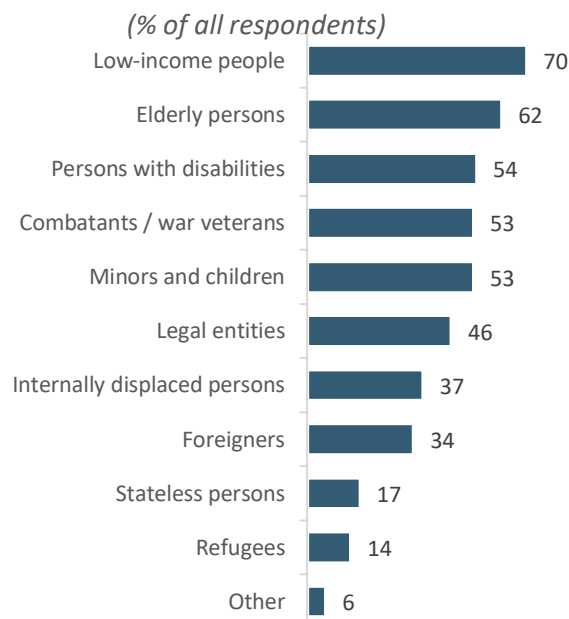
³ Central oblasts – Vinnytsia, Zhytomyr, Kyiv, Kirovohrad, Poltava, Sumy, Cherkasy, and Chernihiv. Western oblasts – Volyn, Zakarpattia, Ivano-Frankivsk, Lviv, Rivne, Ternopil, Khmelnytskyi, and Chernivtsi. Southern oblasts – Mykolaiv, Odesa, Kherson. Eastern oblasts – Dnipropetrovsk, Zaporizhzhia, Kharkiv. Donbas – Donetsk and Luhansk oblasts.

⁴ According to the Unified Register of Lawyers of Ukraine for 2014, 38% of lawyers were registered in the central oblasts, 18% – in the western oblasts, 10% – in the southern oblasts, 16% – in the eastern oblasts, and 18% – in the Donbas and in the territories that are now occupied. If Donbas and the occupied territories are removed from the calculations, the corresponding figures will be 46%, 22%, 12% and 20% respectively. Consequently, the central oblasts are under-represented and the western oblasts are over-represented in the sampling.

Specialisation:
(% of all respondents)



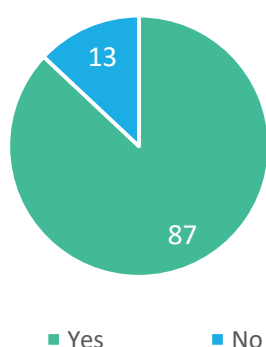
What categories of clients do you work with?:
(% of all respondents)



The number of respondents who answered the question: 259 persons. There were several options to choose from.

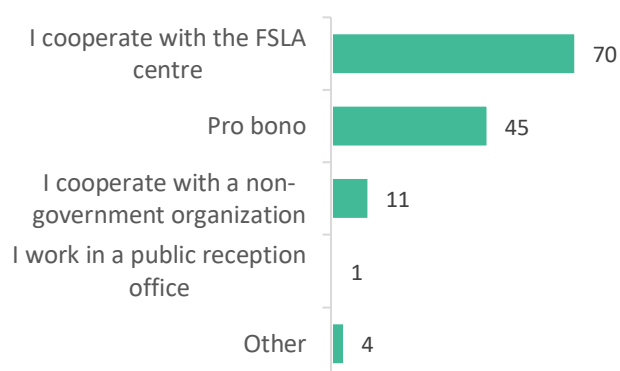
Almost all respondents (225 or 87% of the entire sampling) provided legal assistance free of charge; 34 lawyers (13%) did not do that. Seven out of ten respondents (157 respondents, or 70%) do this cooperating with the FSLA centre, almost half (101 respondents, or 45%) provided it pro bono, 25 respondents (11%) cooperated with public organisations, and 2 persons (1%) worked in a public reception office.

Do you provide legal aid for free?
(% of all respondents)



The number of respondents who answered the question: 259 persons.

Which way do you provide legal aid for free?
(% of those who provide it)



The number of respondents who answered the question: 225 persons. There were several options to choose from.

1.3. Level of awareness of the ESC and the European Convention on Human Rights

The lawyers who took part in the research most often mentioned such international documents that protect basic social human rights: the European Convention on Human Rights (72%), the Universal Declaration of Human Rights (53%) and the Convention on the Rights of the Child (41%). About a quarter of the respondents were aware of the European Social Charter (26%) and the International Covenant on Economic, Social and Cultural Rights (24%). The smallest share of respondents was familiar with the European Convention on Social and Medical Assistance (10%), the Convention on the Rights of Persons with Disabilities (9%) and the European Code of Social Security (7%). Among other documents, not named in the list, the decision of the European Court of Human Rights, the Rome Charter, the Istanbul Convention were also mentioned.

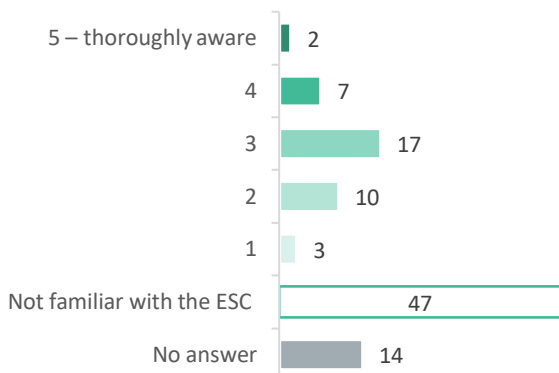


The number of respondents who answered the question: 259 persons. There were several options to choose from.

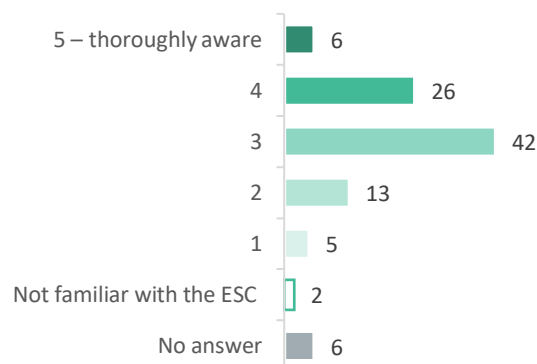
Although only 26% of the interviewed lawyers recalled the ESC in the previous question about their knowledge of international documents, 39% considered themselves familiar with the provisions of the European Social Charter. 2% of all respondents considered themselves thoroughly aware (5 points), 7% rated themselves at 4 points, 17% – 3 points, 10% – 2 points, 3% – 1 point. Among those who identified themselves as aware of the ESC provisions, the average level of awareness was 2.8 on a 1 to 5 scale. Among all respondents, this indicator was only 1.1 points. There is no significant difference between lawyers-women and lawyers-men regarding the awareness about the ESC.

For comparison, all respondents answered that they were more or less familiar with the European Convention on Human Rights: although only 72% noted this document in the question of knowledge of international documents that protect social human rights, in terms of the level of awareness, 92% rated their knowledge at least at 1 point. 6% of all respondents rated their knowledge at 5 points, 26% – 4 points, 42% – 3 points, 13% – 2 points, 5% – 1 point. Among those who identified themselves familiar with the European Convention on Human Rights, the average level of awareness was 3.2 on the 1 to 5 scale. Among all respondents, this indicator was 3.1 points.

To what extent do you consider yourself aware of the European Social Charter?
(% of all respondents)



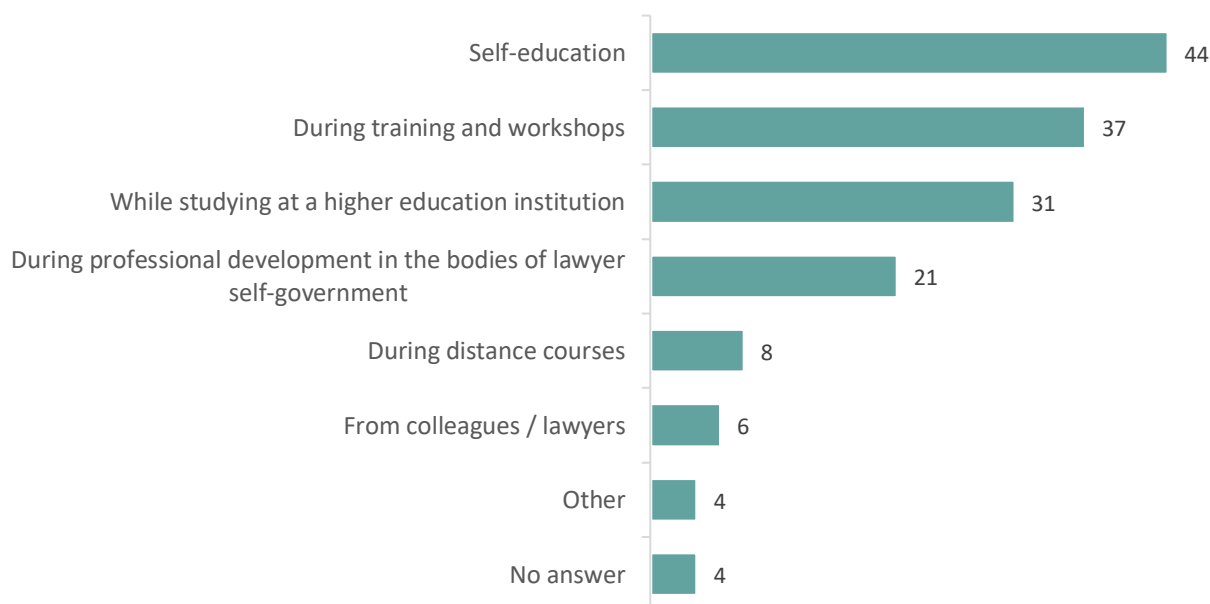
To what extent do you consider yourself aware of the European Convention on Human Rights?
(% of all respondents)



The number of respondents who answered the question: 259 persons.

Those lawyers who were familiar with the provisions of the European Social Charter most often learned about it during self-education – 44%. The second most common source of information about the ESC was training and workshops (37%), training in higher education institutions was in third place (31%). Every fifth (21%) learned about the ESC during their advanced professional training in the self-government bodies of lawyers. Communication with colleagues or other lawyers and taking distance courses were a source of information about the ESC for the absolute minority of cases (6% and 8% respectively).

How did you learn about the European Social Charter?
(% of those who are familiar with the ESC provisions)



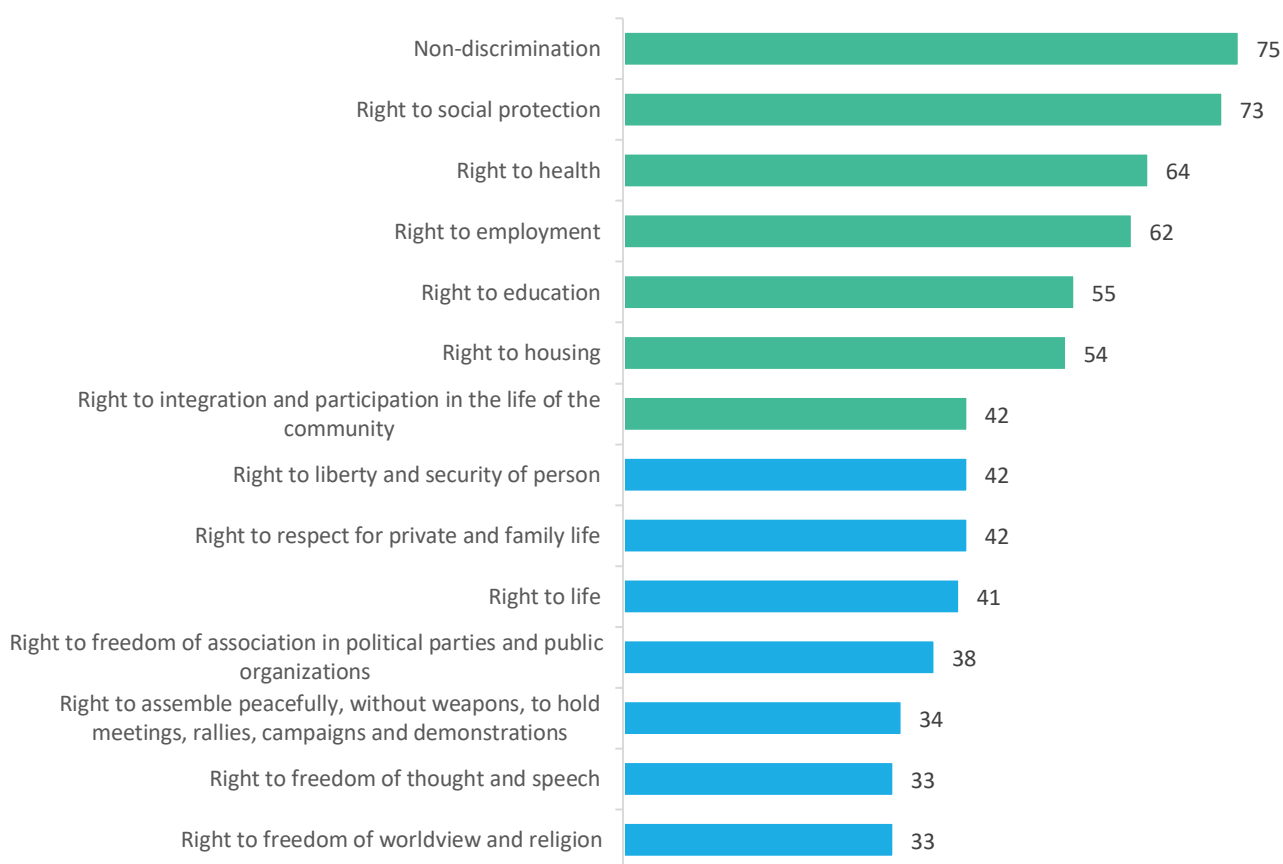
The number of respondents who answered the question: 107 persons. There were several options to choose from.

The level of awareness of lawyers about the European Social Charter was also tested using test questions that had both correct and incorrect answers. In particular, the respondents answered what, in their opinion, rights were guaranteed by the ESC.

Correct answers from the following list were noted by the majority of respondents compared to incorrect ones: non-discrimination (75% of those who consider themselves familiar with the provisions of the ESC), the right to social protection (73%), the right to health (64%), the right to employment (62%), the right to education (55%), the right to housing (54%). The right to integration and participation in the life of the community was mentioned as often (42%) as some incorrect answers: the right to liberty and security of the person (42%), the right to respect for private and family life (42%), the right to life (41%). Many lawyers also noted such false options as the right to freedom of association in political parties and public organisations (38%), the right to freedom of peaceful assembly (34%), the right to freedom of thought and speech (33%), the right to freedom of opinion and religion (33%).

What rights are guaranteed by the European Social Charter?

(% of those who are familiar with the ESC provisions)



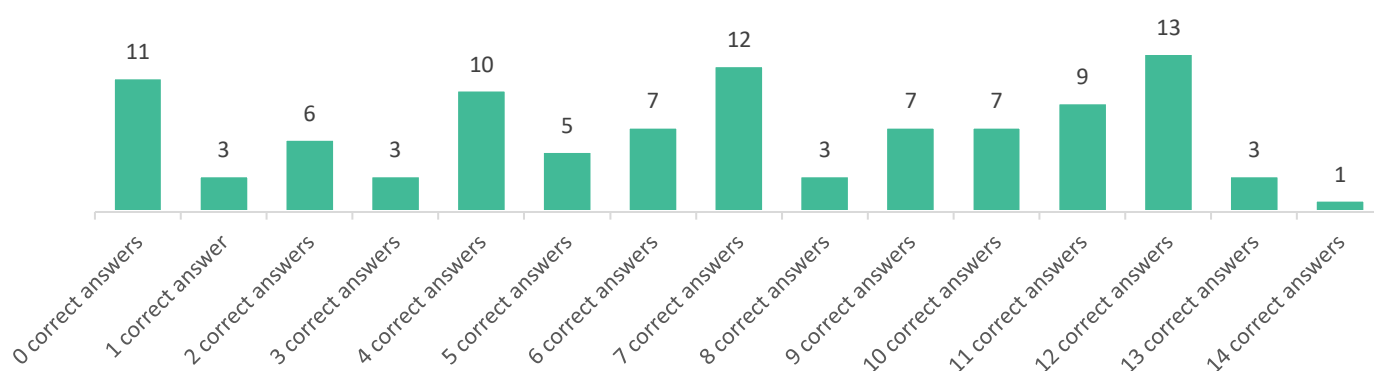
The number of respondents who answered the question: 107 persons. There were several options to choose from.

In general, only 1% of those who answered the question gave a completely correct answer: that is, they noted all the rights that the ESC guarantees, and did not mark any of those that are not guaranteed by the Charter⁵. 54% of respondents gave from 7 to 13 correct answers. Average number of correct answers is slightly higher among women (7.0) than among men (6.5), though this difference is small.

⁵ The respondents could choose between the options YES, NO, "I don't remember / don't know" or leave the question unanswered. The correct answer was YES for those rights guaranteed by the ESC, and NO for those that are not guaranteed. Also, in some cases, the omission of a question for those rights that are not guaranteed by the ESC was considered as NO (except for situations where all the rights were missed, or when some rights were still answered NO).

Number of correct answers to the question "What rights are guaranteed by the European Social Charter?"

(% of those who are familiar with the ESC provisions)



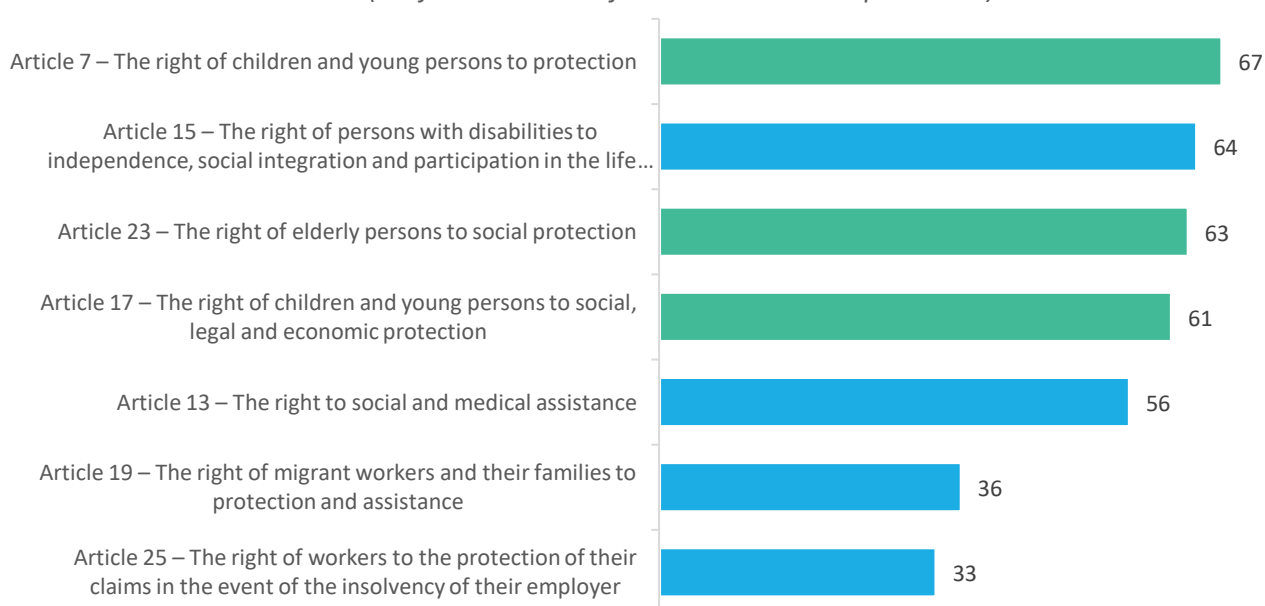
The number of respondents who answered the question: 107 persons.

The second question to test the level of knowledge about the ESC concerned the provisions of which articles of the charter Ukraine adopted. Most of the correct answers were chosen by a larger proportion of respondents as compared to the incorrect ones. In particular, 67% of the respondents answered affirmative about Ukraine's adoption of Article 7 – The right of children and young persons to protection. 64% of respondents believed that Article 15 – The right of persons with disabilities to independence, social integration and participation in the life of the community, was adopted, Article 23 – The right of elderly persons to social protection – 63% of respondents, Article 17 – The right of children and young persons to social, legal and economic protection – 61%.

At the same time, 56% of respondents answered that Article 13 – The right to social and medical assistance was adopted, which contradicts reality. About a third of respondents noted Article 19 – The right of migrant workers and their families to protection and assistance (36%) and Article 25 – The right of workers to the protection of their claims in the event of the insolvency of their employer (33%), which were not adopted by Ukraine.

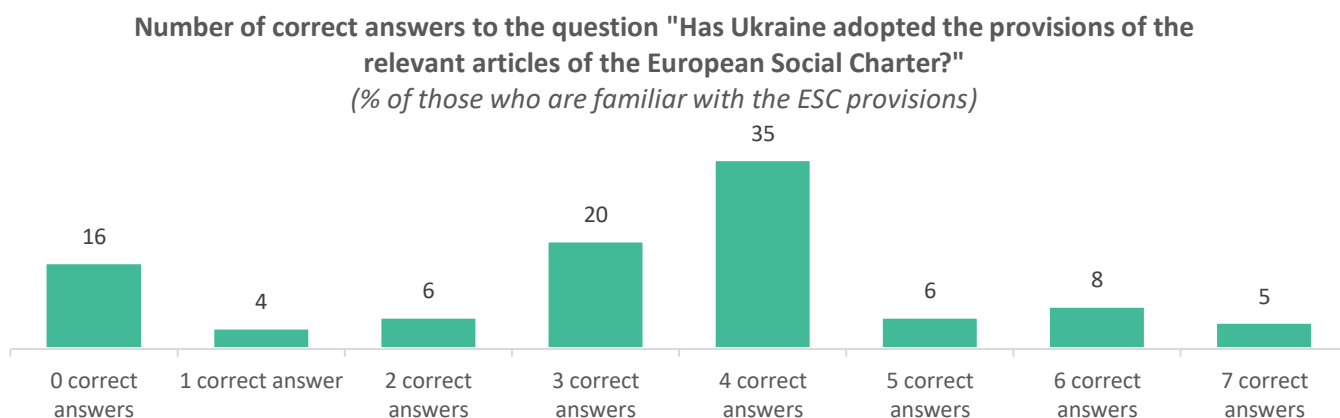
Has Ukraine adopted the provisions of the relevant articles of the European Social Charter?

(% of those who are familiar with the ESC provisions)



The number of respondents who answered the question: 107 persons. There were several options to choose from.

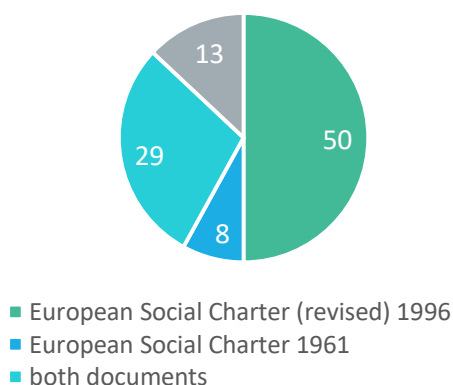
In general, only 5% of those who answered gave all correct answers, that is, they marked the articles adopted by Ukraine and did not mark those that were not adopted⁶. About a third (35%) – gave 4 correct answers. 30% gave 1 to 3 correct answers.



The number of respondents who answered the question: 107 persons.

Speaking of the European Social Charter, 50% understood it as the 1996 revised edition, 8% – the 1961 edition, and 29% – both documents. 13% of respondents did not answer.

Under the European Social Charter you understand a document:
(% of those who are familiar with the ESC provisions)

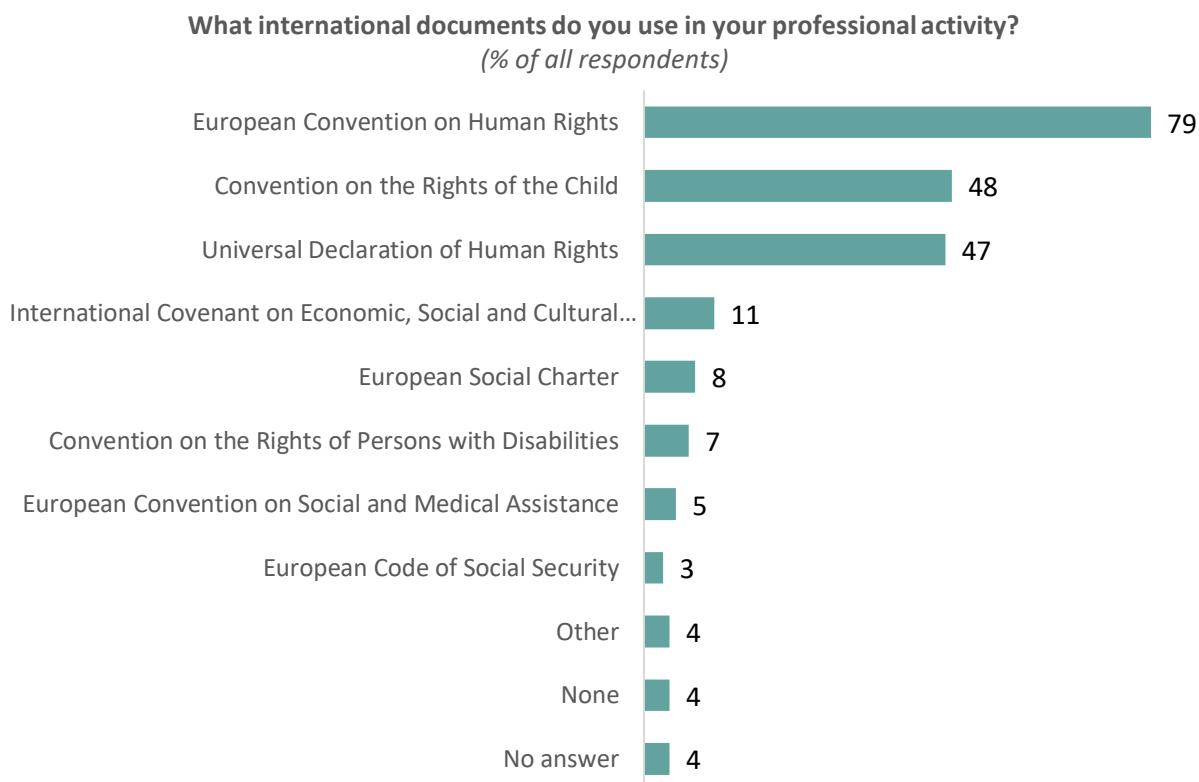


The number of respondents who answered the question: 107 persons.

⁶ The respondents could choose between the options YES, NO, "I don't remember / don't know" or leave the question unanswered. The correct answer was YES for those articles adopted by Ukraine, and NO for those that were not adopted. Also, in some cases, the omission of a question for those articles that were not adopted by Ukraine was considered as NO (except for situations where all articles were missed, or when some articles were still answered NO).

1.4. The prevalence and practice of application

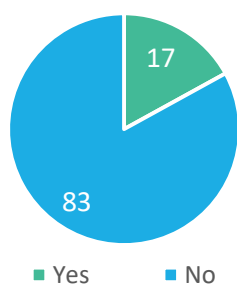
Among the international documents listed in the questionnaire, the interviewed lawyers used the European Convention on Human Rights in their professional activities (79%) most often. Almost half of them also apply the Convention on the Rights of the Child (48%) and the Universal Declaration of Human Rights (47%). Other documents were used by the minority of respondents: in particular, 11% of respondents mentioned the International Covenant on Economic, Social and Cultural Rights, the European Social Charter – 8%, the Convention on the Rights of Persons with Disabilities – 7%, the European Convention on Social and Medical Assistance – 5%, and the European Code of Social Security – 3%. Four percent of lawyers do not use any international document.



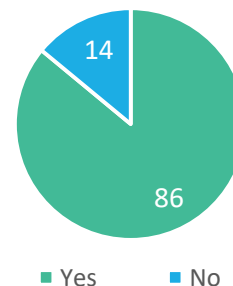
The number of respondents who answered the question: 259 persons. There were several options to choose from.

At the same time, 17% of the interviewed professionals answered affirmative (or 41% among those who were familiar with the ESC provisions) to the direct question "Have you ever used the provisions of the European Social Charter?". For comparison, 86% of the respondents gave an affirmative answer to the question "Do you use the provisions of the European Convention on Human Rights in your professional activities?". Almost the same share of women and men have used the ESC: 19% and 16% accordingly.

Have you used the provisions of the European Social Charter?
(% of all respondents)



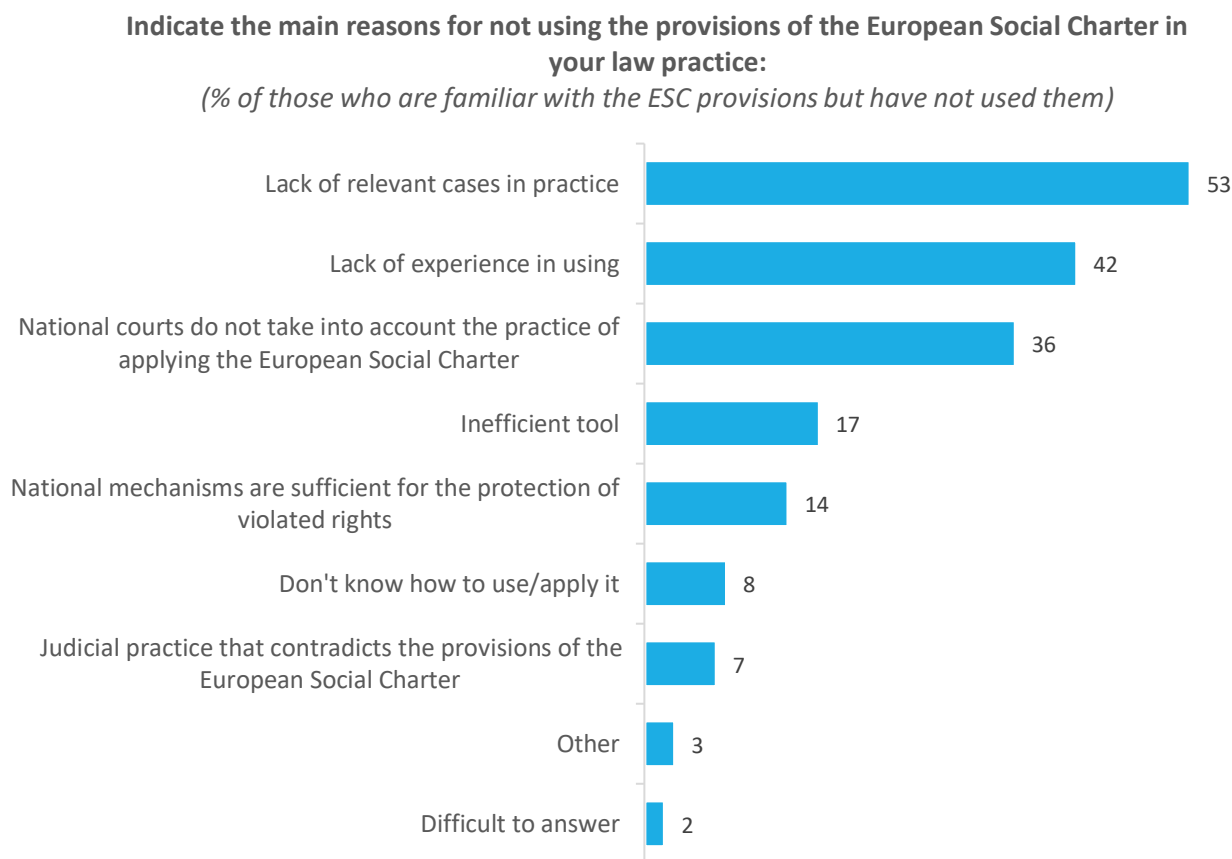
Do you use the provisions of the European Convention on Human Rights in your professional activity?
(% of all respondents)



The number of respondents who answered the question: 259 persons.

The main reason for not using ESC in practice was the lack of relevant cases in practice (52%). 42% of lawyers had no experience of using the ESC, and more than a third (36%) believed that national courts did not take into account the practice of applying the ESC.

The ESC inefficiency as a tool (17%), the sufficiency of national mechanisms for protecting violated rights (14%), ignorance of how the ESC can be used (8%), and judicial practice that contradicts the provisions of the ESC (7%) were comparatively fewer mentioned as reasons. One respondent noted that “the provisions of the European Social Charter (revised) usually only strengthen certain aspects of human rights activities, but were not determinative, so their use should be more episodic”.

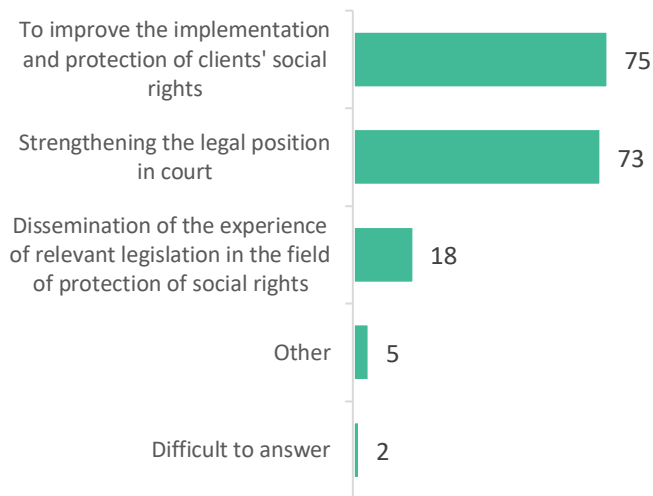


The number of respondents who answered the question: 59 persons. There were several options to choose from.

The lawyers who took part in the research and use the ESC use the Charter primarily to improve the implementation and protection of clients' social rights (75%) and to strengthen their legal position in court (73%). 18% apply the provisions of the ESC to disseminate the experience of relevant legislation in the field of protecting social rights. Other mentioned tasks included teaching at a higher education institution.

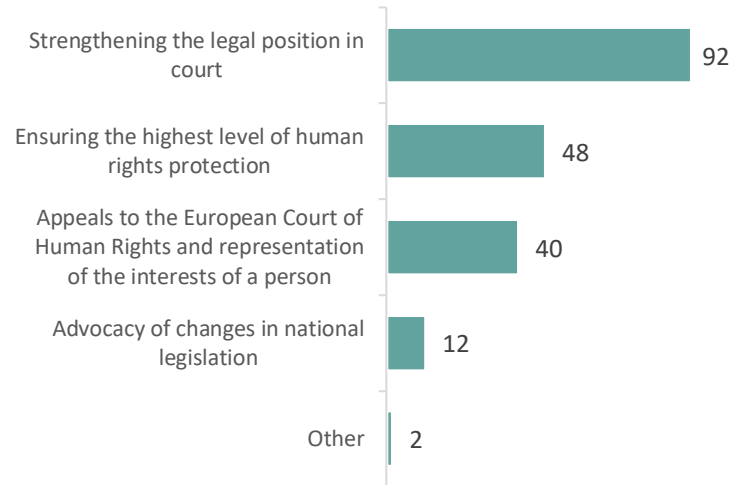
For comparison, the provisions of the European Convention on Human Rights were used to strengthen the legal position in court by 92% of respondents using the Convention, to ensure a high level of human rights – 48% of respondents, to apply to the ECtHR and represent the interests of persons – 40%, for advocacy of changes in national legislation – 12%. Consequently, in order to defend a position in court, the Convention was more applicable both in absolute and in relative terms.

For what tasks do you often use the provisions of the European Social Charter for?
(% of those who use the ESC provisions)



The number of respondents who answered the question: 44 persons. There were several options to choose from.

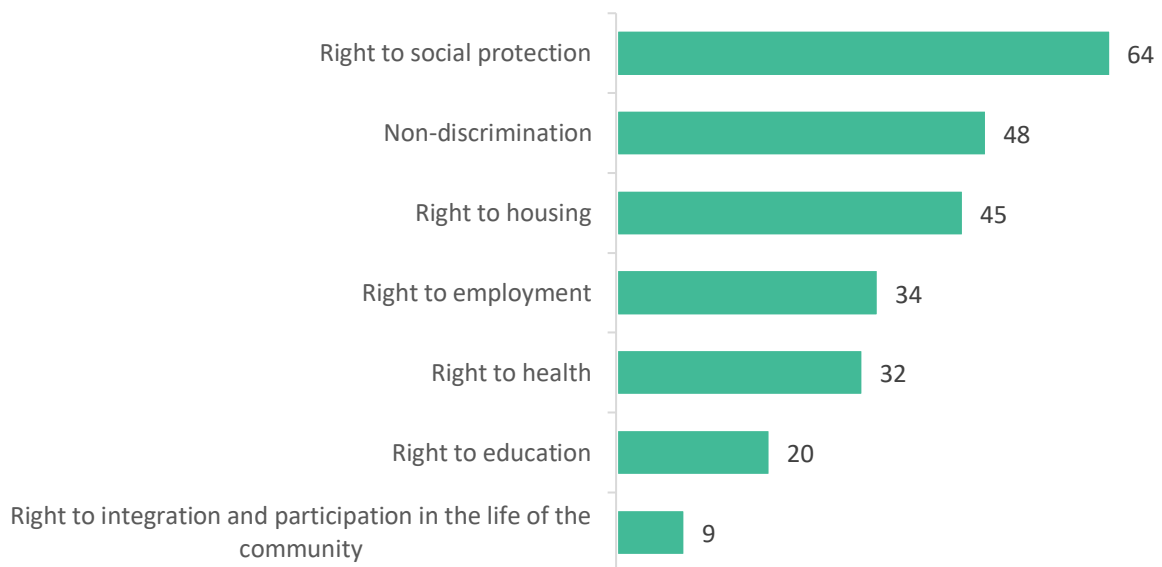
For what tasks do you often use the provisions of the European Convention on Human Rights for?
(% of those who use the Convention provisions)



The number of respondents who answered the question: 224 persons. There were several options to choose from.

Lawyers most often applied legislation in the field of protection of social rights, taking into account the provisions of the European Social Charter for issues related to the right to social protection (64% of those who used the ESC). Other categories of issues for which such legislation was often applied related to non-discrimination (48%) and the right to housing (45%), somewhat less frequently - the right to employment (34%), the right to health (32%) and the right to education (20%). Cases related to the right to integration and participation in the life of the community were mentioned less (9%).

Select the categories of issues where you applied the legislation in the field of protection of social rights, taking into account the provisions of the ESC:
(% of those who use the ESC provisions)

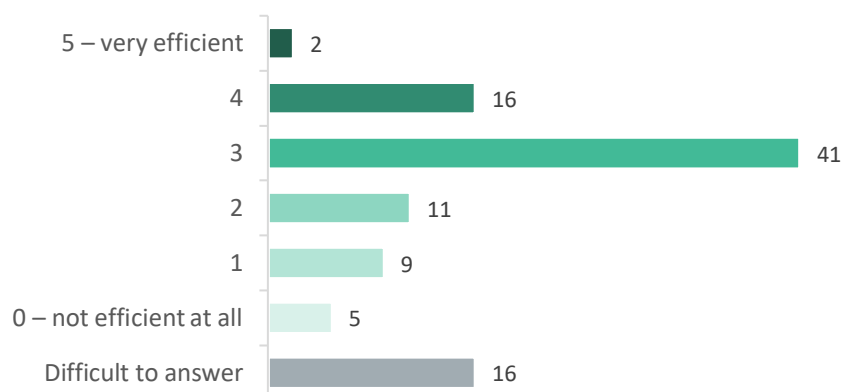


The number of respondents who answered the question: 44 persons. There were several options to choose from.

The average score for the ESC efficiency in protecting social rights was 2.7 points on the 0 to 5 scale. Among the lawyers who used the ESC, only 2% thought it was a very efficient tool (5 points out of 5 maximum), 16% rated it at 4 points, 41% – 3 points, 11% – 2 points, 9% – 1 point and 5% thought that the ESC was completely ineffective.

Rate the efficiency of the application of the European Social Charter provisions in the field of protection of social rights:

(% of those who use the ESC provisions)



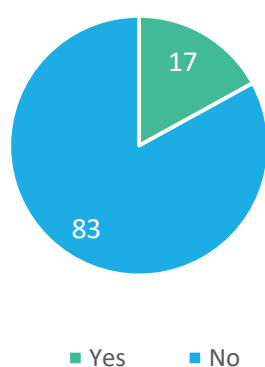
The number of respondents who answered the question: 44 persons.

1.5. The level of awareness of the activities of the European Committee of Social Rights

Only 17% of the interviewed lawyers (15% of women and 18% of men) knew about the activities of the European Committee of Social Rights. According to 37% of those who knew about the activities of the Committee, its main task was to oversee the compliance of national legislation and the implementation of the ESC provisions. The same number believed that the main task was to comply with legislation in the field of protection of social and economic rights. 19% answered that the main task was to implement the ESC provisions. Finally, 7% found it difficult to answer.

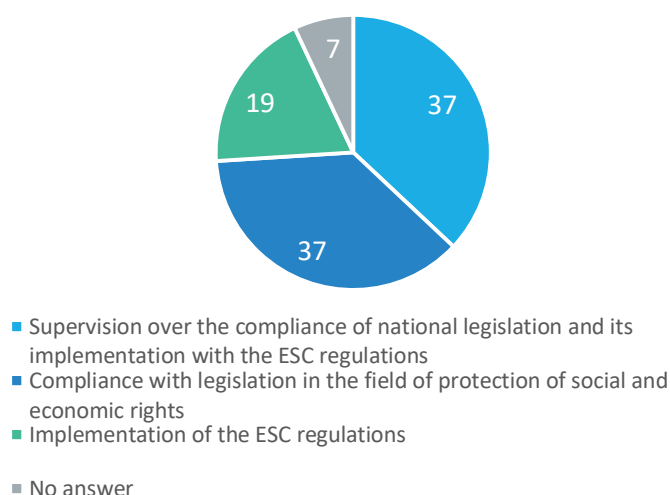
Do you know about the activities of the European Committee of Social Rights?

(% of all respondents)



What do you think is the main task of the European Committee of Social Rights?

(% of those who are familiar with its activities)



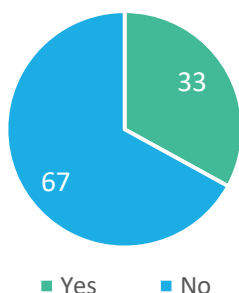
The number of respondents who answered the question: 259 persons.

The number of respondents who answered the question: 43 persons.

Among all questioned lawyers only 6% were aware of the reporting procedure, which provided for national reports on the implementation of the European Social Charter provisions (37% out of those who knew about the ECSE activities). 5% of the lawyers (or 33% out of those who knew about the activities of the Committee) got acquainted with its conclusions on the implementation of certain provisions of the ESC adopted by Ukraine. Most of them received that information using materials on the Internet. Among those who reviewed the findings, 43% (6 out of 14 respondents) were aware of the procedure for filing collective complaints about

Have you read the findings of the European Committee of Social Rights on Ukraine's implementation of certain ratified provisions of the ESC?

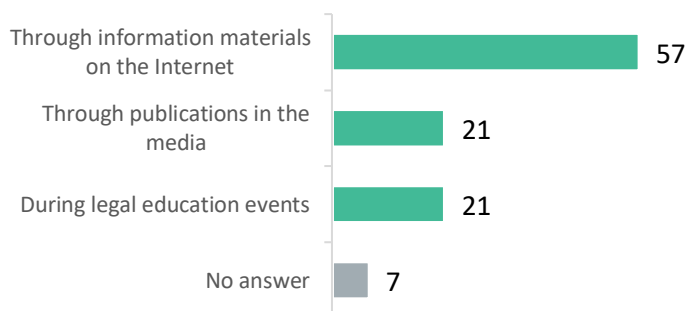
(% of those who are familiar with its activities)



The number of respondents who answered the question: 43 persons.

How did you learn about the annual findings of the European Committee of Social Rights?

(% of those who read the conclusions of the committee)



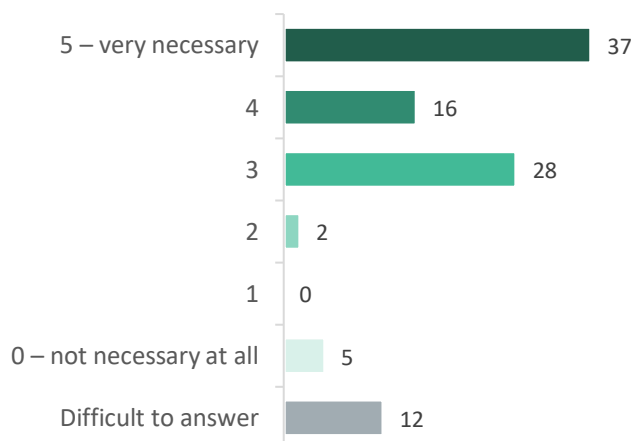
violations of the ESC provisions.

Attention, few answers! The number of respondents who answered the question: 14 persons. There were several options to choose from.

Among the lawyers who were aware of the European Committee of Social Rights activities, 37% considered joining the provisions of the article of the European Social Charter related to the procedure for filing collective complaints, very necessary. 16% rated the need to join at 4 points out of 5, 28% – at 3 points out of 5. Only 7% answered that joining was not required, rating it from 0 to 2 points, and 12% found it difficult to answer. 37% of respondents believed that the primary advantage of joining was improving access to justice for vulnerable groups of the population, 34% – the implementation of steps by the state to prevent violations, 14% – the restoration of violated rights, and 3% – a decrease in the number of offences.

Please rate how necessary is accession to the provisions of the European Social Charter article concerning the collective complaint procedure:

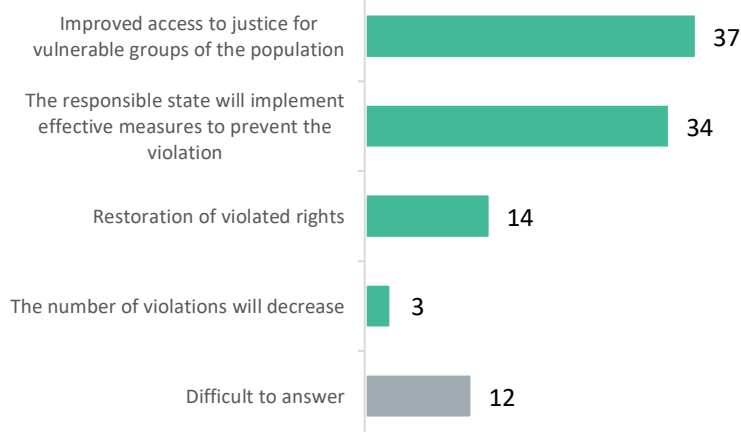
(% of those who are familiar with the activities of the European Committee of Social Rights)



The number of respondents who answered the question: 183 persons.

What advantages do you in case of accession to the provisions of the European Social Charter article concerning the collective complaint procedure?

(% of those who rated the need of accession to the provisions of the ESC article on filing a collective co

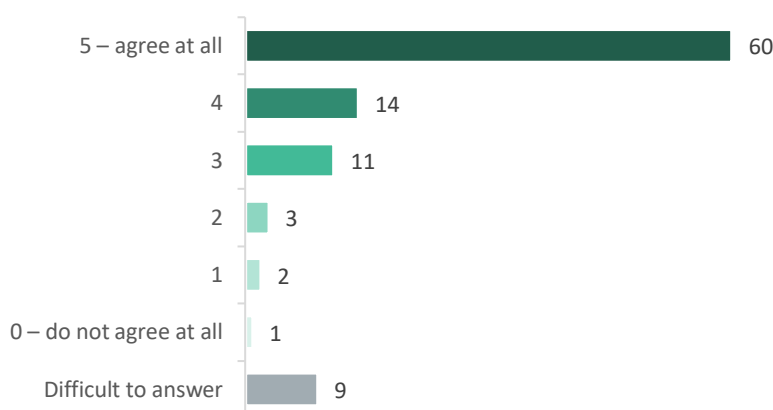


Attention, few answers! The number of respondents who answered the question: 35 persons.

1.6. Information for action

Six out of ten (60%) lawyers who participated in the survey fully agreed that professional communities (lawyers, judges, legal professionals) needed to develop knowledge and skills of the European Social Charter. 25% were more likely to agree with this (14% – 4 points out of 5, 11% – 3 points out of 5). Only 6% disagreed partially or did not agree at all, and 9% found it difficult to answer.

To what extent do you agree with the statement that professional communities (lawyers, judges, legal professionals) need to develop knowledge and skills in the field of the European Social Charter?
(% of all respondents)



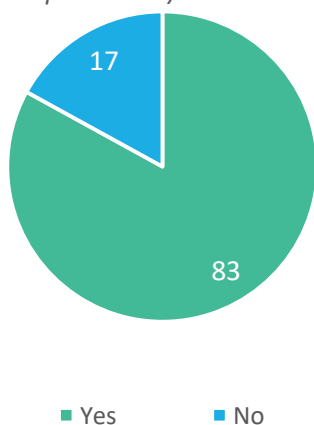
The number of respondents who answered the question: 259 persons.

Among lawyers who were not familiar with the European Social Charter provisions, the majority (83%) expressed a desire to learn more about them. Women are more interested in learning (92%) than men (77%)

Among 17% of those who were not interested in information on this issue, about a quarter (23%, or 6 out of 26 respondents) explained this by the presence of national mechanisms for the protection of violated rights, the same number – by the ineffectiveness of the ESC, 15% (4 out of 26) – by the lack of experience to use it, and 39% mentioned other reasons, primarily a different specialisation. One of the respondents noted that the Charter was "a political document, not a legal one."

Do you want to know about the provisions of the European Social Charter?

(% of those unfamiliar with ESC provisions)

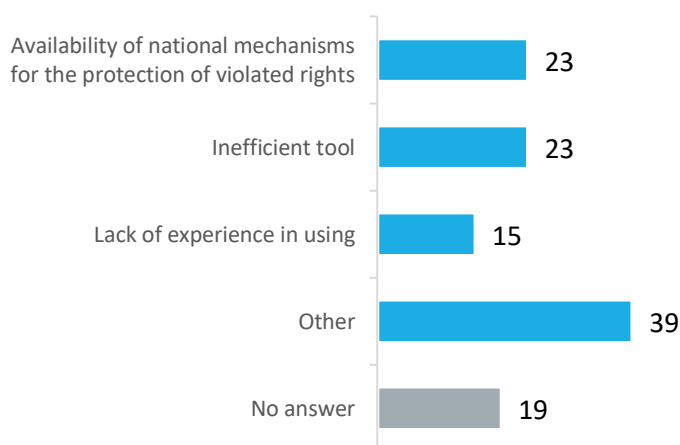


■ Yes ■ No

The number of respondents who answered the question: 152 persons.

Why don't you want to know about the provisions of the European Social Charter?

(% of those unfamiliar with ESC provisions and do not want to know about them)

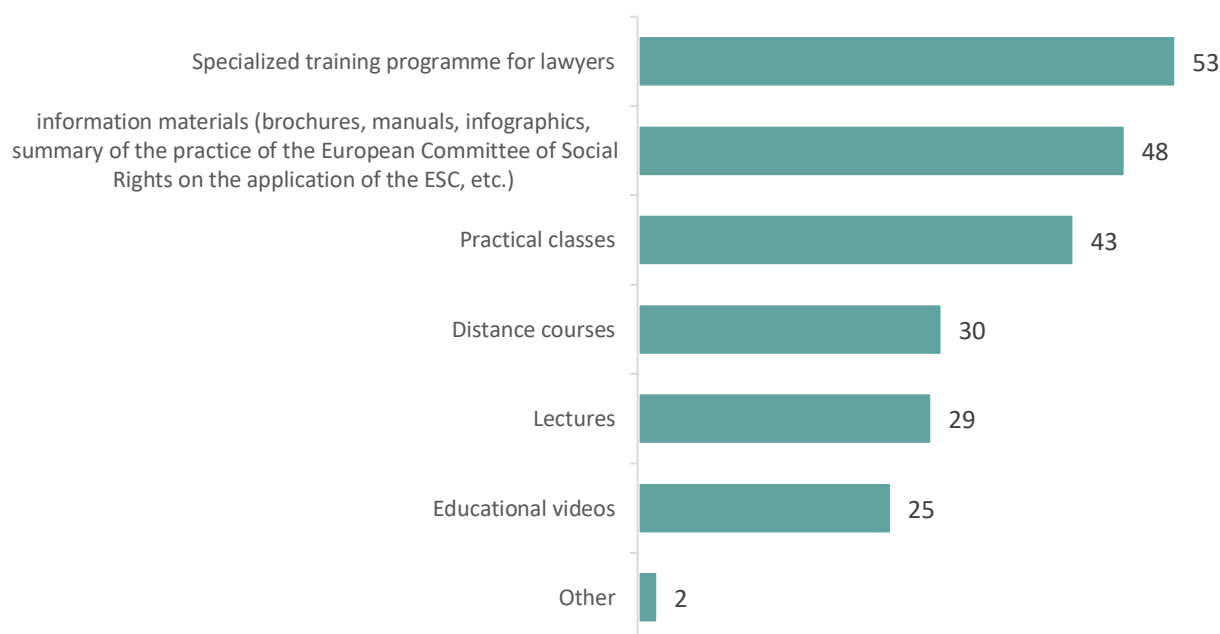


Attention, few answers! The number of respondents who answered the question: 26 persons. There were several options to choose from.

As for that 83% of respondents who were not familiar with the provisions of the European Social Charter, but wanted to learn about them, the most convenient form of obtaining information was a specialised training programme for lawyers (53%), information materials (48%) and practical classes (43%). Somewhat less convenient ways of learning were considered distance learning courses (30%), lectures (29%) and instructional videos (25%). Lawyers-men more often mentioned it would be convenient for them to receive information in the format of lectures, distance courses and educational videos (34%, 34% and 31% accordingly among men; 21%, 25% and 18% accordingly among women). Bigger share of women preferred specialised training programme (59% compared to 49% among men).

What form would you like to receive information on social and economic rights, including the provisions of the European Social Charter?

(% of those unfamiliar with ESC provisions and want to know about them)

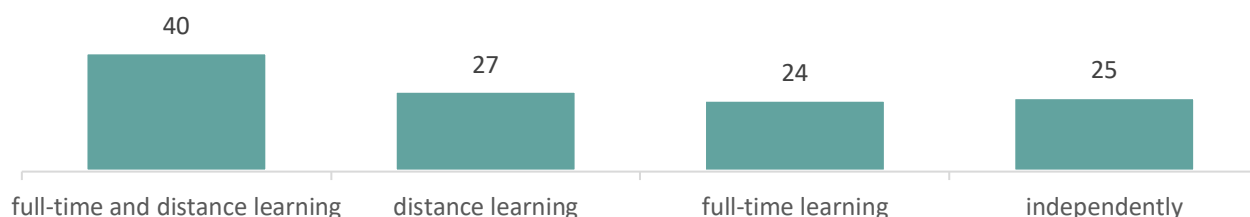


The number of respondents who answered the question: 126 persons. There were several options to choose from.

In general, 40% of those interested in information about the ESC preferred both full-time and distance learning, 27% – only distance learning, and 24% – only full-time one. In addition, it would be convenient for 25% of the respondents to study independently. It should be noted that the respondent could choose several answer options, that is, the choice of the option "study independently" did not exclude the choice of the other option ("distance", "full-time", "full-time and distance"). Women more often preferred distance learning (32%) compared to men (23%), and the men preferred to study independently (31% compared to 16% among women).

What form would be more convenient for you to study in the field of the European Social Charter?

(% of those unfamiliar with ESC provisions and want to know about them)



The number of respondents who answered the question: 126 persons. There were several options to choose from.

Only 4% of all respondents did not need to receive information about the provisions of the European Social Charter, but 45% rated their need at 5 points out of 5, 20% – at 4 points. The other 16% of the lawyers need information about the ESC at 3 out of 5, 5% at 2 points, and 2% at 1 point. The same need for information was on the practice of applying the provisions of the European Social Charter in providing legal assistance to clients. Half of all respondents (50%) really needed such information. 17% rated their need at 4 out of 5 points, 15% – 3 points, 4% – 2 points, and 2% – 1 point. Only 5% of respondents did not demand it at all, and 7% found it difficult to answer.

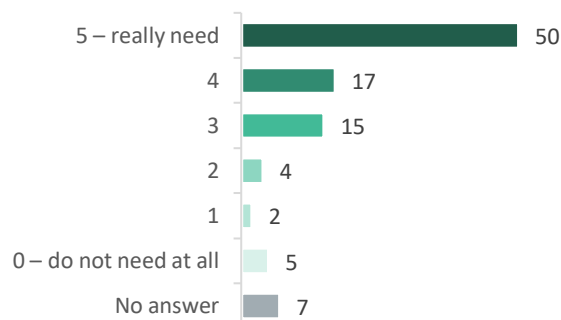
To what extent do you need information on the provisions of the European Social Charter?

(% of all respondents)



To what extent do you need information about the practice of applying the European Social Charter provisions in providing legal assistance to clients?

(% of all respondents)

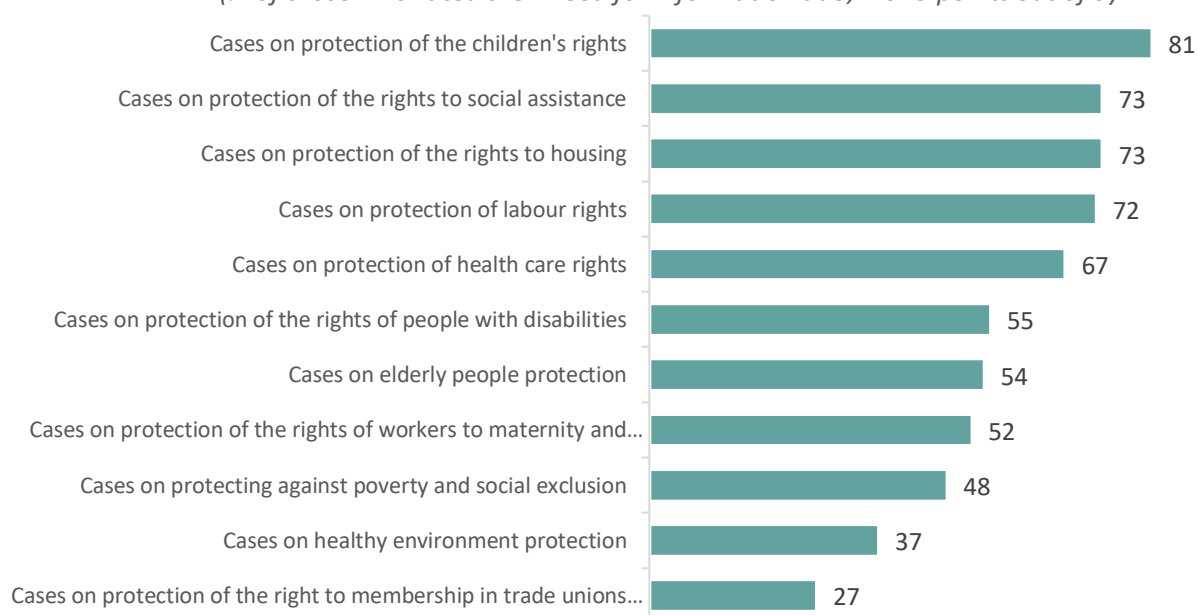


The number of respondents who answered the question: 259 persons.

Among those who rated their need for information on the application of the ESC at 3, 4, or 5 points out of 5 maximum, the information on the practice of applying the ESC provisions in the provision of legal assistance in cases of protecting children's rights (81%), rights to social assistance (73%), housing rights (73%), labour rights (72%) and rights to health (67%). Lawyers were least interested in information on the protection of rights to membership in trade unions and participation in trade union activities (27%).

In which categories of cases would you like to receive additional practical information on the application of certain provisions of the ESC while providing legal aid?

(% of those who rated their need for information at 3, 4 or 5 points out of 5)

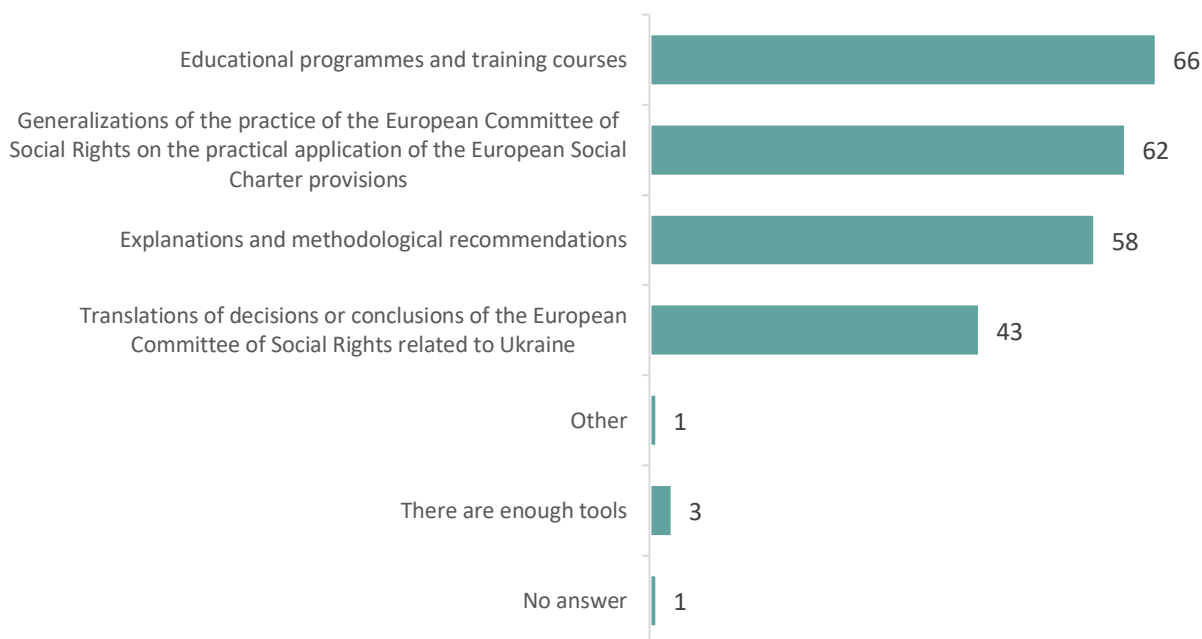


The number of respondents who answered the question: 213 persons. There were several options to choose from.

Most of all, lawyers lacked for better understanding of the practical application of the European Social Charter provisions and the conclusions of the European Committee of Social Rights, educational programmes and training courses (66%), generalisations of the practice of the European Committee of Social Rights on the practical application of the ESC provisions (62%), explanations and methodological recommendations (58%). Also, translations of decisions or findings of the European Committee of Social Rights in relation to Ukraine would be in great demand (43%). Only 3% of respondents believed that they had enough tools.

What tools do you lack in your work to better understand the practical application of the ESC provisions and the ECSR findings?

(% of those who rated their need for information at 3, 4 or 5 points out of 5)

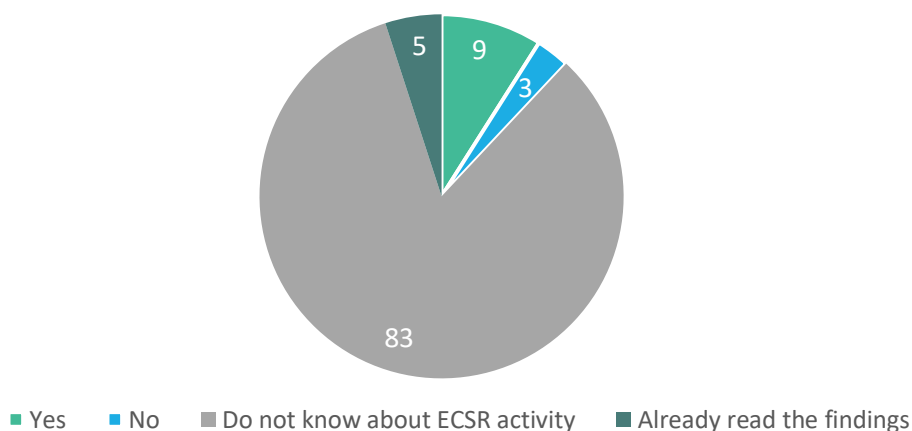


The number of respondents who answered the question: 213 persons. There were several options to choose from.

9% of respondents would like to get acquainted with the ECSR conclusions on Ukraine's implementation of certain adopted provisions of the European Social Charter.

Do you need to read the ECSR annual findings on Ukraine's implementation of certain ratified ESC provisions?

(% of all respondents)



The number of respondents who answered the question: 259 persons.

Section II. The survey to determine the level of awareness of judges about the main provisions of the rights and freedoms guaranteed by the European Social Charter and the practice of application

2.1. General review

Geography: the survey was carried out throughout Ukraine, except for the temporarily occupied territories.

Target audience: Judges of general jurisdiction courts.

Sampling: The sample was based on a database of judges available on the open data portal (available at <https://data.openup.org.ua/>) for 2019. The information on the judges was summarised in order to obtain the number of judges in each court. Courts were divided into strata according to their specialisation and jurisdiction. In each stratum, courts were randomly selected where a certain number of judges were to be interviewed (about 50% of the existing ones, except for cases when only one judge works in the court).

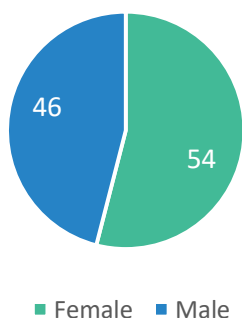
Methods of sociological research: the questioning of this target audience was carried out electronically by filling out electronic online questionnaires by respondents, which were distributed among potential survey participants using various communication channels (the results were collected in separate databases in accordance with the online questionnaire distribution channel), in particular: (1) public page of the PRAVOKATOR legal club on the Facebook social network; (2) by sending out using internal communication channels of the National School of Judges of Ukraine, by sending an e-mail of support with the specified link to the questionnaire; (3) to the e-mail addresses of the courts included in the sampling of the sociological research.

2.2. Description of respondents

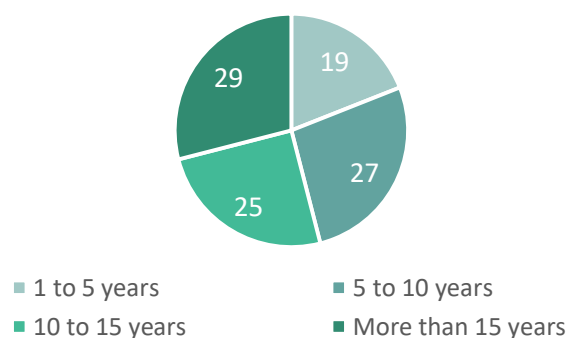
Among the interviewed judges, 137 persons (54%) were women, 118 persons (46%) – men.

Almost a fifth of them (49 persons or 19%) had experience in the position of a judge under 5 years, more than a quarter (68 persons or 27%) have been working from 5 to 10 years, almost the same number (65 persons or 25%) – from 10 to 15 years, and the largest share of the respondents (73 persons or 29%) has held the office of a judge for more than 15 years.

Gender:
(% of all respondents)



Indicate your experience as a judge:
(% of all respondents)

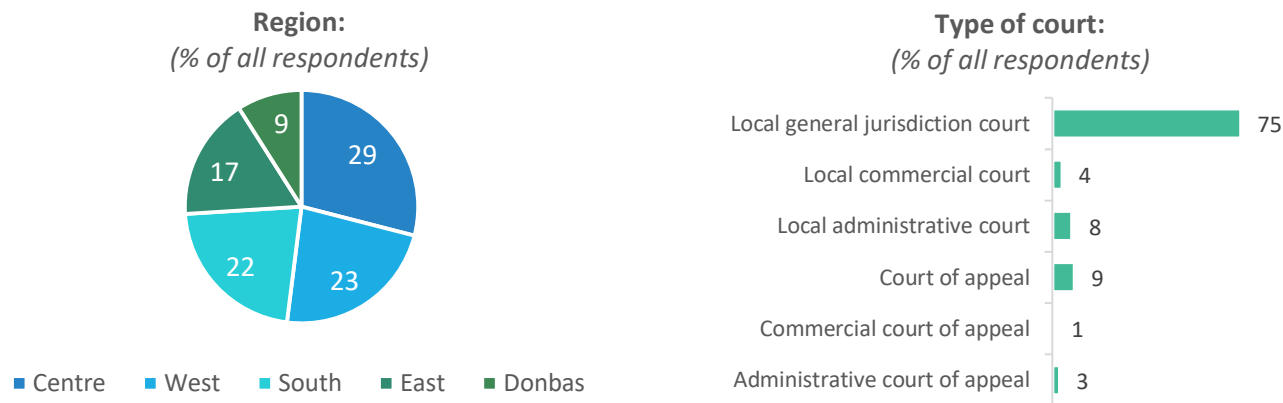


The number of respondents who answered the question: 255 persons.

Most of the interviewed judges worked in the central oblasts⁷ and Kyiv – there were 74 persons or 29%. Many respondents represented the courts of the western (59 persons or 23%) and southern oblasts (56 persons or 22%). There were 42 judges (17%) in the eastern oblasts, and 24 judges (9%) – in the Donbas.

⁷ Central oblasts – Vinnytsia, Zhytomyr, Kyiv, Kirovohrad, Poltava, Sumy, Cherkasy, and Chernihiv. Western oblasts – Volyn, Zakarpattia, Ivano-Frankivsk, Lviv, Rivne, Ternopil, Khmelnytskyi, and Chernivtsi. Southern oblasts – Mykolaiv, Odesa, Kherson. Eastern oblasts – Dnipropetrovsk, Zaporizhzhia, Kharkiv. Donbas – Donetsk and Luhansk oblasts.

Most of the respondents were judges of local general jurisdiction courts – 190 persons or 75%. In general, 87% of the respondents worked in the courts of original jurisdiction, and 13% work in the courts of appeal. Among the respondents there were judges of the commercial and administrative courts of the first and second instances, however, they constituted a minority (16%).



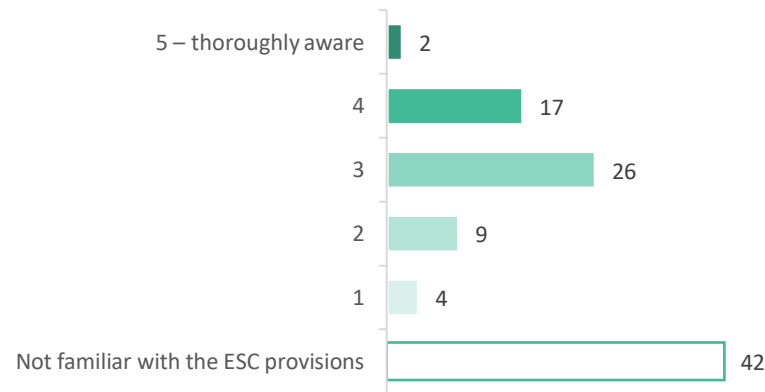
The number of respondents who answered the question: 255 persons.

Since the sampling structure was somewhat shifted when compared with the available database of judges in terms of such characteristics as the type of court (specialisation and instance) and the region of location, the data was evaluated using these parameters. In particular, the weight of the answers of judges of local general jurisdiction courts, as well as representatives of the southern oblasts, was reduced in proportion to their representation in the general population of judges. Data provided in later parts of this section were calculated using that evaluation.

2.3. Level of awareness of ESC provisions

More than half of the interviewed judges (58%) consider themselves familiar with the provisions of the European Social Charter. Among all the interviewed judges, the average level of awareness was 1.8 on the 0 to 5 scale, and among those who described themselves as familiar with the provisions of the ESC – 3.1 points. 2% of the judges considered themselves thoroughly aware (by 5 points), 17% of the judges gave themselves 4 points, 3 points – 26%, 2 points – 9%, 1 point – 4%. Thus, the level of awareness of judges with the provisions of the European Social Charter, according to their self-assessment, can be characterised as below average. There is no significant difference in the level of awareness of women and men-judges.

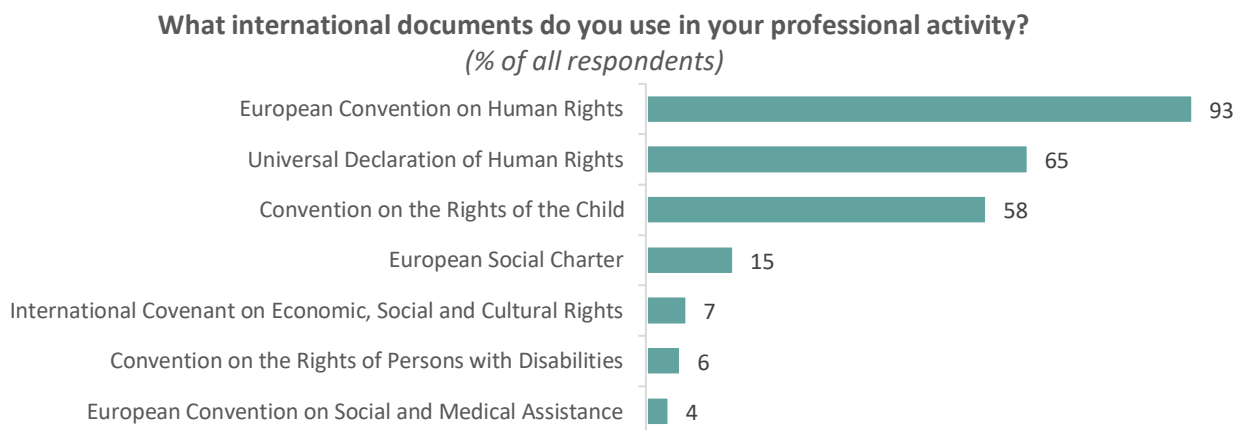
To what extent do you consider yourself aware of the European Social Charter?
(% of all respondents)



The number of respondents who answered the question: 255 persons.

2.4. The prevalence and practice of application

Among the international documents listed in the questionnaire, the interviewed judges used the European Convention on Human Rights (93%), the Universal Declaration of Human Rights (65 %) and the Convention on the Rights of the Child (58%). The European Social Charter is in fourth place in this list: it was marked by 15% of respondents. Even fewer, judges use such international instruments as the International Covenant on Economic, Social and Cultural Rights (7%), the Convention on the Rights of Persons with Disabilities (6%) and the European Convention on Social and Medical Assistance (4%).

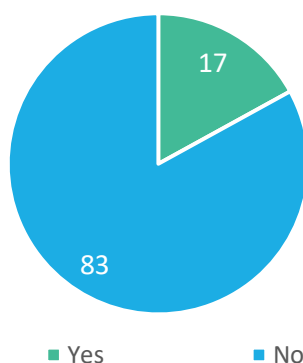


The number of respondents who answered the question: 255 persons. There were several options to choose from. The list should not be considered complete and exhaustive.

17% of the interviewed judges answered affirmative (or 30% among those who were familiar with the ESC provisions) to the direct question "Do you ever use the provisions of the European Social Charter?". Among all the respondents, 22% of women and 12% of men are using the ESC.

It is worth mentioning that no one among the judges of the commercial courts said that they were using the provisions of the ESC, but among the judges of the administrative courts, almost a third gave a positive answer. Among judges of general jurisdiction courts, this indicator was close to the generalised for the entire sampling and amounts to 16%.

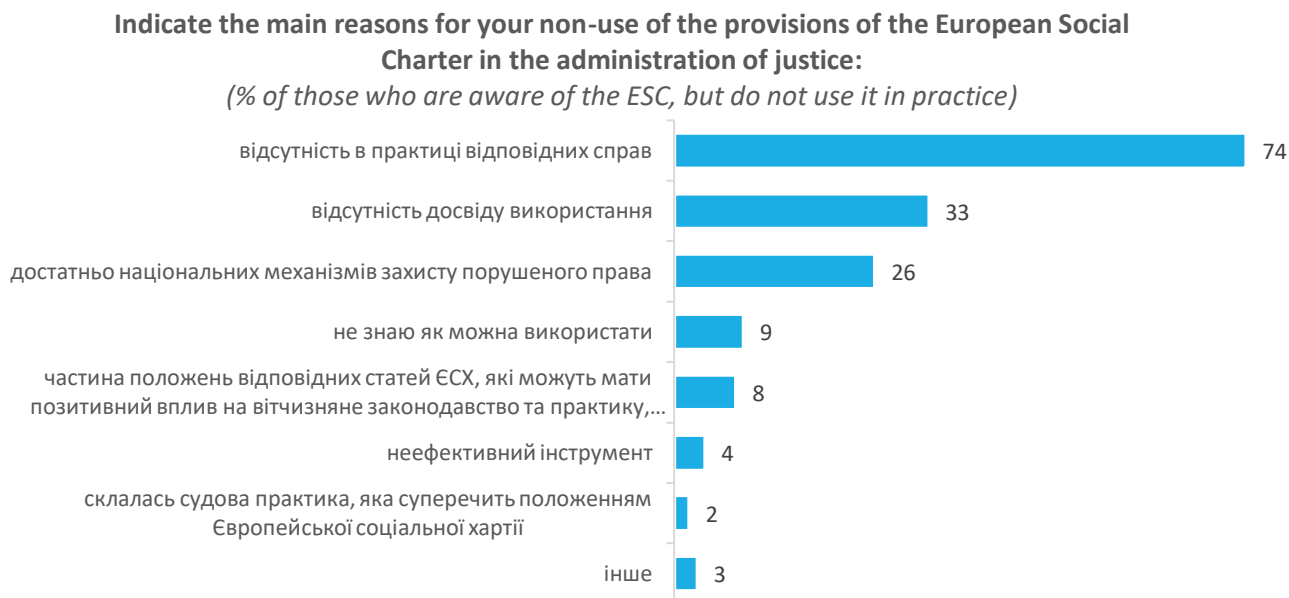
Do you use the European Social Charter provisions in practice?
(% of all respondents)



The number of respondents who answered the question: 255 persons.

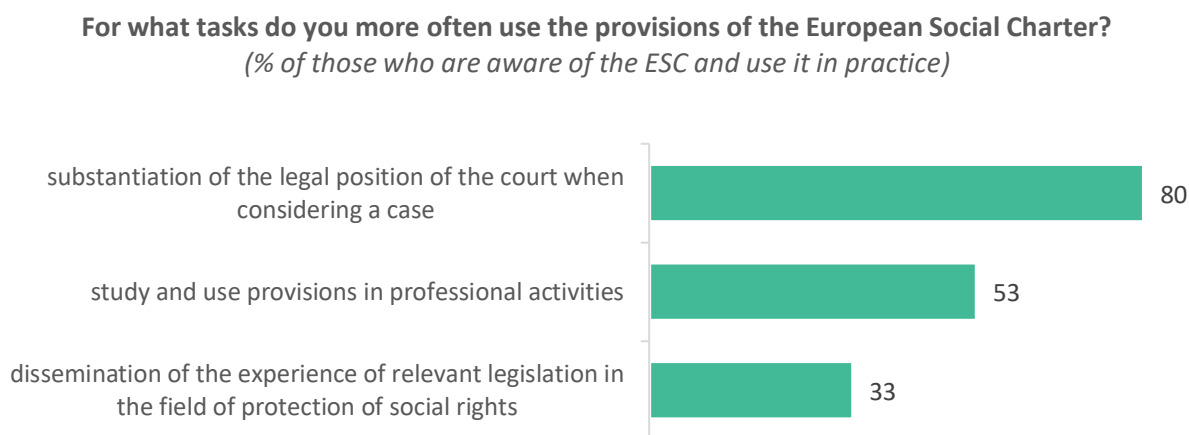
The main reason why judges were aware of the ESC provisions and did not apply them was the lack of relevant cases in practice (74%). A third of judges also had no experience in using them (33%), and a quarter thought that national mechanisms to protect the violated rights was sufficient (26%).

Relatively fewer were mentioned such reasons as ignorance of how the ESC could be used (9%), the fact that some ESC provisions were not adopted by Ukraine (8%), the inefficiency of the ESC as a tool (4%) and court practice that contradicted the ESC provisions (2%). Other reasons mentioned were personal, not related to the ESC as such.



The number of respondents who answered the question: 101 persons. There were several options to choose from.

Judges used the ESC primarily to substantiate the legal position of the court when considering a case (80%), as well as studying and using the provisions in their professional activities (53%) and less for the dissemination of the experience of relevant legislation in the field of protection of social rights (33%). No one answered that they were using the ESC to advocate for changes in national legislation.

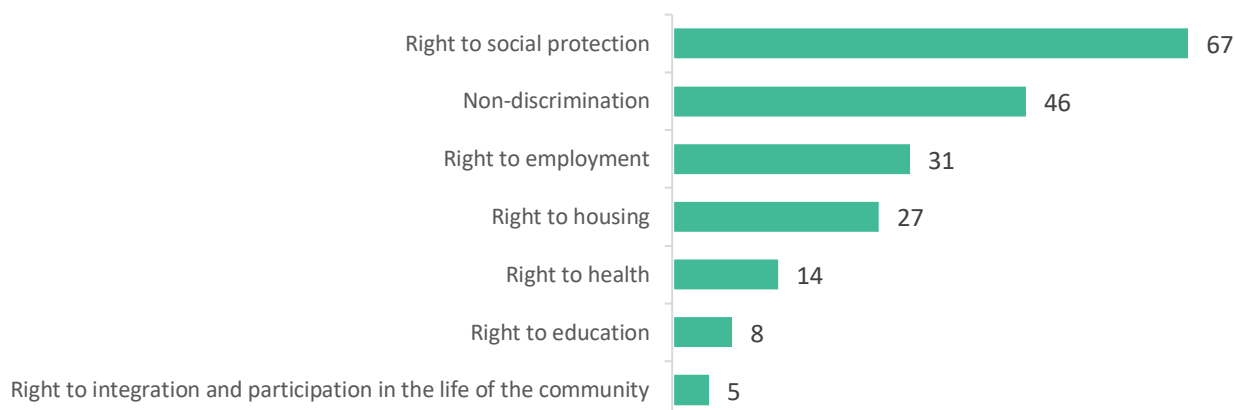


The number of respondents who answered the question: 44 persons. There were several options to choose from.

Those judges who used the ESC applied it primarily to consider cases of violations of the right to social protection (67%). In second place – cases related to non-discrimination (46%), while cases on violation of the right to employment (31%) and the right to housing (27%) were ranked third and fourth, respectively. Less commonly, the ESC was used by judges in cases involving violations of the right to health (14%), the right to education (8%) and the right to integration and participation in the life of the community (5%).

What particular human rights do you most often apply the provisions of the European Social Charter while considering cases of their violation?

(% of those who are aware of the ESC and use it in practice)



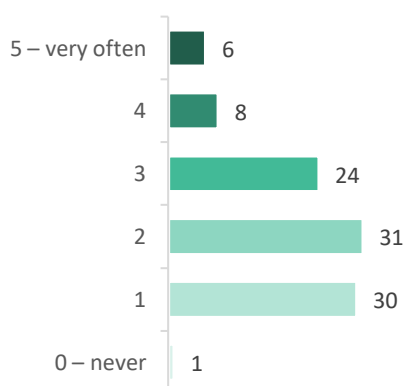
The number of respondents who answered the question: 44 persons. There were several options to choose from.

Responding to the question how often they referred to the provisions of the ESC in court decisions, using the 0 to 5 scale, 6% of judges (among those who use the ESC) indicated that this happened very often, 8% – rated the frequency at 4 points, 24% – 3 points, 31% – at 2 points, 30% – 1 point, and 1% of judges never did this. The average frequency score is 2.3.

The average score for the ESC efficiency in protecting social rights was 3.1 points on the 0 to 5 scale, which was above average. Among the judges who use the ESC, 15% believed that it was a very efficient tool, 28% rated it at 4, 27% – 3, 22% – 2, 3% – 1, and 5% of judges assessed the ESC as completely ineffective in the protection of social rights.

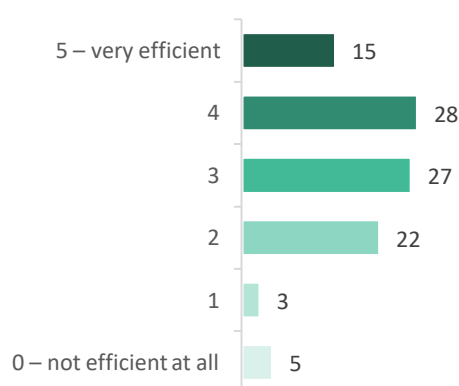
How often do you refer to the provisions of the European Social Charter in court decisions?

(% of those who use the ESC)



Rate the efficiency of the application of the European Social Charter provisions in the field of social rights protection:

(% of those who use the ESC)

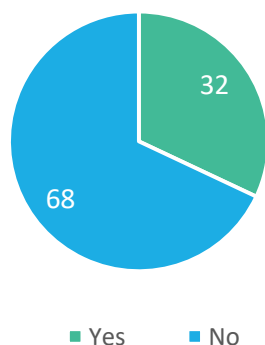


The number of respondents who answered the question: 44 persons.

2.5. The level of awareness of the activities of the European Committee of Social Rights

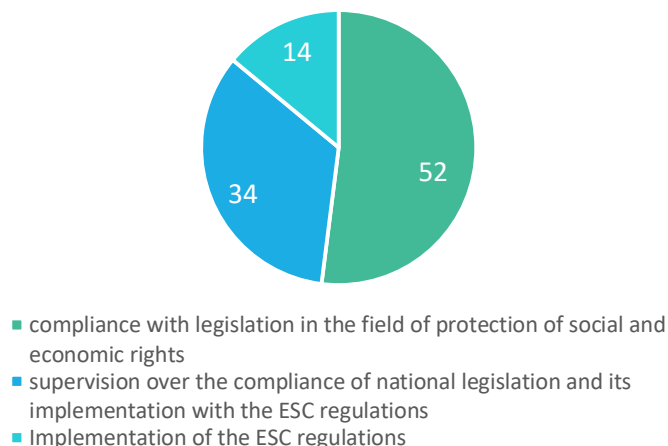
Almost a third of the judges surveyed (32%, 39% of women and 25% of men) were aware of the European Committee of Social Rights activities. According to the majority of those who knew about the activities of the Committee, its main task was to comply with legislation in the field of protecting social and economic rights: 52% of respondents answered YES. About a third of the surveyed judges (34%) believed that the main task is to oversee the compliance of national legislation and its implementation with the ESC regulations. Finally, 14% of respondents answered that the main task was to implement the ESC provisions.

Do you know about the activities of the European Committee of Social Rights?
(% of all respondents)



The number of respondents who answered the question: 255 persons.

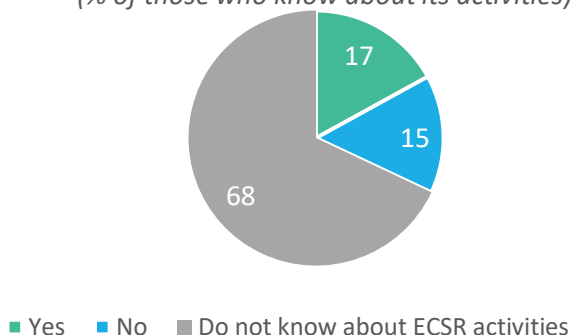
What is the main task of the European Committee of Social Rights?
(% of those who know about its activities)



The number of respondents who answered the question: 82 persons.

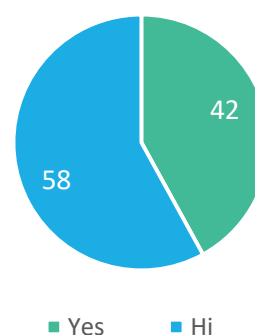
Among all questioned judges 17% got acquainted with the ECSR conclusions on Ukraine's implementation of certain ESC adopted provisions (namely, 22% of women and 12% of men). 42% of them (or 7% of all interviewed judges) applied the practice of the Committee in practice.

Have you read the findings of the European Committee of Social Rights on Ukraine's implementation of certain ESC ratified provisions?
(% of those who know about its activities)



The number of respondents who answered the question: 82 persons.

Do you use the practices of the European Committee of Social Rights in your activities?
(% of those who read the findings of the committee)

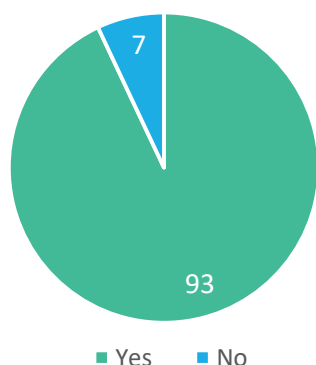


The number of respondents who answered the question: 42 persons.

2.6. Information for action

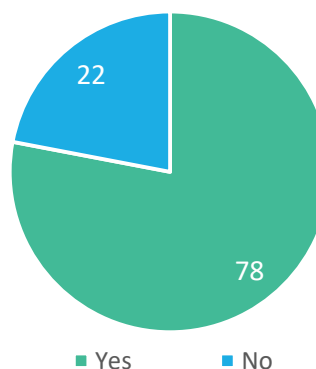
Almost all the surveyed judges (93%) expressed a desire to learn more about the provisions of the European Social Charter. Besides, 11% of judges would like to familiarise themselves with the European Committee of Social Rights annual findings on the implementation of certain adopted provisions of the European Social Charter by Ukraine.

Do you want to know more about the provisions of the European Social Charter?
(% of all respondents)



The number of respondents who answered the question: 255 persons.

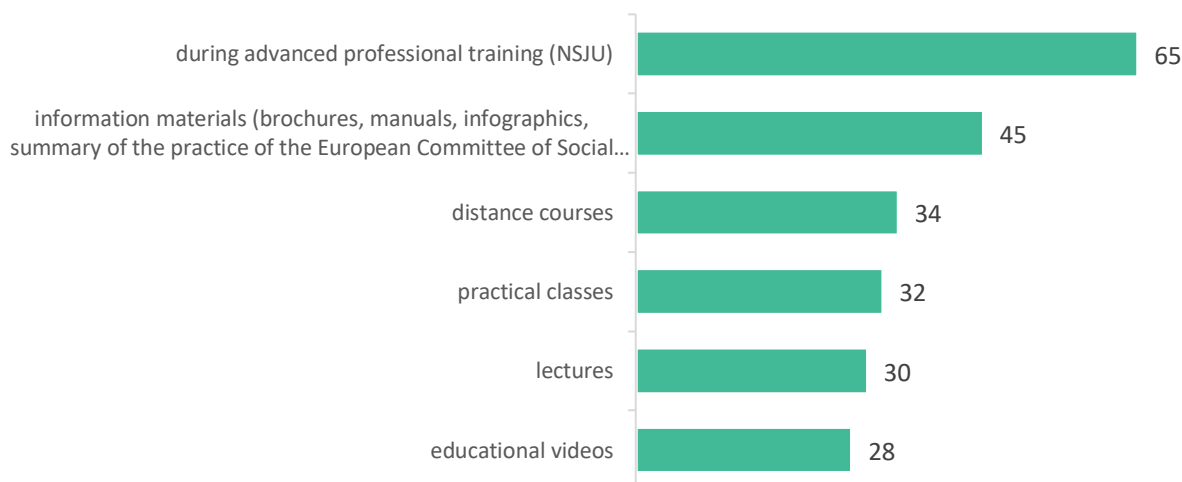
Do you need to familiarise yourself with the annual findings of the European Committee of Social Rights on the implementation of certain ratified provisions of the European Social Charter by Ukraine?
(% of those who know about the activities of the commit



The number of respondents who answered the question: 62 persons.

For those judges who would like to know more about the provisions of the European Social Charter, the most convenient form of obtaining information was to undergo advanced professional training (65% of them reported this). 45% chose information materials, 34% – distance courses, 32% – practical training, 30% – lectures, 28% – educational videos. Men mostly prefer practical classes (41%) and learning during advanced professional training (74%) compared to women (23% and 58% accordingly), and women prefer distance courses (39%) and information materials (48%) compared to men (27% and 40% accordingly).

In what form would you like to receive information on social and economic rights, including the provisions of the European Social Charter?
(% of those who want to know more about the ESC provisions)



The number of respondents who answered the question: 235 persons. There were several options to choose from.

Section III. Survey of students to determine the level of awareness of social rights provided for by the European Social Charter

3.1. General review

Geography: the survey was carried out throughout Ukraine, except for the temporarily occupied territories.

Target audience: students of law faculties of higher educational institutions majoring in 081 – Law, 231 – Social Work, 232 – Social Security, 262 – Law Enforcement Activities, 293 – International Law.

Sampling: To construct the sampling, we used information from the Register of entities of educational activities on the number of students majoring in Law, Social Work, Social Security, Law Enforcement Activities for each year of entry into higher educational institutions of various forms of ownership. The unit of selection was the “batch” of students who entered a certain year in a certain major to obtain a certain educational degree at a certain university. 2016-2017 and 2018-2019 admission years were grouped together; “batches” with less than 18 students were excluded from the selection. Although the share of such batches is 45% of the total number of batches, the share of students studying in them is only 5% of the total number of students. In total, 32 batches were selected by the probability proportional to size (PPS) method of selection, with return (that is, one batch could fall into the sampling more than once). The sampling generation process was carried out several times to select the best solution. The best solution was selected according to the criterion of the least deviation from the structure of the general population in the following parameters: the period of admission, the region, educational level, major, and the size of the batch. At least 9 students should be interviewed in each batch of the sampling.

Method of sociological research: the survey was carried out by means of an online survey by sending a questionnaire to the e-mail addresses of higher education institutions that train students in the above majors. Educational institutions shared links to the questionnaire among students.

3.2. Description of respondents

Students of 28 higher education institutions took part in the survey. The following higher education institutions are the most represented in the sample: Kharkiv National University of Internal Affairs (83 persons), Lesya Ukrainka East European National University (64 persons), M. Ye. Zhukovskiy National Aerospace University “Kharkiv Aviation Institute” (59 people), Bohdan Khmelnytskyi National Academy of State Border Guard Service of Ukraine (38 persons). 10 to 20 students from among the respondents study at the following higher education institutions: National Technical University of Ukraine “Igor Sikorsky Kyiv Polytechnic Institute” (20 persons), Ivan Franko National University of Lviv (16 persons), Kherson State University (14 persons), Donetsk Law Institute of the Ministry of Internal Affairs of Ukraine (14 persons), Volodymyr Dahl East Ukrainian National University (13 persons), University of Customs and Finance (12 persons), Private Higher Education Institution Academician Stepan Demianchuk International University of Economics and Humanities (12 persons), National University of Life and Environmental Sciences of Ukraine (12 persons), National Aviation University (10 persons). 15 educational institutions⁸ were represented in the research by less than 10 students⁹.

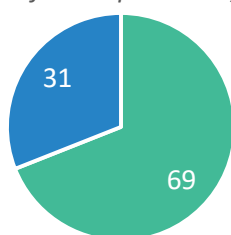
Among the students surveyed, 282 people (69%) were women, and 128 people (31%) – men. One more person indicated “other” when asked about gender.

⁸ Vasyl Stefanyk Precarpathian National University, Oles Honchar Dnipro National University, Kyiv National University of Trade and Economics, Lutsk National Technical University, Lviv State University of Internal Affairs, Stepan Gzhytskyi Lviv National University of Veterinary Medicine and Biotechnology, National University of “Kyiv-Mohyla Academy”, Yaroslav Mudryi National Law University, Nizhyn Mykola Gogol State University, Sumy National Agrarian University, Sumy Vocational College of Sumy National Agrarian University, V. N. Karazin Kharkiv National University, Khmelnytskyi Institute of the Interregional Academy of Personnel Management, Leonid Yuzkov Khmelnytsky University of Management and Law, Chernihiv National Technological University.

⁹ The number of students from each higher educational institution in the sampling does not reflect the actual distribution of the number of students among different institutions. In particular, more than two-thirds of students in the sampling represented higher education institutions with many students majoring in Law, Social Work, Social Security, Law Enforcement Activities or International Law (460 and more), although their real share was 25%. At the same time, higher education institutions with a smaller number of students in relevant majors were underrepresented, including those where their total number did not exceed 60 persons.

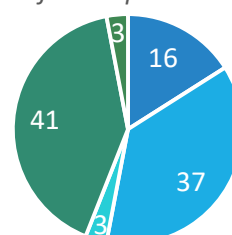
The majority of the respondents studied at higher education institutions located in the eastern¹⁰ (41%) or western oblasts (37%). 16% of students represented higher education institutions in the central oblasts and Kyiv, 3% studied in the south of Ukraine, the same number – in the Donbas¹¹.

Gender:
(% of all respondents)



■ Female ■ Male

Region:
(% of all respondents)



■ Centre ■ West ■ South ■ East ■ Donbas

The number of respondents who answered the question: 411 persons.

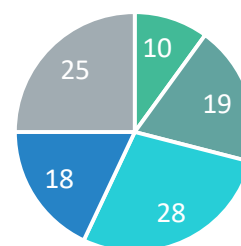
Most of the students who took part in the research majored in Law (278 persons or 68%, 62% among women and 80% among men). 92 (22%) students' major was Social Work. Those who studied Social Security (10 persons or 3%), Law Enforcement Activities (18 persons or 4%) and International Law (13 persons or 3%) constituted the minority¹².

Ten percent of all respondents (40 persons) confidently answered that they were going to work in the field of protecting social and economic human rights, 19% (79 persons) were inclined to work in this area. 46% of respondents (189 persons) chose the option “no” or “rather no than yes”, and a quarter of the respondents (103 persons) did not decide. More women than men answered the question affirmatively (32% and 23% accordingly).

Choose your major:
(% of all respondents)



Do you plan to work in the field of protection of social and economic human rights?
(% of all respondents)



■ Yes
■ No

■ Rather yes than no ■ Rather no than yes
■ Undecided

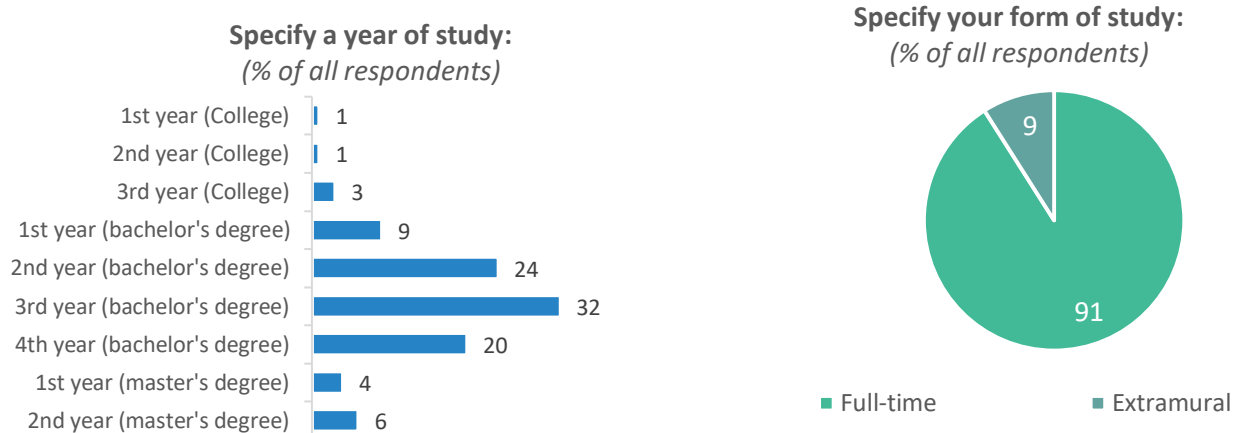
The number of respondents who answered the question: 411 persons.

¹⁰ Central oblasts – Vinnytsia, Zhytomyr, Kyiv, Kirovohrad, Poltava, Sumy, Cherkasy, and Chernihiv. Western oblasts – Volyn, Zakarpattia, Ivano-Frankivsk, Lviv, Rivne, Ternopil, Khmelnytskyi, and Chernivtsi. Southern oblasts – Mykolaiv, Odesa, Kherson. Eastern oblasts – Dnipropetrovsk, Zaporizhzhia, Kharkiv. Donbas – Donetsk and Luhansk oblasts.

¹¹ The geographical distribution of the students who took part in the research reflects the actual distribution in the general population only partially. So, according to the Register of entities of educational activities for the 2019-2020 academic year, 23% of students of those majors that fell under the selection criteria study at higher education institutions in the western oblasts, in the central oblasts and Kyiv – 44% of students, in the southern oblasts – 12%, in the eastern oblasts – 17%, in Donbas – 4%. Consequently, the western and eastern oblasts were significantly overrepresented in the sampling and the central, southern oblasts and Kyiv were underrepresented. Kyiv.

¹² The distribution of students according to their majors in the sampling was close to what was actually observed.

The overwhelming majority of the respondents were undergraduate students: 36 persons were the 1st year students of bachelor's degree (9%), 100 people (24%) were the 2nd year students, 132 persons (32%) – the 3rd students, and 83 people (20%) – the 4th. Every tenth respondent was a graduate student: 18 persons (4%) – the 1st year, 23 persons (6%) – the 2nd year. Only 19 respondents (5%) were college students¹³. Among the respondents, 373 persons (91%) were full-time students, and 38 persons (9%) – extra-mural students¹⁴.

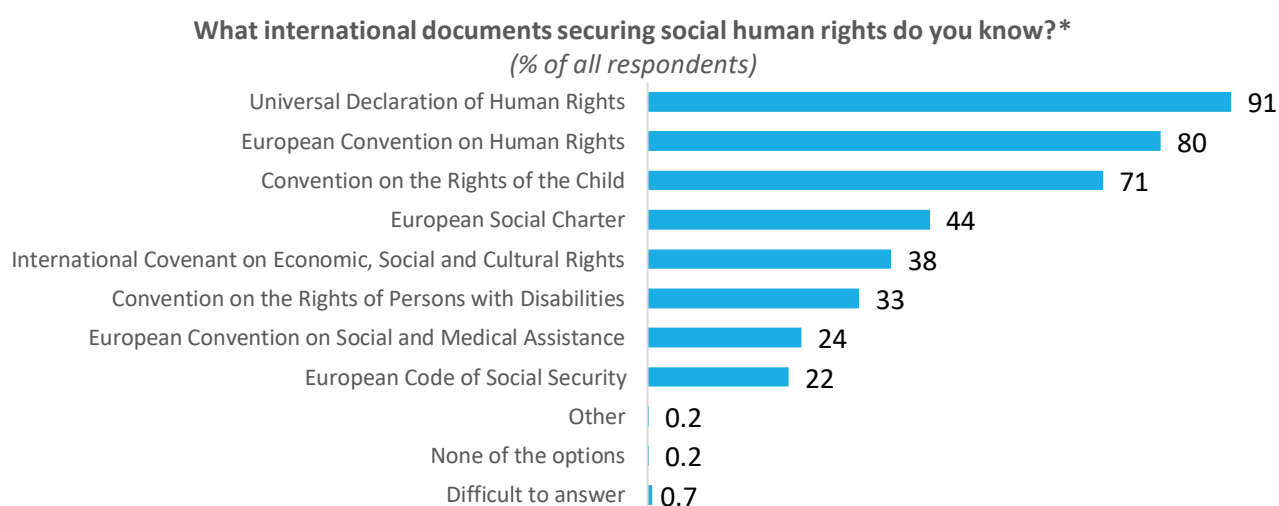


The number of respondents who answered the question: 411 persons.

Twelve people from among the respondents (3% of those surveyed) have an established disability category: 1 person – category I, 5 persons – category II, and 6 persons – category III.

3.3. Awareness level about the ESC provisions and other documents that enshrine basic social rights

The students who took part in the research were most aware of such international documents that enshrined social human rights: the Universal Declaration of Human Rights (91% of all respondents mentioned this document), the European Convention on Human Rights (80%), the Convention on the Rights of the Child (71%). The European Social Charter was in the fourth place, 44% of the respondents noted it (41% of women, 52% of men). The International Covenant on Economic, Social and Cultural Rights was known to 38% of students, the Convention on the Rights of Persons with Disabilities – 33%, the European Convention on Social and Medical Assistance – 24%, the European Code of Social Security – 22%.



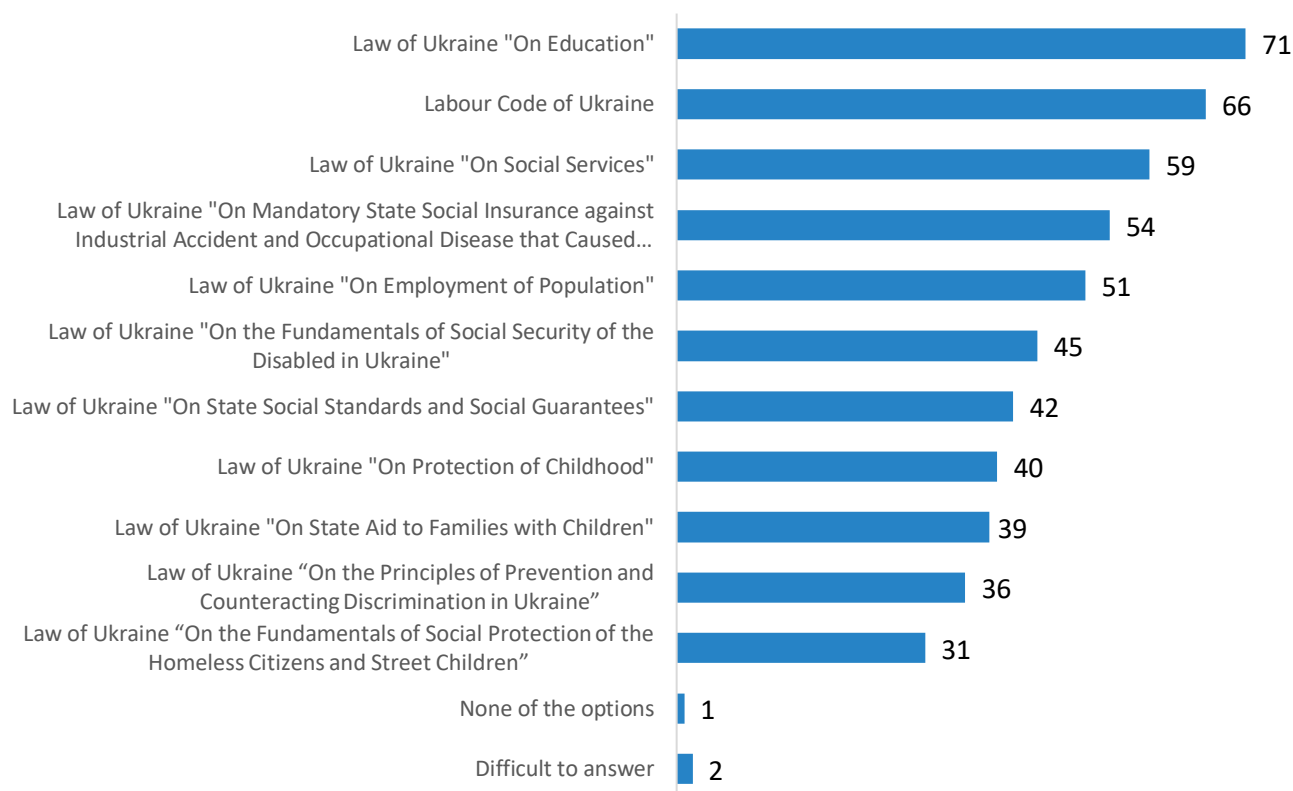
** it is meant that you are aware of the existence of such a document and are aware of the main provisions specified in it.
The number of respondents who answered the question: 411 persons. There were several options to choose from.*

¹³ The sampling is underrepresented by college students (in fact, 28% of the total number) and there is a shift towards the senior undergraduate courses.

¹⁴ Students of the extramural form of study (in fact, 35% of the total number) were also underrepresented in sampling.

Regarding the legal acts in the sphere of regulation of social and economic rights in Ukrainian legislation, the largest share of the surveyed students knew about the Law of Ukraine "On Higher Education" (71%) and the Labour Code of Ukraine (66%). More than half of them were also aware of the following laws: "On Social Services" (59%), "On Mandatory State Social Insurance against Industrial Accident and Occupational Disease that Caused Disability" (54%), "On Employment of Population" (51%). Less than half of the students knew about the Law of Ukraine "On the Fundamentals of Social Security of the Disabled in Ukraine" (45%), "On State Social Standards and Social Guarantees" (42%), "On Protection of Childhood" (40%), "On State Aid to Families with Children" (39%), "On the Principles of Prevention and Counteracting Discrimination in Ukraine" (31%). Students were less aware of the Law of Ukraine "On the Fundamentals of Social Protection of the Homeless Citizens and Street Children" (31%) compared to other normative legal acts.

What normative legal acts in the field of regulation of social and economic rights in Ukrainian legislation do you know?*
(% of all respondents)

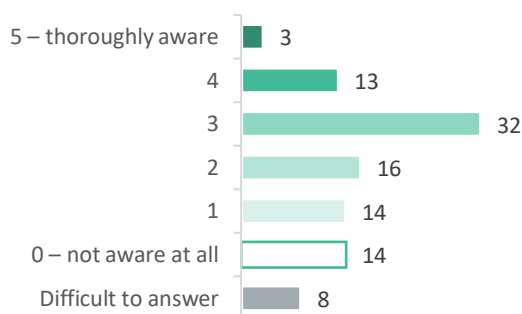


** it is meant that you are aware of the existence of such a document and are aware of the main provisions specified in it.
The number of respondents who answered the question: 411 persons. There were several options to choose from.*

Despite the fact that in the question of knowledge of international documents 44% of students noted the European Social Charter, in the question "How much do you consider yourself informed/aware of the European Social Charter provisions?" already 48% rated their level of knowledge at 3, 4 or 5 points out of 5: 32% of respondents gave 3 points, 13% – 4 points, 3% – 5 points. 16% of respondents rated themselves at 2 points, 14% – 1, and 14% admitted that they were not at all aware of the ESC. 8% of respondents found it difficult to answer. The average level of awareness of the ESC of all respondents was 2.3 on the scale from 0 to 5 (2.1 among women, 2.6 among men). Among those who rated their knowledge at least 1 point, it was not much higher: 2.6 points out of 5. The average awareness score was slightly higher for 3rd and 4th-year undergraduate students versus 1st and 2nd-year students, full-time versus extra-mural students, and law students versus social work students.

For comparison, 9% of respondents answered that they were familiar with the Convention for the Protection of Human Rights and Fundamental Freedoms at 5 points, 25% – 4 points, 42% – 3 points, 15% – 2 points, 5% – 1 point, and only 1% of respondents considered themselves those who hadn't been aware of that. 3% of respondents found it difficult to answer. The average level of awareness of the Convention for the Protection of Human Rights and Fundamental Freedoms among all respondents and among those who rated their knowledge at least 1 point was 3.1 on a scale from 0 to 5.

To what extent do you consider yourself aware of the provisions of the European Social Charter?
(% of all respondents)



To what extent do you consider yourself aware of the European Convention on Human Rights?
(% of all respondents)



The number of respondents who answered the question: 411 persons.

The level of awareness of students of the European Social Charter was also checked using a test question, which had both correct and incorrect answers: respondents rated their knowledge of the ESC at 3, 4 or 5 points answering what rights were guaranteed by the ESC.

What groups of rights are guaranteed by the European Social Charter?
(% of those who rated their knowledge of the ESC at 3, 4 or 5 points out of 5)



The number of respondents who answered the question: 195 persons. There were several options to choose from.

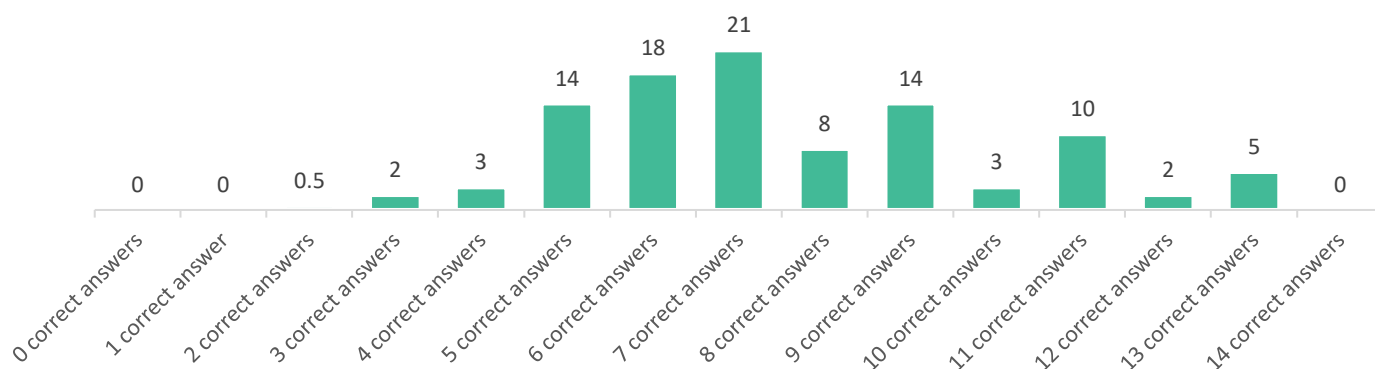
The majority of the respondents noted the correct answers from the following list compared to the incorrect ones: the right to social protection (76%), the right to employment (57%) and non-discrimination (56%). In addition, about half of the respondents indicated the right options as the right to housing (54%), the right to education (50%) and the right to health (46%). On the other hand, only 28% of the respondents knew that the right to integration and participation in the life of the community was also guaranteed by the ESC. Many students also noted incorrect answers, especially the right to liberty and security of person (56%) and the right to life (54%); as well as the right to freedom of thought and speech (45%), the right to respect for private and family life (43%), the right to freedom of association (39%), the right to freedom of worldview and religion (37%), the right to freedom of peaceful assembly (33%).

To summarise the result, none of those who answered the question gave a completely correct answer: that is, no one was able to indicate all the rights that the ESC guaranteed, and not to mark any of those that were not guaranteed by the Charter. About half of the respondents (53%) gave from 5 to 7 correct answers.

Students majoring in Social Work gave on average slightly more correct answers (8.7) than students majoring in Law (7.3), and women (7.7) compared to men (7.4).

The number of correct answers to the question "What groups of rights are guaranteed by the European Social Charter?"

(% of those who rated their knowledge of the ESC at 3, 4 or 5 points out of 5)

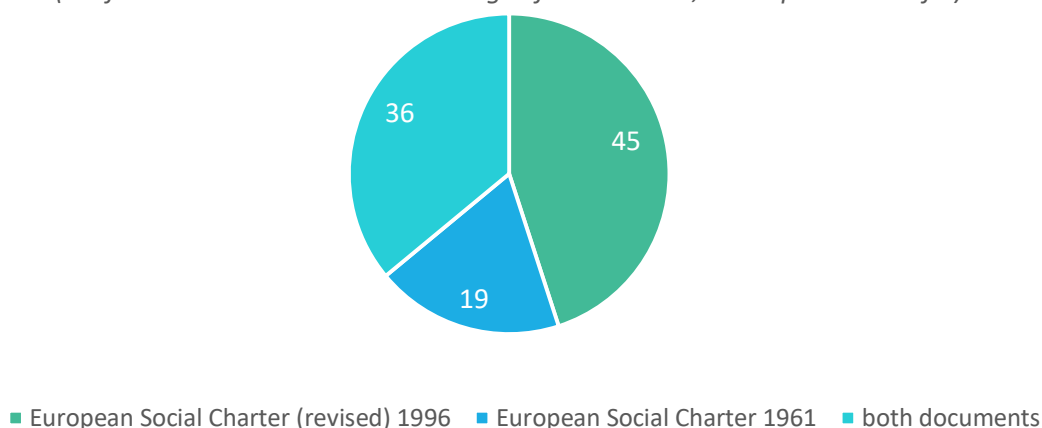


The number of respondents who answered the question: 195 persons.

Speaking of the European Social Charter, 45 % of students understood it as the 1996 revised edition, 19% – the 1961 edition, and 36% – both documents.

Under the European Social Charter you understand the document:

(% of those who rated their knowledge of the ESC at 3, 4 or 5 points out of 5)



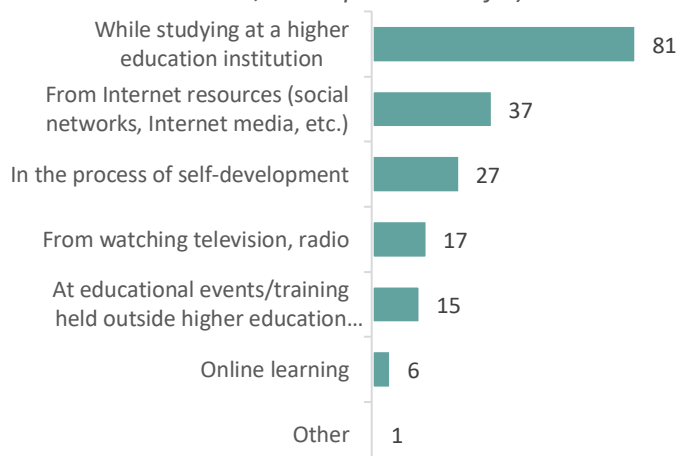
The number of respondents who answered the question: 195 persons.

Among the students who rated their knowledge of the ESC at 3, 4, or 5 points, the most were those who learned about the ESC during the time of study at higher education institutions – 81%. Half of them learned about the Charter from the Internet (37%). 27% of respondents chose the option "in the process of self-development", 17% – watching television, listening to the radio, 15% – educational events, training outside higher education institutions, 6% – in the process of online learning.

For comparison, all surveyed students used the following sources of information on international documents in the field of human rights: educational programmes at their schools (92%), the Internet (69%), the process of self-development (38%), television (28%), educational events, training outside higher education institutions (25%).

How did you learn about the European Social Charter?

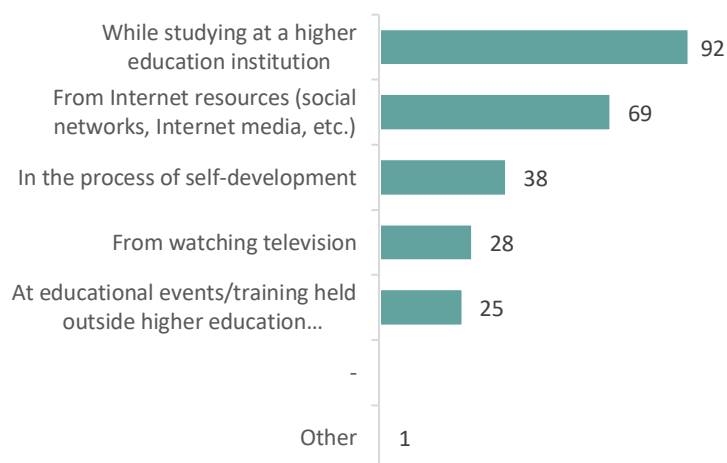
(% of those who rated their knowledge of the ESC at 3, 4 or 5 points out of 5)



The number of respondents who answered the question: 195 persons. There were several options to choose from.

How do you find information on international human rights instruments?

(% of all respondents)

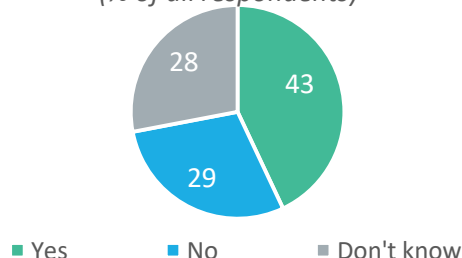


The number of respondents who answered the question: 411 persons. There were several options to choose from.

Less than half (47%) of all students who took part in the research studied the European Social Charter as part of their university programmes. 29% of respondents answered that this topic was not included in the curriculum, and 28% – found it difficult to answer. Among those who studied the ESC at higher education institutions, 12% – fully understood the meaning of its provisions in the studying process, 29% – rated their understanding at 4 points out of 5, 41% – 3 points, 9% – 2 points, 5% – 1 point, and 4% found it difficult to assess.

Was the study of the European Social Charter a part of your higher education institution curriculum?

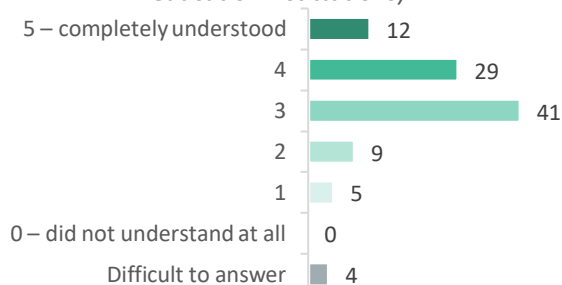
(% of all respondents)



The number of respondents who answered the question: 411 persons.

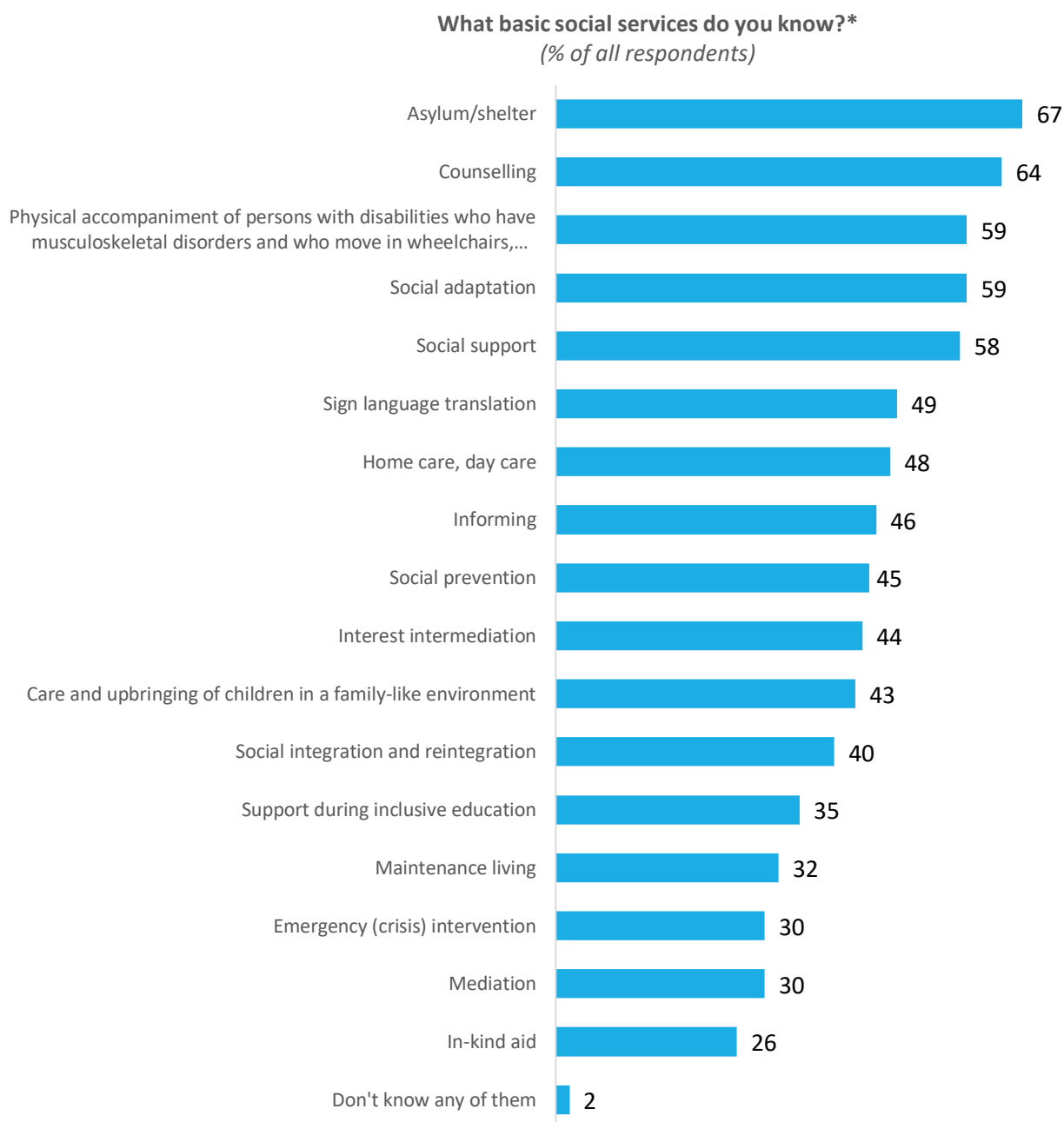
How did you understand the content of the provisions of the European Social Charter while studying at higher education institution?

(% of those who studied the ESC at higher education institutions)



The number of respondents who answered the question: 176 persons.

The percentage of students who know about basic social services is shown in the diagram below. The highest level of awareness is observed for services such as asylum (67%) and counselling (64%), and the lowest – for emergency (crisis) intervention (30%), mediation (30%) and in-kind aid (26%).



** you know that they exist and what they include.*

The number of respondents who answered the question: 411 persons. There were several options to choose from.

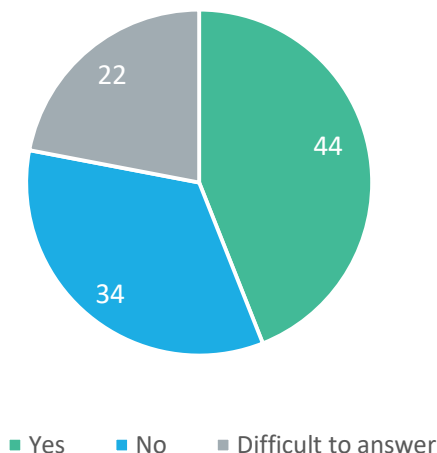
3.4. The level of awareness of the activities of the European Committee of Social Rights

Slightly less than half of the surveyed students (44%, no considerable difference between women and men) answered that they knew about the activities of the European Committee of Social Rights. According to 55% of those who knew about the activities of the Committee, its main task was to comply with legislation in the field of protecting social and economic rights. A third of the surveyed students (33%) believe that the main task is to oversee the compliance of national legislation and its implementation with the ESC regulations. 5% of respondents are of the opinion that the main task of the European Committee of Social Rights is the

implementation of the provisions of the ESC. One percent of the respondents consider all the options to be incorrect, and 6% found it difficult to answer.

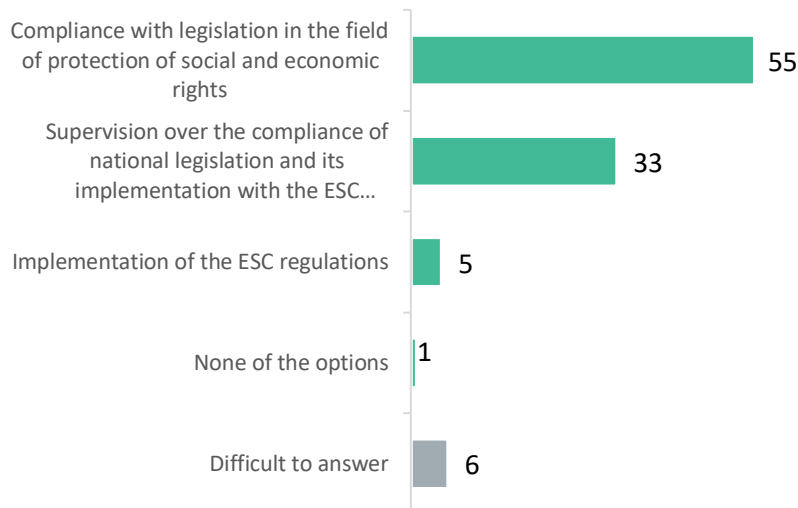
The 3rd and 4th-year undergraduate students more often answered that they knew about the activities of the Committee (50%) compared to the 1st and 2nd-year students (35%), and the students majoring in Law (49%) – more often than those majoring in Social Work (33%).

Do you know about the activities of the European Committee of Social Rights?
(% of all respondents)



The number of respondents who answered the question: 411 persons.

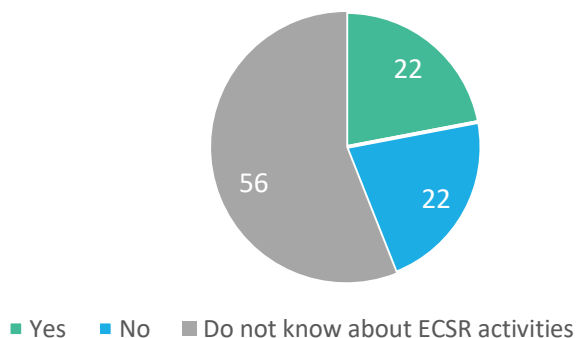
What is the main task of the European Committee of Social Rights?
(% of those who are familiar with its activities)



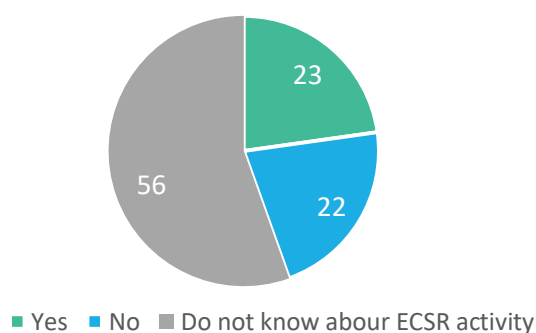
The number of respondents who answered the question: 183 persons.

One out of five students (or half of those who considered themselves aware of the activities of the European Committee of Social Rights) got acquainted with ECSR conclusions on the implementation by Ukraine of certain adopted ESC provisions. 31% of men and 18% of women got acquainted. Approximately the same percentage of respondents (23% or 51% out of those aware about ECSR activities) answered that they were aware of the reporting procedure, which provided for the submission of national reports on the implementation of the European Social Charter provisions. Among them 30% of men and 20% of women.

Have you read the findings of the European Committee of Social Rights on Ukraine's implementation of certain ratified ESC provisions?
(% of those who are familiar with its activities)



Are you aware of the reporting procedure, which provides for the submission of national reports on the implementation of the European Social Charter provisions?
(% of those who are familiar with its activities)

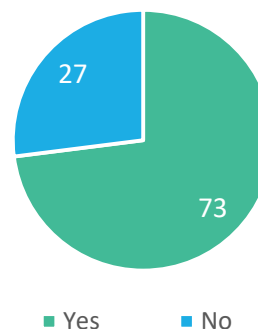


The number of respondents who answered the question: 411 persons.

3.5. Information for action

Almost three-fourth of the surveyed students (73%) were interested in learning more about the European Social Charter. Those who would like to receive more information explained this primarily by the desire to be aware of the current provisions of the legislation (72%). Besides, 43% of those interested in the ESC explained their interest in international law, 24% – by the fact that the topic was included in the curriculum at their higher education institution. The least common reason for receiving more information about the ESC was their plans to work in the field of social legal relations (17% of positive answers).

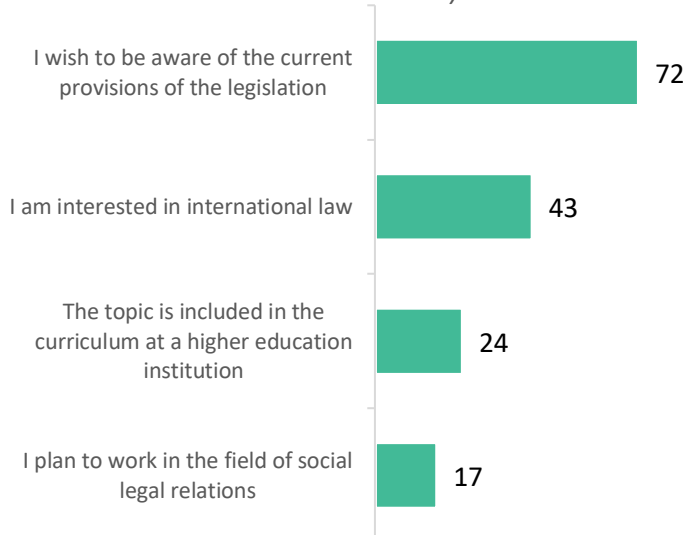
Would you like to have more information on the European Social Charter?
(% of all respondents)



The number of respondents who answered the question: 411 persons.

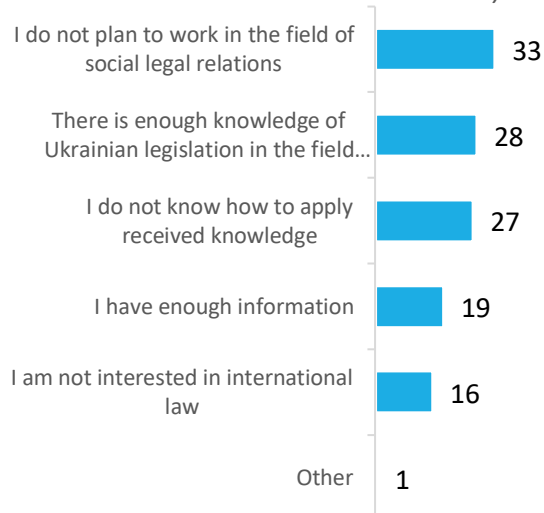
Those 27% of respondents who did not want to learn more about the ESC provisions explained that for various reasons: in particular, 33% – did not plan work in the field of social legal relations, 28% – believe that knowledge of Ukrainian legislation in the field of social and economic rights was enough for them, 27% – did not understand how to apply the knowledge gained, 19% – were convinced that they had enough information, and 16% – not interested in international legislation.

Why do you want to know more about the provisions of the European Social Charter?
(% of those who want more information about the ESC)



The number of respondents who answered the question: 298 persons. There were several options to choose from.

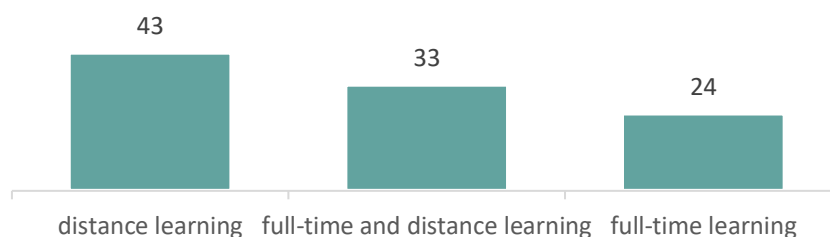
Why don't you want to know about the provisions of the European Social Charter?
(% of those who do not want more information about the ESC)



The number of respondents who answered the question: 113 persons. There were several options to choose from.

The majority of students who would like to get more information about the ESC were those who supported distance learning (43%), the next were those who had been comfortable with both distance and full-time education (33%), and the third place was occupied by those who preferred only full-time education (24%). Men prefer distance learning more than women (51% and 40% accordingly).

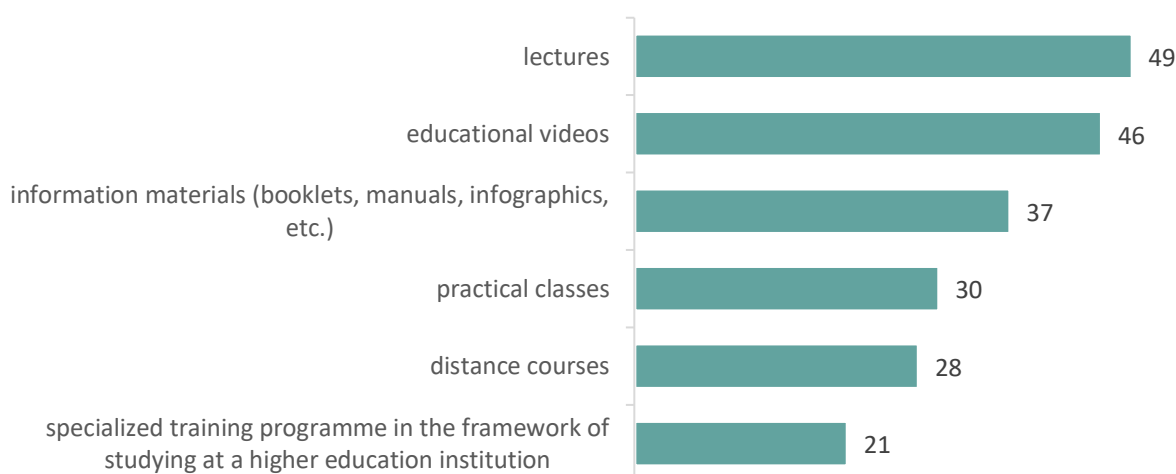
What form would be more convenient for you to study in the field of the European Social Charter?
(% of those who want more information about the ESC)



The number of respondents who answered the question: 298 persons.

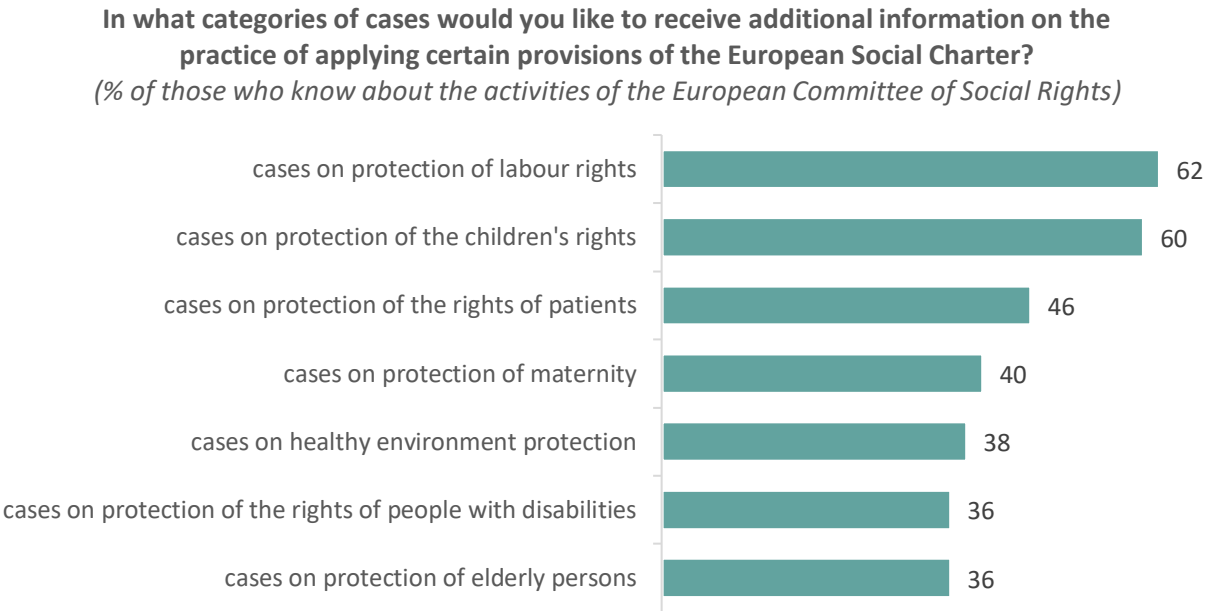
Those students who would like to get more information about the ESC preferred education in the lecture format (49%) and educational video (46%). More than a third of the respondents (37%) would also like to receive information on social and economic rights, including the provisions of the European Social Charter and the ECSR practice, in the form of information materials – booklets, manuals, infographics, and the like. 30% of respondents wanted to receive relevant information at practical classes, 28% – distance courses, and 21% – specialised training programmes during their studies at higher education institutions. Women more often chose educational videos (48% compared to 39%), and the men – distance courses (37% compared to 25% among women).

In what form would you like to receive information on social and economic rights, including the provisions of the European Social Charter and the ECSR practice?
(% of those who want more information about the ESC)



The number of respondents who answered the question: 298 persons. There were several options to choose from.

Among the students who were aware of the activities of the European Committee of Social Rights, the most demandable was the information on the application of certain provisions of the European Social Charter for the protection of labour rights (62%) and the protection of children's rights (60%). Almost half of this category of respondents (46%) would like to know more about the ESC in the context of protecting the rights of patients. More than a third part of respondents was interested in information about the protection of motherhood (40%),



healthy environment (38%), the rights of people with disabilities (36%) and the rights of elderly persons (36%).

The number of respondents who answered the question: 183 persons. There were several options to choose from.

Section IV. Survey of FLA provision system professionals to determine the level of awareness of social rights provided for by the European Social Charter

4.1. General review

Geography: the survey was carried out throughout Ukraine, except for the temporarily occupied territories.

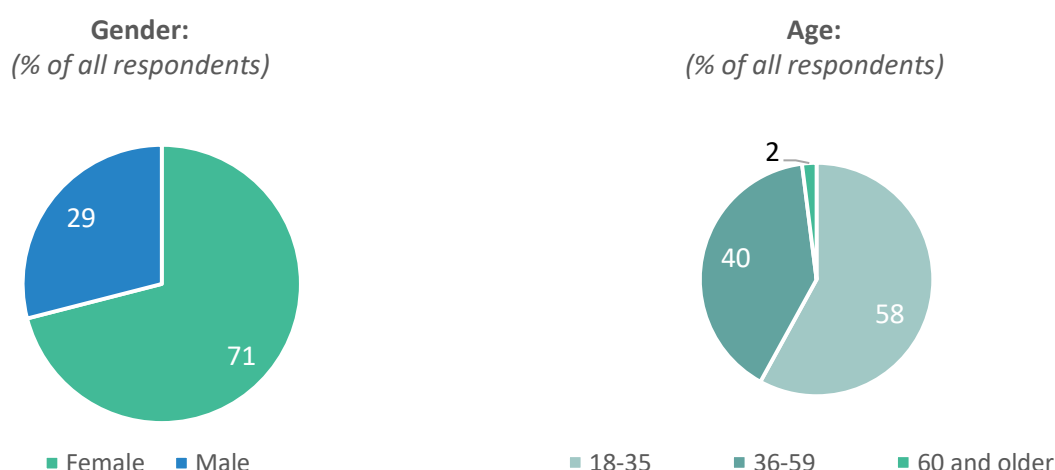
Target audience: professionals of local centres for the provision of free secondary legal aid representing all levels of positions (chief specialists, heads of departments, deputy heads of departments, directors of centres, deputy directors) and departments, except for the department of finance, accounting and reporting.

Sampling: The continuous sampling was used to interview FLA professionals, that is, an invitation to participate in the research was sent to all professionals who met the selection criteria (about 1400 people).

Methods of sociological research: the survey of respondents was carried out by means of the online questionnaire sent by email with the specified link to the questionnaire to the local centres for the provision of free secondary legal aid, which was distributed among professionals.

4.2. Description of respondents

Among the surveyed FLA system professionals, 579 persons (71%) were women, and 241 persons (29%) – men. The age of the majority of respondents (476 persons, or 58%) did not exceed 35 years, but a large proportion of respondents were in the 36-59-year-old age category (329 persons, or 40%). The other 15 respondents (2%) were 60 years old or older.

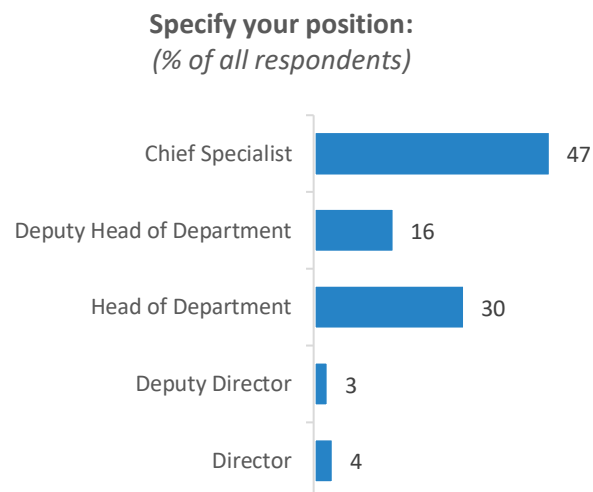
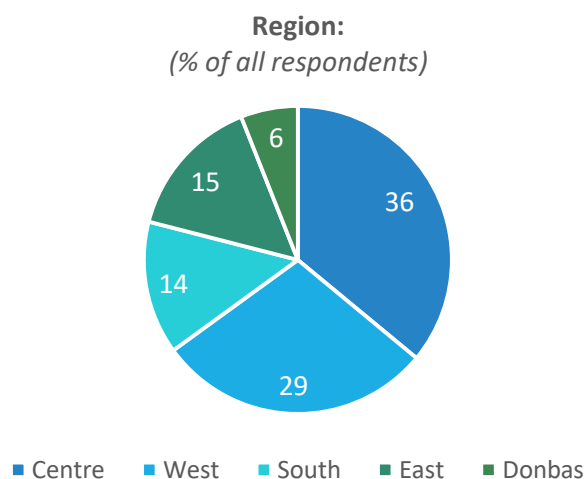


The number of respondents who answered the question: 820 persons.

Most of the interviewed FLA system professionals worked in the central oblasts¹⁵ and Kyiv – 292 persons or 36% of the entire sampling. Almost the third part of the respondents (243 persons or 29%) represented the western oblasts. 117 persons or 14% work in the southern oblasts, 120 persons or 15%, in the eastern oblasts, and 48 persons or 6%, in the Donbas.

Most of the respondents were chief specialists (386 persons or 47%) or department heads (249 persons or 30%). 129 respondents or 16% worked as deputy heads of the department. The share of directors and deputy directors was 4% and 3%, respectively, and the number of specialists in these positions in the sampling was 32 and 24, respectively.

¹⁵ **Central** oblasts – Vinnytsia, Zhytomyr, Kyiv, Kirovohrad, Poltava, Sumy, Cherkasy, and Chernihiv. **Western** oblasts – Volyn, Zakarpattia, Ivano-Frankivsk, Lviv, Rivne, Ternopil, Khmelnytskyi, and Chernivtsi. **Southern** oblasts – Mykolaiv, Odesa, Kherson. **Eastern** oblasts – Dnipropetrovsk, Zaporizhzhia, Kharkiv. Donbas – Donetsk and Luhansk oblasts.

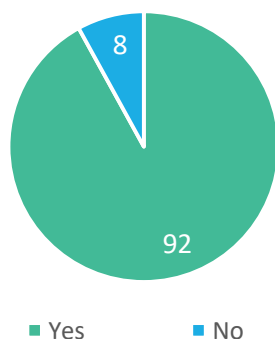


The number of respondents who answered the question: 820 persons.

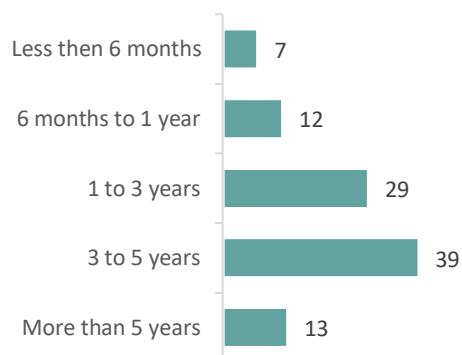
Almost all respondents (751 persons or 92% of the entire sampling) provided free legal aid to clients; the remaining 69 specialists (8%) did not do that.

The majority of respondents had experience in the FLA system from 1 to 3 years (240 persons or 29%) or from 3 to 5 years (317 persons or 39%). The minority of respondents had been working in the system for up to 6 months (53 persons or 7%), from 6 months to a year (101 persons or 12%), or more than 5 years (109 persons or 13%).

Do you provide free legal aid to clients?
(% of all respondents)



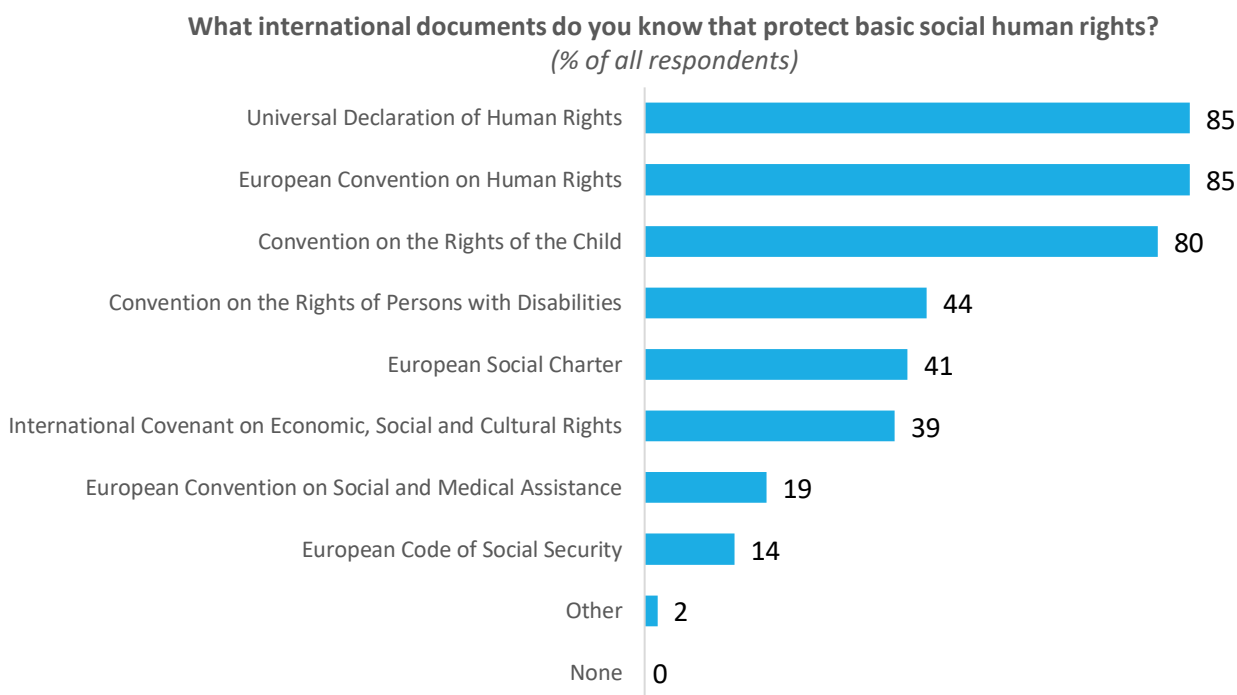
Specify experience in the FLA system:
(% of all respondents)



The number of respondents who answered the question: 820 persons.

4.3. Level of awareness of the ESC and the European Convention on Human Rights

The interviewed FLA professionals most often mentioned the following international documents that protect fundamental social human rights: the Universal Declaration of Human Rights (85%), the European Convention on Human Rights (85%) and the Convention on the Rights of the Child (80%). About half of the respondents knew about the Convention on the Rights of Persons with Disabilities (44%), the European Social Charter (41%, namely 43% among women, 37% among men) and the International Covenant on Economic, Social and Cultural Rights (39%). The smallest share of respondents was familiar with the European Convention on Social and Medical Assistance (19%) and the European Code of Social Security (14%). Among other documents not named in this list, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Political Rights of Women, the Convention Relating to the Status of Refugees, the 1993 Convention on Legal Aid and Legal Relations in Civil, Family and Criminal Cases, International Covenant on Civil and Political Rights, the 1959 Declaration of the Rights of the Child were also mentioned.

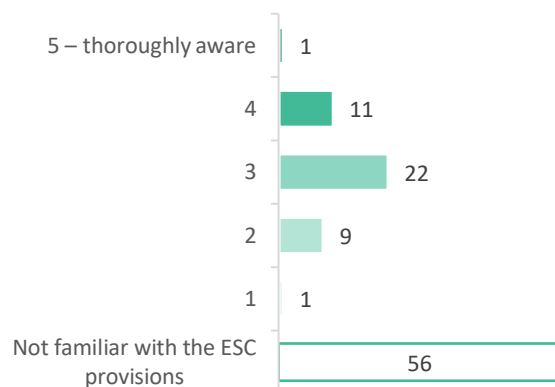


The number of respondents who answered the question: 820 persons. There were several options to choose from.

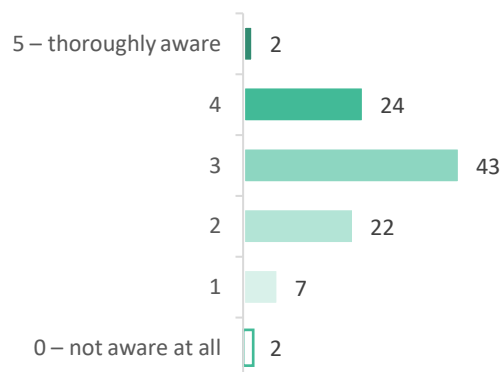
Less than half of the respondents (44%) consider themselves familiar with the provisions of the European Social Charter. 1% of all respondents considered themselves thoroughly aware (5 points), 11% rated themselves at 4 points, 22% – 3 points, 9% – 2 points, 1% – 1 point. Among those who identified themselves as aware of the ESC provisions, the average level of awareness was 3.0 on a 0 to 5 scale. If we calculate the average awareness score of all respondents, including those who were not at all familiar with the ESC, it would be 1.3 points.

For comparison, all respondents answered that they were more or less familiar with the European Convention on Human Rights: although only 85% noted this document in the question of knowledge of international documents that protect social human rights, in terms of the level of awareness, 98% rated their knowledge at least at 1 point. 2% of all respondents rated their knowledge at 5 points, 24% – 4 points, 43% – 3 points, 22% – 2 points, 7% – 1 point. The average level of awareness of the European Convention on Human Rights was 2.9 on 0 to 5 scale, both among all respondents and among those who rated their knowledge at least 1 point.

To what extent do you consider yourself aware of the European Social Charter?
(% of all respondents)



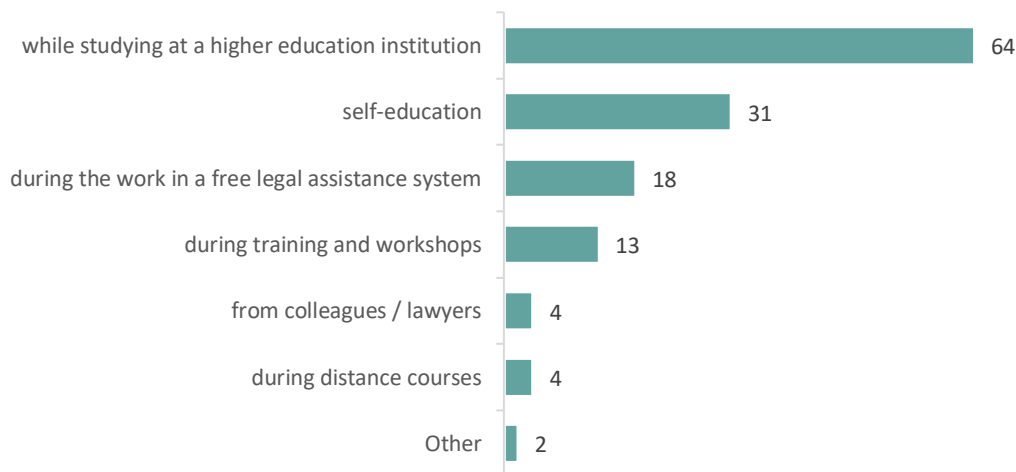
To what extent do you consider yourself aware of the European Convention on Human Rights?
(% of all respondents)



The number of respondents who answered the question: 820 persons.

Those respondents who were familiar with the provisions of the European Social Charter most often found out about it while studying at higher education institutions – 64%. Self-education (31%) helped a third to learn about the ESC. For 18% of the respondents, their acquaintance with ESC was facilitated by the work in the system of free legal aid, and 13% of respondents heard about it during the training and workshops. Communication with colleagues or partner-lawyers and taking distance courses were a source of information about the ESC for the absolute minority of cases (4% each).

How did you know about the European Social Charter?
(% of those who are familiar with the ESC provisions)

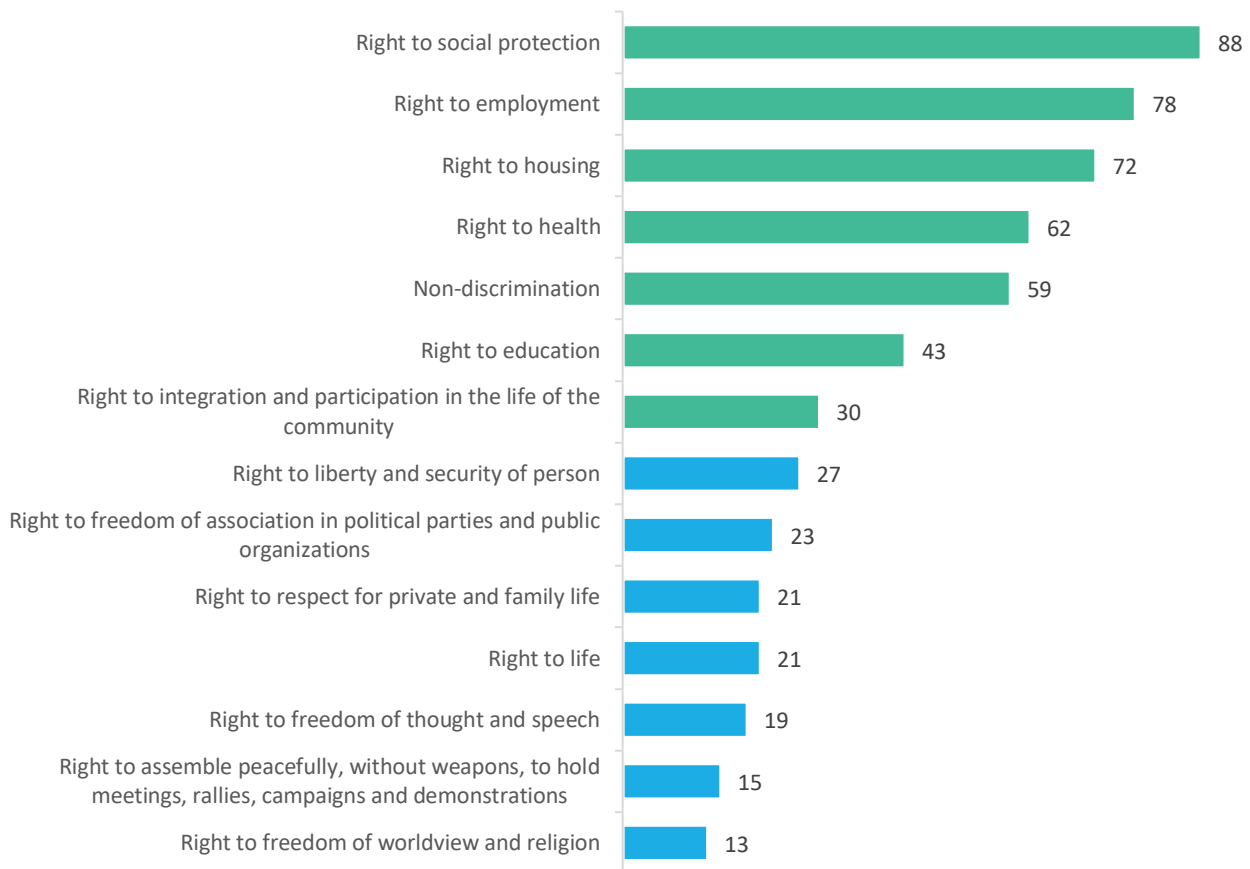


The number of respondents who answered the question: 361 persons. There were several options to choose from.

The level of awareness of FLA system professionals with the European Social Charter was also tested using test questions that had both correct and incorrect answers. In particular, the respondents answered what, in their opinion, rights were guaranteed by the ESC.

Correct answers from the following list were noted by the majority of the respondents compared to the wrong ones: the right to social protection (88% of those who consider themselves familiar with the ESC provisions), the right to employment (78%), the right to housing (72%), the right to health (62%), non-discrimination (59%), the right to education (43%), the right to integration and participation in the life of the community (30%). At the same time, many FLA professionals system also noted incorrect answers: the right to liberty and security of person (27%), the right to freedom of association in political parties and public organisations (23%), the right to respect for private and family life (21 %), the right to life (21%), the right to freedom of thought and speech (19%), the right to freedom of peaceful assembly (15%), the right to freedom of worldview and religion (13%).

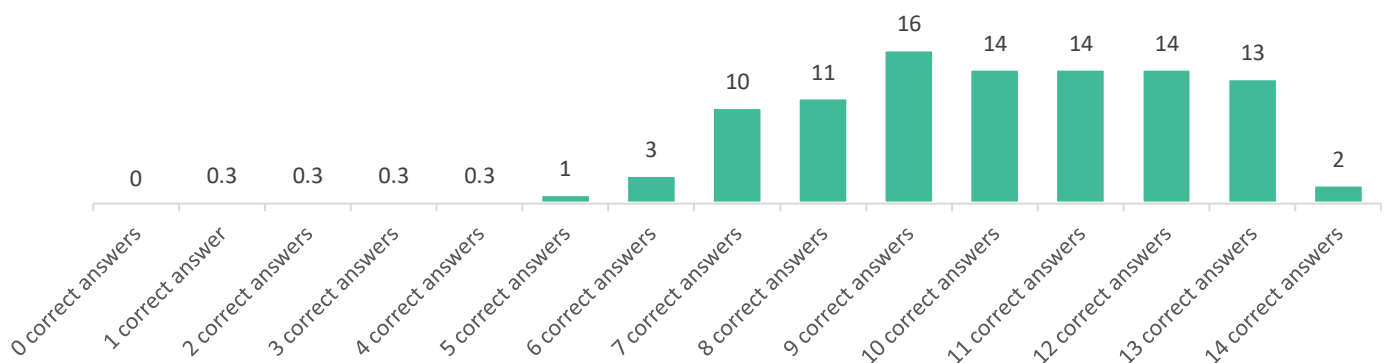
What rights are guaranteed by the European Social Charter? (% of those who are familiar with the ESC provisions)



The number of respondents who answered the question: 361 persons. There were several options to choose from.

In general, only 2% of those who answered the question gave a completely correct answer: that is, they noted all the rights that the ESC guarantees, and did not mark any of those that are not guaranteed by the Charter. Almost all respondents gave from 7 to 13 correct answers.

The number of correct answers to the question "What rights are guaranteed by the European Social Charter?" (% of those who are familiar with the ESC provisions)

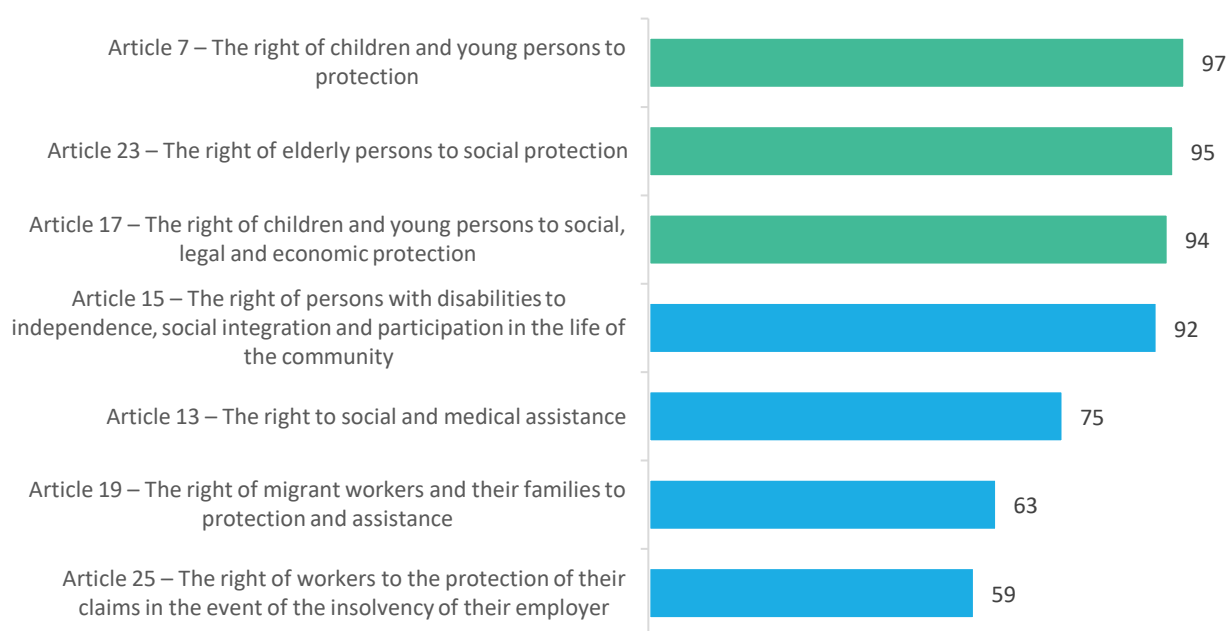


The number of respondents who answered the question: 361 persons. There were several options to choose from.

The second question to test the level of knowledge about the ESC concerned the provisions of which articles of the charter Ukraine adopted. As in the previous question, the correct answers were chosen by a larger proportion of respondents as compared to the incorrect ones. In particular, more than 90% of respondents gave the affirmative answer about Ukraine's acceptance of each of the following articles: Article 7 – The right of children and young persons to protection (97%), Article 23 – The right of elderly persons to social protection (95%), Article 17 – The right of children and young persons to social, legal and economic protection (94%), Article 15 – The right of persons with disabilities to independence, social integration and participation in the life of the community (92%). At the same time, more than half of the respondents consider each of these articles adopted (not true): Article 13 – The right to social and medical assistance (75%), Article 19 – The right of migrant workers and their families to protection and assistance (63%), Article 25 – The right of workers to the protection of their claims in the event of the insolvency of their employer (59%).

Has Ukraine adopted the provisions of the relevant articles of the European Social Charter?

(% of those who are familiar with the ESC provisions)



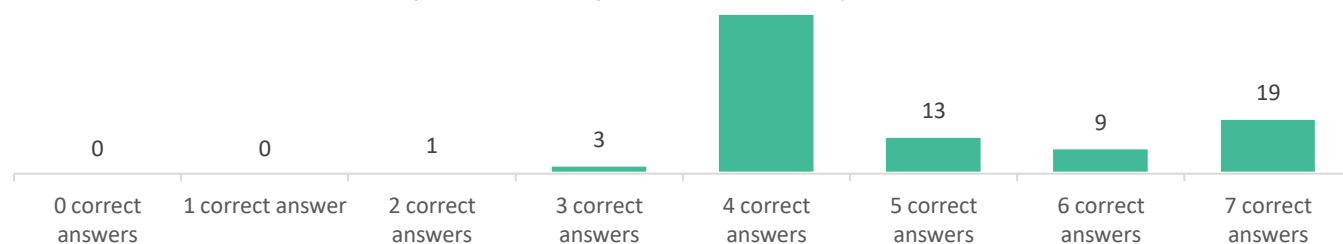
The number of respondents who answered the question: 361 persons. There were several options to choose from.

In general, only 19% of those who answered gave all correct answers, that is, they marked the articles adopted by Ukraine and did not mark those that were not adopted. About half (55%) – gave 4 correct answers. Almost all of them were those respondents who considered all articles adopted (50% of those who answered). Less than quarter of the respondents (22%) gave 5 - 6 correct answers.

The number of correct answers to the question

"Has Ukraine adopted the provisions of the relevant articles of the European Social Charter?"

(% of those who are familiar with the ESC provisions)

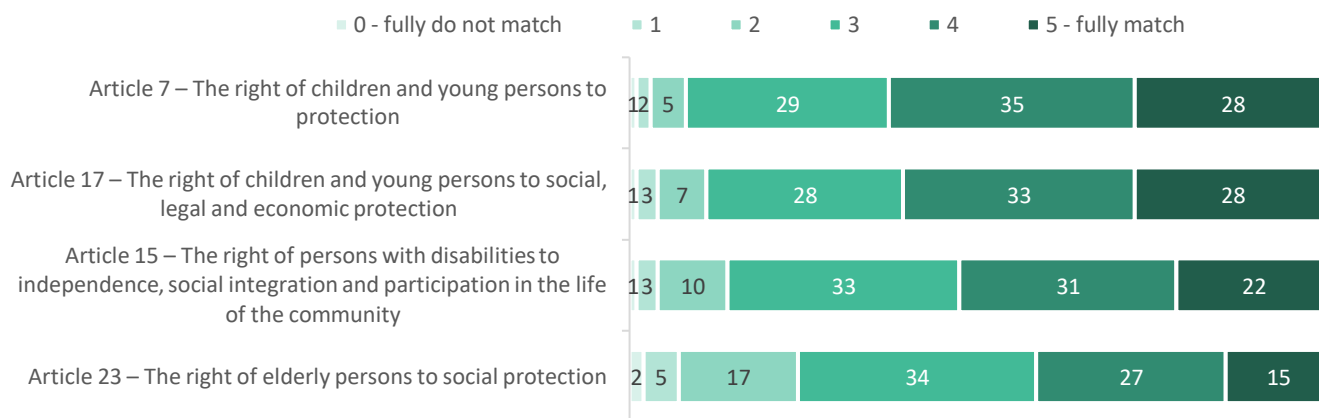


The number of respondents who answered the question: 361 persons. There were several options to choose from.

The level of actual knowledge about the ESC does not significantly depend on the length of service of the FLA professional and gender: in particular, women gave an average of 10.1 correct answers to the questions about guaranteed rights and 4.8 to the questions about the adoption of ESC articles, and men - 9.5 and 4.9, respectively.

Almost all respondents agreed that Articles 7, 15, 17 and 23 of the European Social Charter were to some extent consistent with national legislation. The degree of compliance with Article 7 – The right of children and young persons to protection, Ukrainian laws were assessed at 4-5 points out of 5 by 63% of respondents among those who were familiar with the ESC. Almost the same number (61%) assessed Article 17 – The right of children and young persons to social, legal and economic protection, at 4-5 points. The corresponding indicator was 53% for Article 15 – The right of persons with disabilities to independence, social integration and participation in the life of the community, and 42% – for Article 23 – The right of elderly persons to social protection.

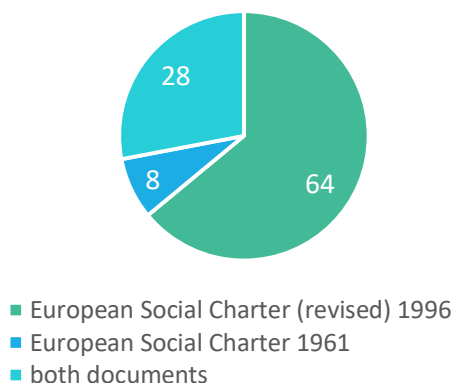
Please rate on a scale from 0 to 5 how the listed articles, enshrined in the European Social Charter and adopted by Ukraine, comply with national legislation:
(% of those who are familiar with the ESC provisions)



The number of respondents who answered the question: 361 persons.

Speaking of the European Social Charter, 64% understood it as the 1996 revised edition, 8% – the 1961 edition, and 28% – both documents.

Under the European Social Charter you understand the document:
(% of those who are familiar with the ESC provisions)



The number of respondents who answered the question: 361 persons.

4.4. The prevalence and practice of application

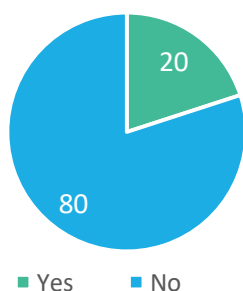
Among international documents listed in the questionnaire, the interviewed FLA system professionals used the Convention on the Rights of the Child (70%), the Universal Declaration of Human Rights (67%) and the European Convention on Human Rights (64%) in their professional activities the most often. The Convention on the Rights of Persons with Disabilities (28%) was in fourth place. The International Covenant on Economic, Social and Cultural Rights was used by 11% of the respondents, and the European Social Charter – only by 10% of respondents. The European Convention on Social and Medical Assistance (4%) and the European Code of Social Security (3%) were rarely used. Eight percent of FLA professionals did not use any international document.



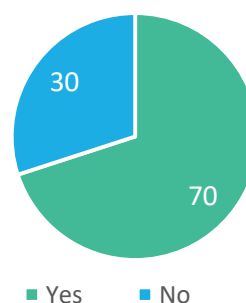
The number of respondents who answered the question: 820 persons. There were several options to choose from.

At the same time, 20% of the interviewed professionals answered affirmative (or 45% among those who were familiar with the ESC provisions) to the direct question "Have you ever used the provisions of the European Social Charter?". For comparison, 70% of the respondents gave an affirmative answer to the question "Do you use the provisions of the European Convention on Human Rights in your professional activities?".

Have you used the provisions of the European Social Charter?
(% of all respondents)



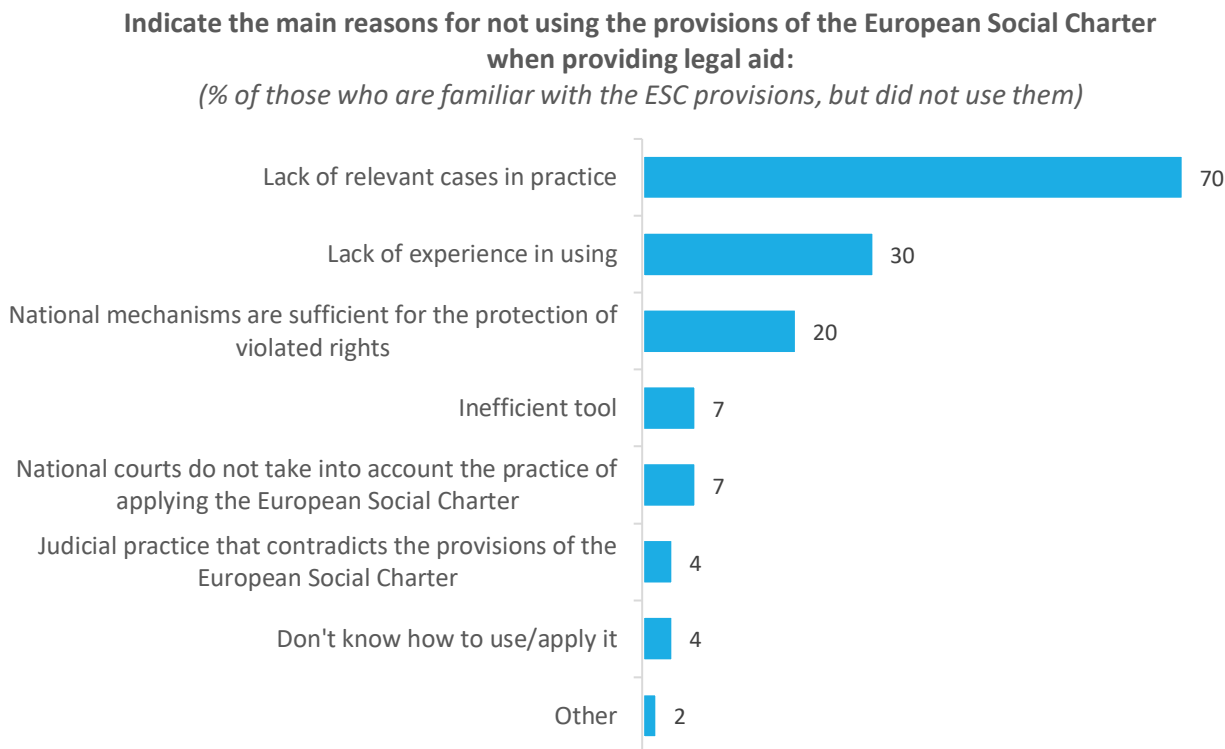
Do you use the provisions of the European Convention on Human Rights in your professional activity?
(% of all respondents)



The number of respondents who answered the question: 820 persons.

The main reason for not using ESC in practice was the lack of relevant cases in practice (70%). Third of professionals had no experience in using (30%), and one in five believed that national mechanisms were sufficient (20% for the protection of violated rights).

The reasons such as the ineffectiveness of the ESC as a tool (7%), failure to accept the practice taking the ESC into account (7%), ignorance of how the ESC can be used (4%), and judicial practice that conflicted with the ESC (4%) were mentioned comparatively fewer.



The number of respondents who answered the question: 198 persons. There were several options to choose from.

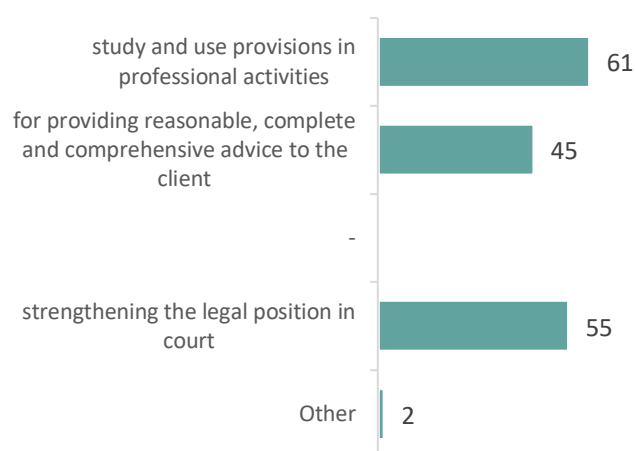
The interviewed FLA professionals used the ESC to learn and use its provisions in professional activities (55%), improving the implementation and protection of clients' social rights (48%), providing reasonable, complete and comprehensive advice to the client (45%), as well as strengthening the legal position in court (42%). Other tasks mentioned included legal education and protection of the client's rights in local self-government.

For comparison, the provisions of the European Convention on Human Rights in 61% of cases were used to study and use provisions in professional activities, in 55% – to strengthen the legal position in court, in 45% of cases – to provide reasonable, complete and comprehensive advice to the client. Consequently, in order to defend a position in court, the Convention is more applicable even in relative terms, that is, if we do not take into account the significantly larger absolute number of professionals in the FLA system that used it.

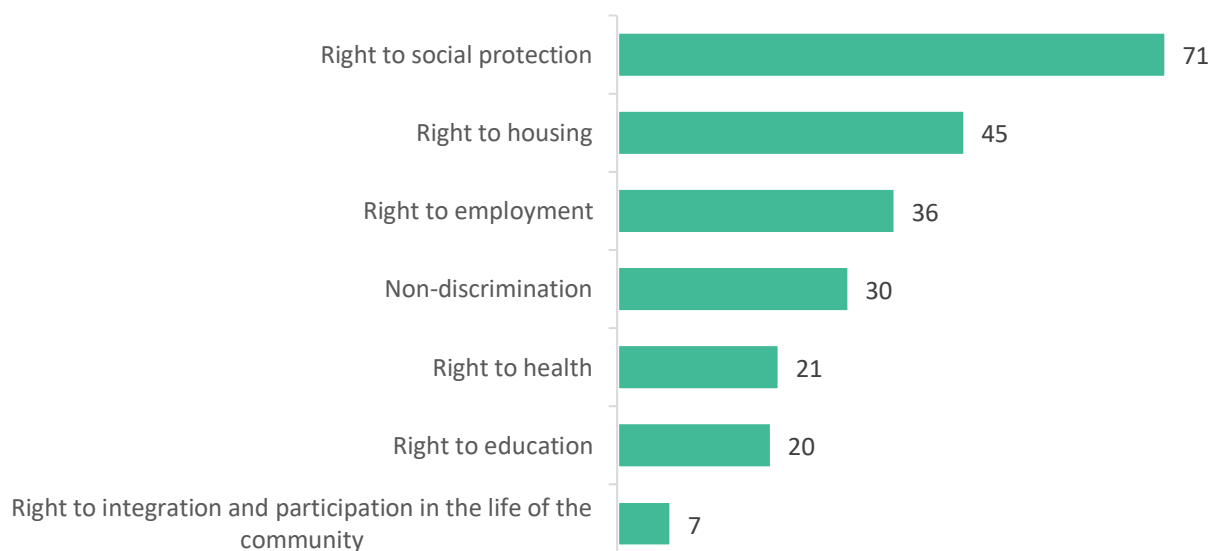
For what tasks do you often use the provisions of the European Social Charter?
(% of those who use the ESC provisions)



For what tasks do you use the provisions of the European Convention on Human Right?
(% of those who use the Convention provisions)



Choose the categories of issues you have applied the legislation in the field of protection of social rights in view of the ESC provisions and the ECSR practice:
(% of those who use the ESC provisions)



The number of respondents who answered the question: 361 persons. There were several options to choose from.

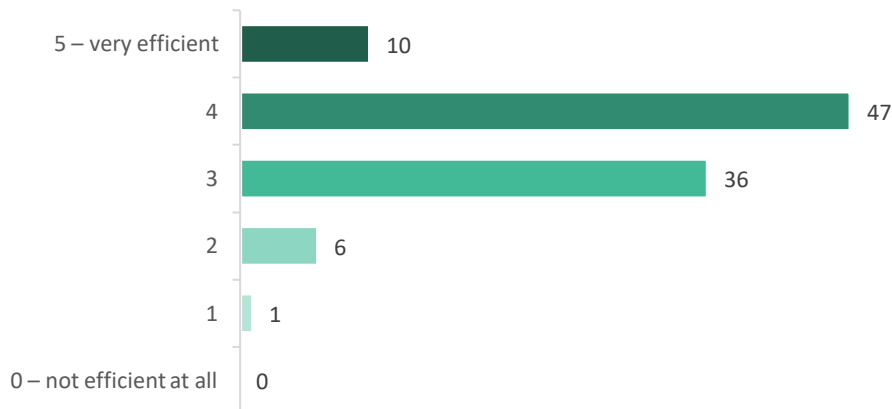
The number of respondents who answered the question: 578 persons. There were several options to choose from.

FLA system professionals most often applied legislation in the field of protection of social rights, taking into account the provisions of the European Social Charter and the practice of the European Committee of Social Rights for issues related to the right to social protection (71% of those who used the ESC). Other categories of issues for which such legislation was frequently applied were the right to housing (45%), the right to employment (36%), non-discrimination (30%), less frequently – the right to health (21%) and the right to education (20%). Cases related to the right to integration and participation in the life of the community were mentioned less (7%).

The number of respondents who answered the question: 361 persons. There were several options to choose from.

The average score for the ESC efficiency in protecting social rights was 3.6 points on the 0 to 5 scale, which was above average. Among FLA system professionals who used the ESC, 10% believed that it was a very efficient tool (5 points out of 5), 47% rated it at 4 points, 36% – 3 points, 6% – 2 points, 1% – 1 point.

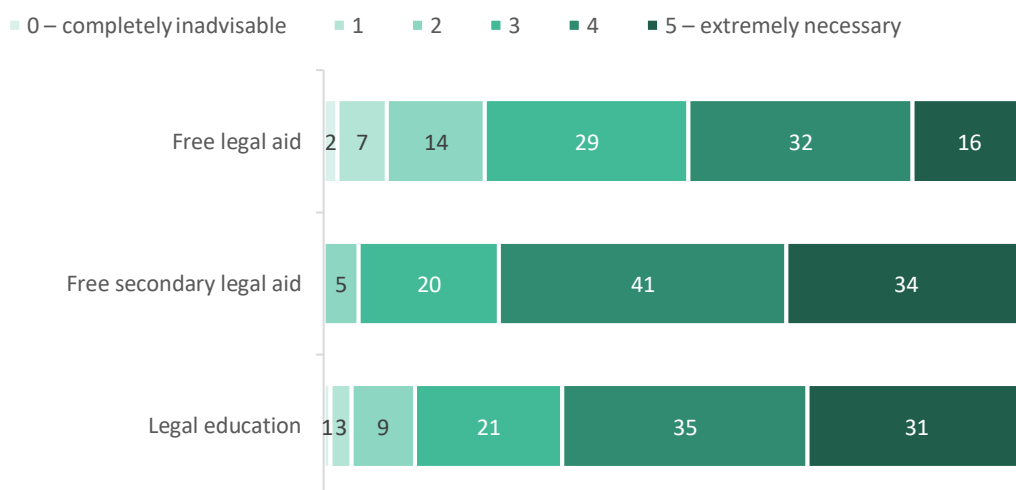
Rate the efficiency of the application of the European Social Charter provisions in the field of protection of social rights:
(% of those who use the ESC provisions)



The number of respondents who answered the question: 361 persons.

According to the respondents, the most appropriate was using the provisions of the ESC and the practice of the European Committee of Social Rights for the provision of free secondary legal aid and legal education, to a lesser extent – for the provision of free secondary legal aid. Three-quarters (75%) inter alia rated the ESC as appropriate for FSLA at 4-5 points on the 0-5 scale. The corresponding figure for legal education was 66%, and for the FSLA – 48%. The indicators were calculated from the aggregate of those professionals who used the ESC provisions.

What do you think when providing any kind of legal assistance to a client is it more appropriate to apply the provisions of the European Social Charter and the practice of the European Committee of Social Rights?
(% of those who use the ESC provisions)

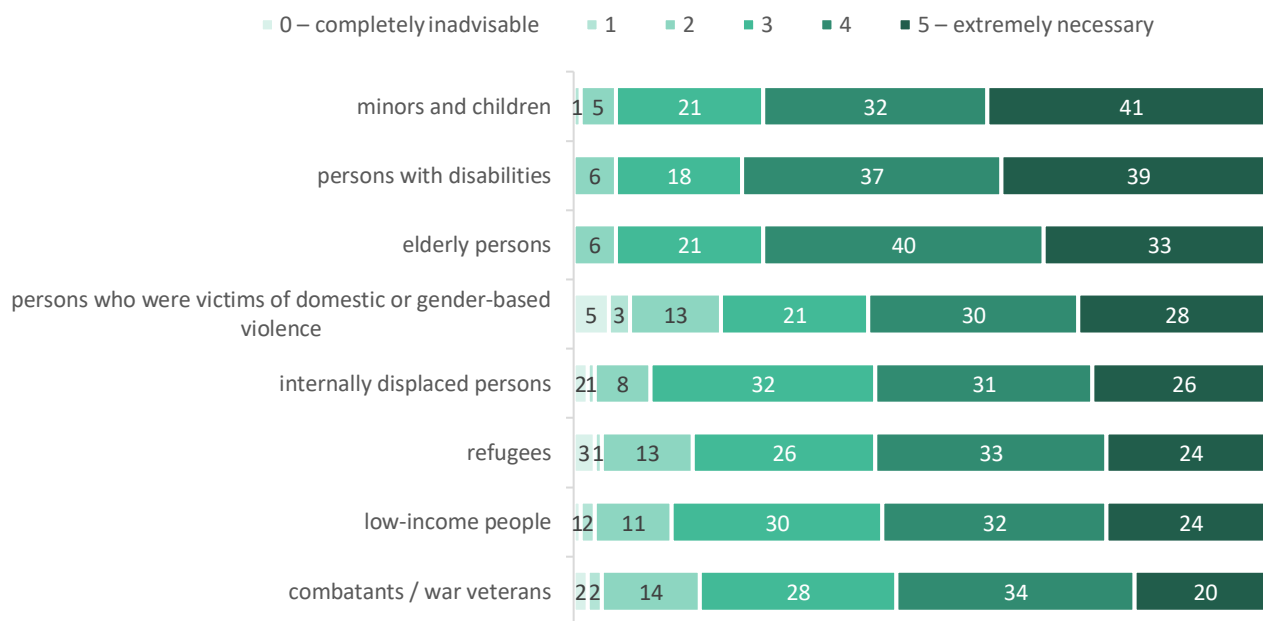


The number of respondents who answered the question: 361 persons.

FLA system professionals saw it most appropriately to apply the provisions of the ESC and the practice of the European Committee of Social Rights for the following categories of subjects of the right to the FSLA: minors and children, persons with disabilities, elderly persons. In particular, 73% of respondents rated the expediency of using the ESC at 4-5 points (on the 0 to 5 scale) regarding minors and children, as well as elderly persons, 76% – persons with disabilities, 58% – persons who were victims of domestic or gender-based violence, 57% – internally displaced persons, 56% – refugees, 54% – low-income people, 54% – veterans and combatants.

What categories of persons at law to free secondary legal aid is it more appropriate to apply the provisions of the European Social Charter, the practice of the European Committee of Social Rights?

(% of those who use the ESC provisions)

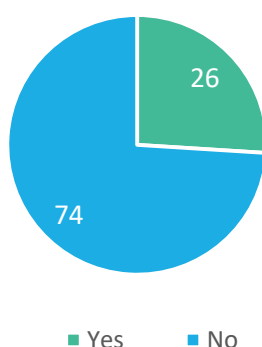


The number of respondents who answered the question: 361 persons.

4.5. The level of awareness of the activities of the European Committee of Social Rights

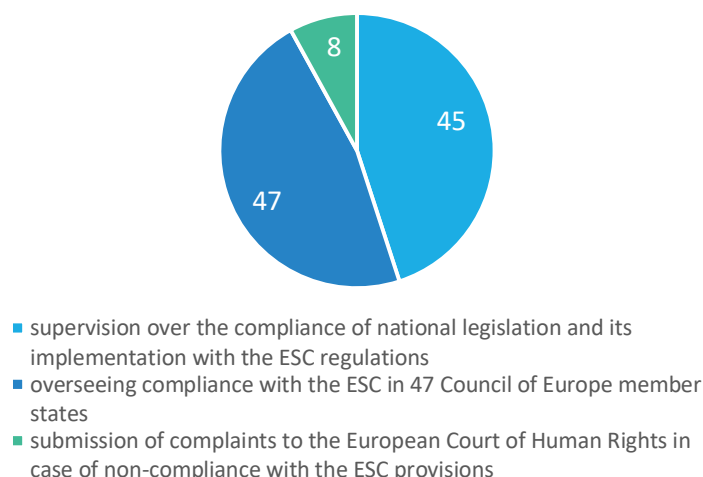
More than a quarter of the surveyed FLA system professionals (26%, 27% of women and 22% of men) was aware of the European Committee of Social Rights activities. The main task of the European Committee of Social Rights is to oversee the compliance of national legislation and its implementation with the ESC provisions. It was chosen by 45% of the surveyed professionals of the system from those who indicated that they knew about the activities of the Committee. More respondents (47%) chose the incorrect option, noting that the main task of the Committee was to oversee compliance with the ESC in 47 Council of Europe member states. Finally, 8% of respondents chose the other incorrect option, which determined the main task of the committee as submission of complaints to the European Court of Human Rights in case of non-compliance with the ESC provisions.

Do you know about the activities of the European Committee of Social Rights?
(% of all respondents)



The number of respondents who answered the question: 820 persons.

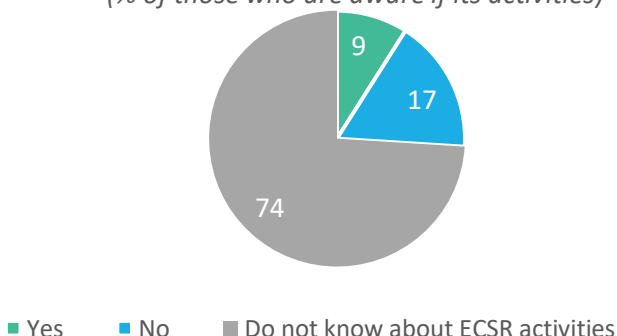
What do you think is the main task of the European Committee of Social Rights?
(% of those who are aware of its activities)



The number of respondents who answered the question: 210 persons.

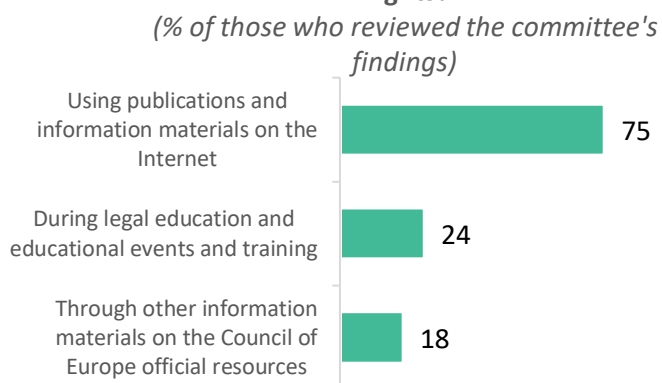
Among FLA system professionals 9% (or 36% of those who knew about the activities of the European Committee of Social Rights) got acquainted with ECSR conclusions on Ukraine's implementation of certain ESC adopted provisions. 75% of them got acquainted with the conclusions using publications and information materials on the Internet, 24% – during legal education and educational events and training, 18% – information materials on the Council of Europe official resources.

Have you read the findings of the European Committee of Social Rights on Ukraine's implementation of certain ratified provisions of the ESC?
(% of those who are aware of its activities)



The number of respondents who answered the question: 210 persons.

How did you get acquainted with the annual findings of the European Committee of Social Rights?

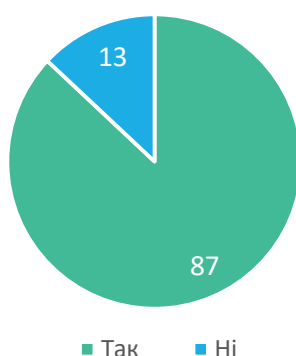


The number of respondents who answered the question: 76 persons. There were several options to choose from.

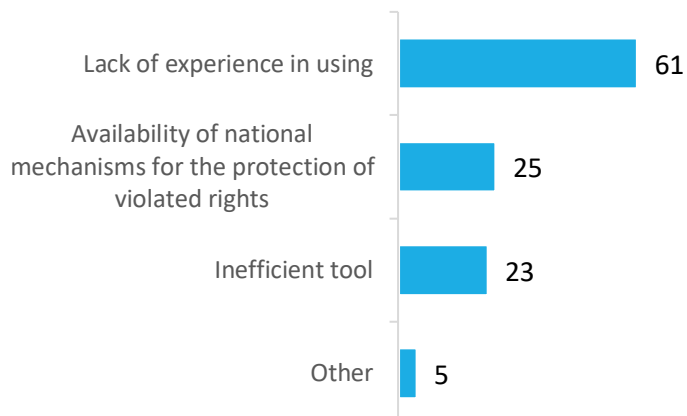
4.6. Information for action

Among the FLA system professionals who were not familiar with the provisions of the European Social Charter, the majority (87%) expressed a desire to learn more about the ESC provisions. Women are more interested in learning – 92% of women and 76% of men would like to receive information about the ESC. Among that 13% of respondents who were not interested in information on this issue, 61% of respondents explained this by the lack of experience in using the ESC, 25% – by the existence of national mechanisms for the protection of violated rights, 23% – by the inefficiency of the ESC,

Do you want to know about the provisions of the European Social Charter?
(% of those who are not familiar with the ESC provisions)



Why don't you want to know about the provisions of the European Social Charter?
(% of those who are not familiar with the ESC provisions and does not want to know about them)



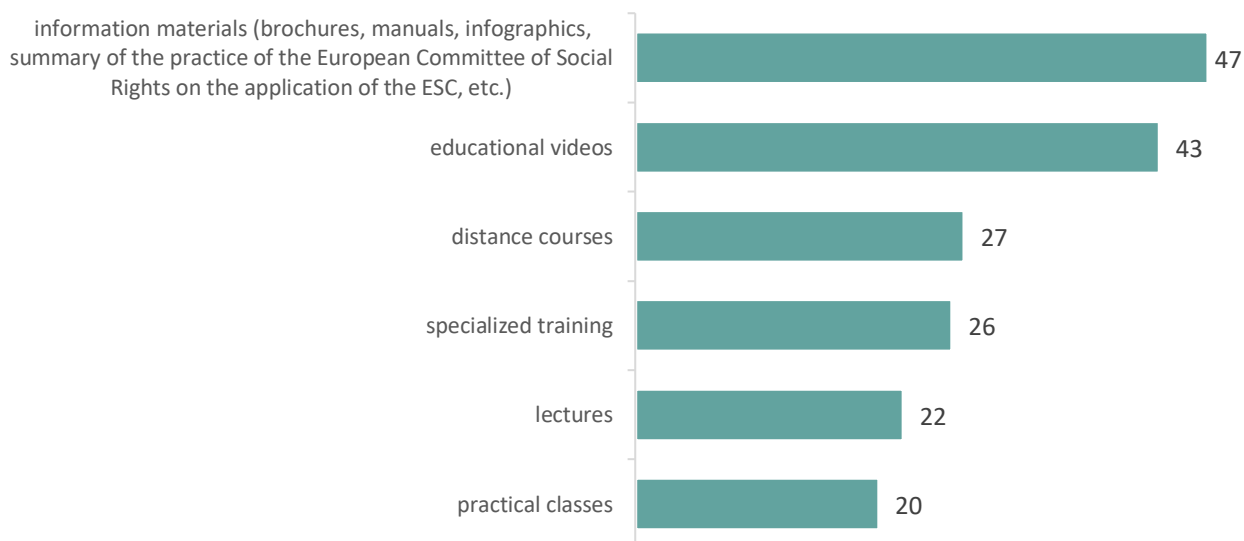
and 5% – mentioned other reasons.

The number of respondents who answered the question: 459 persons.

The number of respondents who answered the question: 61 persons. There were several options to choose from.

As of that 87% who were not familiar with the provisions of the European Social Charter, but wanted to learn about them, the most convenient form of obtaining information were materials (47%) and educational videos (43%). Somewhat less convenient ways of studying were distance learning courses (27%), specialised training (26%), lectures (22%) and practical classes (20%).

In what form would you like to receive information on social and economic rights, including the provisions of the European Social Charter?
(% of those who are not familiar with the ESC provisions and want to know about them)

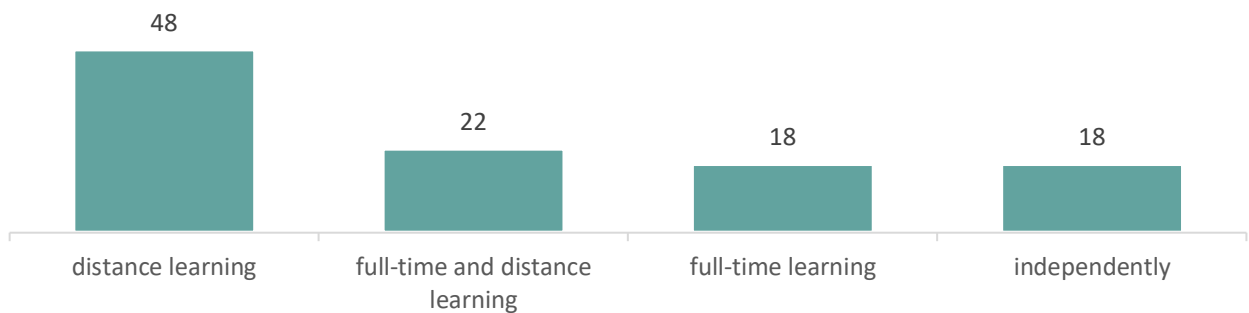


The number of respondents who answered the question: 398 persons. There were several options to choose from.

Overall, 48% of those interested in information about the ESC preferred only distance learning, 22 % – both full-time and distance one, and 18% – only full-time study. In addition, it would be convenient for 18% of the respondents to study independently. It should be noted that the respondent could choose several answer options, that is, the choice of the option "study independently" did not exclude the choice of the other option ("distance", "full-time", "full-time and distance"). Men more often chose to study independently (23% compared to 16% of women), but are less interested in distance or full-time learning (45% and 18% accordingly compared to 50% and 23% among women).

What form would be more convenient for you to study in the field of the European Social Charter?

(% of those who are not familiar with the ESC provisions and want to know about them)

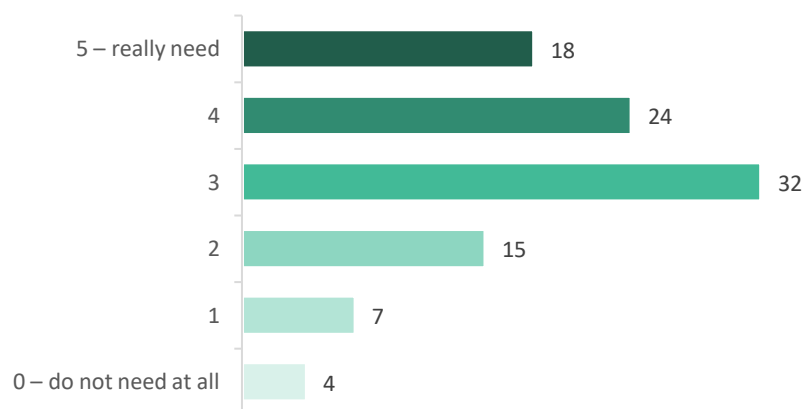


The number of respondents who answered the question: 398 persons. There were several options to choose from.

Only 4% of all respondents did not need to receive information about the provisions of the European Social Charter and the practice of their application at all, but 18% rated their need at 5 points out of 5, 24% – at 4 points. 32% of the FLA professionals need information about the ESC at 3 out of 5, 15% at 2 points, and 7% at 1 point.

How much information about the provisions of the European Social Charter and the practice of their application do you need to receive?

(% of all respondents)

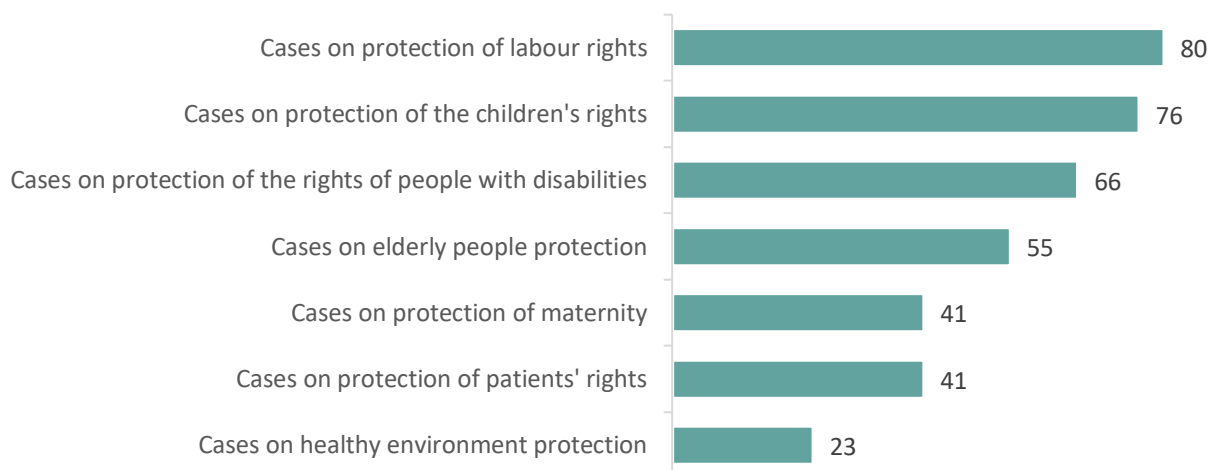


The number of respondents who answered the question: 820 persons.

Among those who rated their need for information about the ESC at 3, 4 or 5 points of 5, the most required was information on the practice of applying the ESC provisions when providing legal assistance in cases of protection of labour rights (80%), children's rights (76%), the rights of people with disabilities (66%) and labour rights (55%). Less, but still high, demand was observed regarding maternity protection practices (41%), patient rights (41%) and healthy environment (23%).

In what categories of cases would you like to receive additional information on the practice of applying certain provisions of the European Social Charter while providing the legal aid?

(% of those who rated their need for ESC information at 3, 4 or 5 poi)



The number of respondents who answered the question: 612 persons. There were several options to choose from.

Most of the FLA professionals lacked to better understand the practical application of the European Social Charter and the conclusions of the European Committee of Social Rights, clarifications and guidelines (63%). There would also be a certain demand for generalisation of the practice of the European Committee of Social Rights on the practical application of the ESC provisions (42%) and educational programmes and training courses (38%), translations of decisions or conclusions of the European Committee of Social Rights related to Ukraine (27%). Only 7% of respondents believed that they had enough tools.

In your opinion, what tools do you lack in your work to better understand the practical application of the provisions of the European Social Charter and the conclusions of the European Committee of Social Rights?

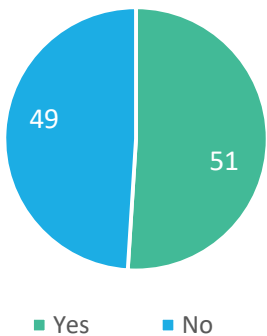
(% of all respondents)



The number of respondents who answered the question: 820 persons. There were several options to choose from.

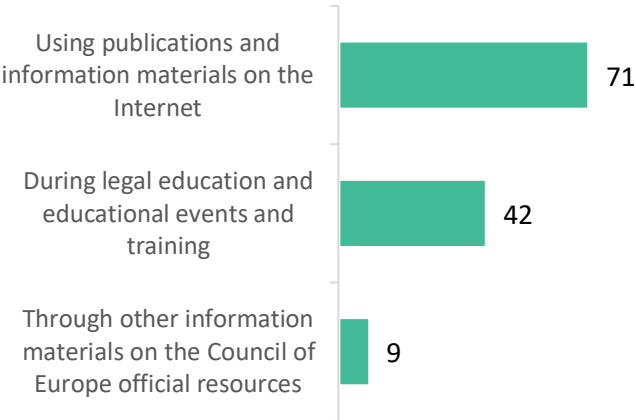
About half (51%) of those respondents who knew about the activities of the European Committee on Social Rights but did not get acquainted with its conclusions on Ukraine's implementation of certain adopted provisions of the European Social Charter, would like to do this. For 71% of them, it is convenient to receive such information through publications and information materials on the Internet, for 42% – through legal education and educational events, training courses, for 9% – through information materials on the official resources of the Council of Europe.

Do you need to read the annual findings of the European Committee of Social Rights on Ukraine's implementation of certain ratified provisions of the European Social Charter?
(% of those who know about the activities of the committee and have not read)



The number of respondents who answered the question: 134 persons.

Which way would be convenient for you to receive information on the annual findings of the European Committee of Social Rights?
(% of those who want to read the findings of the committee)



The number of respondents who answered the question: 69 persons. There were several options to choose from.

Section V. Survey of FLA system clients to determine the level of awareness of social rights provided for by the European Social Charter

5.1. General review

Geography: the survey was carried out throughout Ukraine, except for the temporarily occupied territories.

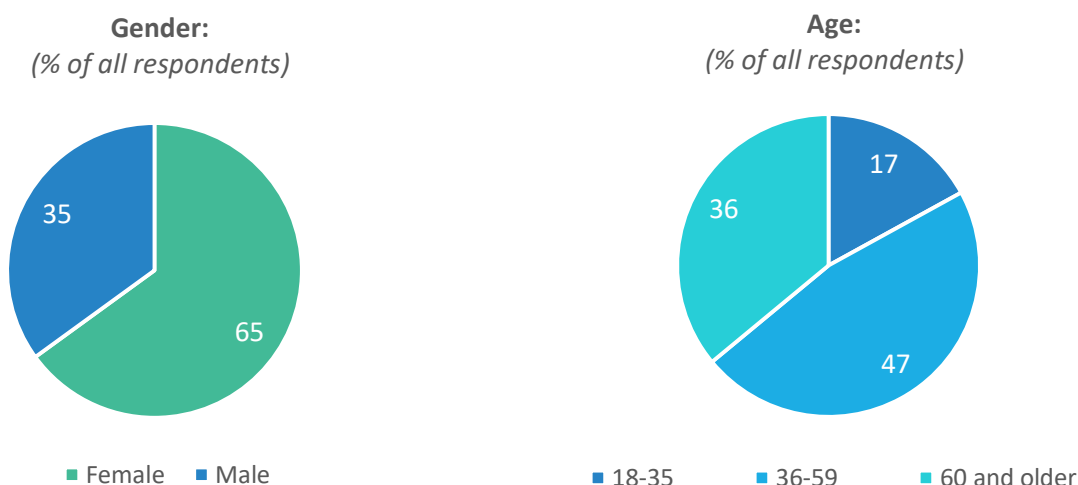
Target audience: Ukrainian citizens who applied to the FLA provision system.

Sampling: The basis for the multistage stratified random sampling was the database of client requests for free legal aid in 2019. In the first step, 28,060 requests were randomly selected from a common database, each of which contained information about the gender and age of the client, the legal category of issues and the area in which this appeal was registered, as well as the contact phone number of the client. In the second step, stratification was carried out by age, gender and region (western, central, southern, eastern and Donbas). In the third step, within each stratum, the required number of persons for the survey was randomly selected. The distribution of respondents between strata reflected the actual age, sex and regional proportions of FLA clients.

Methods of sociological research: a telephone survey.

5.2. Description of respondents

Among the surveyed clients of the FLA system, 185 people (65%) were women, 101 people (35%) – men. A minority belongs to the age category of 18-35 years: there were 50 such persons or 17% of all respondents. The largest category of clients is those who are between 36 and 59: there were 134 persons or 47% in the sampling. Finally, 102 persons (36%) were 60 years of age or older.

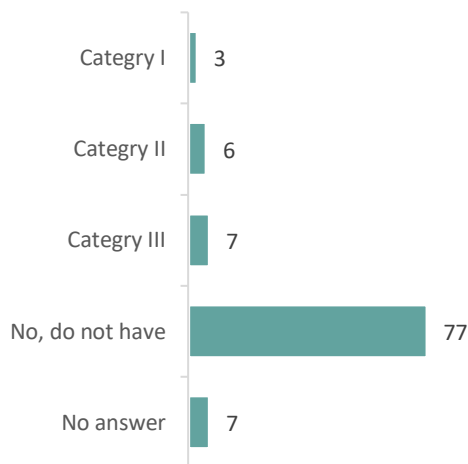


The number of respondents who answered the question: 286 persons.

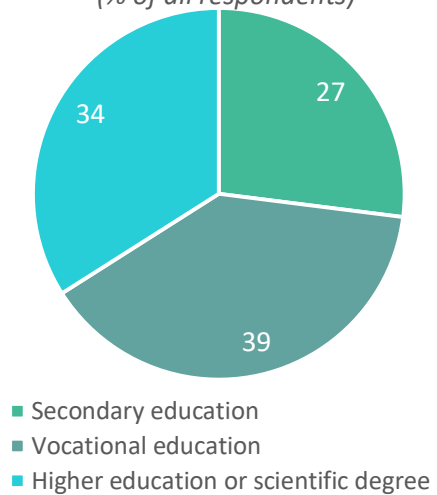
Forty-four people from among the respondents (16%) have an established disability category: 8 persons (3%) – category I, 16 persons (6%) – category II, and 20 persons (7%) – category III. The majority (219 people or 77%) did not have an established disability. 23 people or 7% found it difficult to answer.

78 respondents (27%) had secondary education, 111 respondents (39%) had vocational education, and 97 respondents (34%) had higher education, and 1 person – a scientific degree.

Do you have an established disability category?
(% of all respondents)



What is the highest level of education you received?
(% of all respondents)

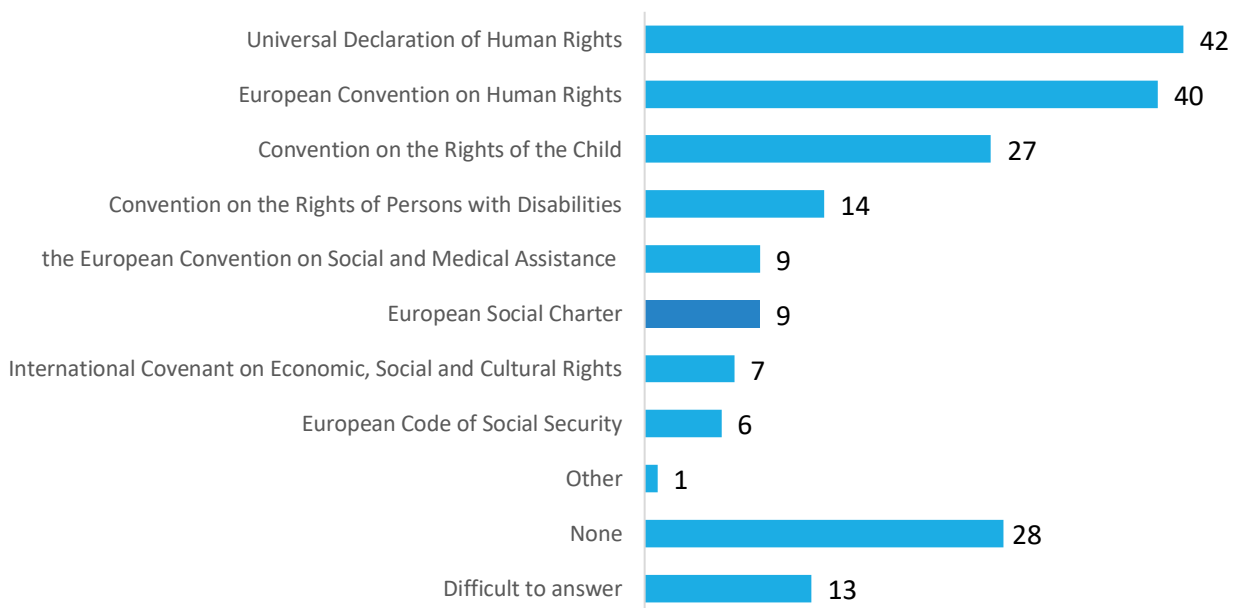


The number of respondents who answered the question: 286 persons.

5.3. Level of awareness of ESC provisions

FLA system clients who took part in the research were most aware of the existence of the following international documents that enshrine human rights: the Universal Declaration of Human Rights (42% of all respondents mentioned this document), the European Convention on Human Rights (40%), the Convention on the Rights of the Child (27%). 14% of respondents mentioned the Convention on the Rights of Persons with Disabilities. Other documents from the list are familiar to less than 10% of the respondents: the European Convention on Social and Medical Assistance is known to 9%, the International Covenant on Economic, Social and Cultural Rights – 7%, and the European Code of Social Security – 6%. 28% of respondents do not know a single document, and 13% – found it difficult to answer.

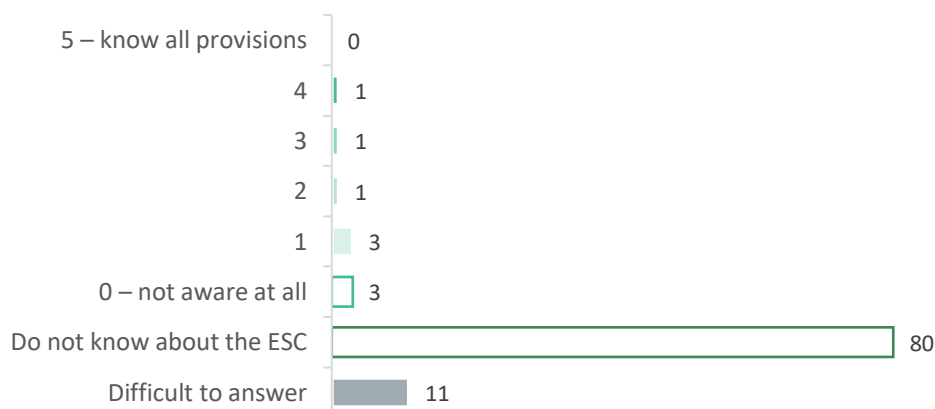
What international documents securing human rights do you know?
(% of all respondents)



The number of respondents who answered the question: 286 persons. There were several options to choose from. The share of those who heard about the ESC was obtained using a separate question "Do you know about the European Social Charter?".

9% of respondents answered that they knew about the European Social Charter; the rest did not know about it (80%) or did not decide on the answer (11%). The awareness level hardly differs between women and men: 8% of women and 11% of men knows about the ESC. Among those who knew about the Charter, 3% were not at all familiar with its provisions. Only 3% rated their level of knowledge at 1 point out of 5, and 1% – at 2, 3, and 4 points out of 5. The average level of awareness is 0.1 points on the scale from 0 to 5 among all respondents or 2.1 points among those who rated their knowledge at least at 1 point. Thus, the ESC is almost unknown to the public.

How familiar are you with the provisions of the European Social Charter?
(% of all respondents)

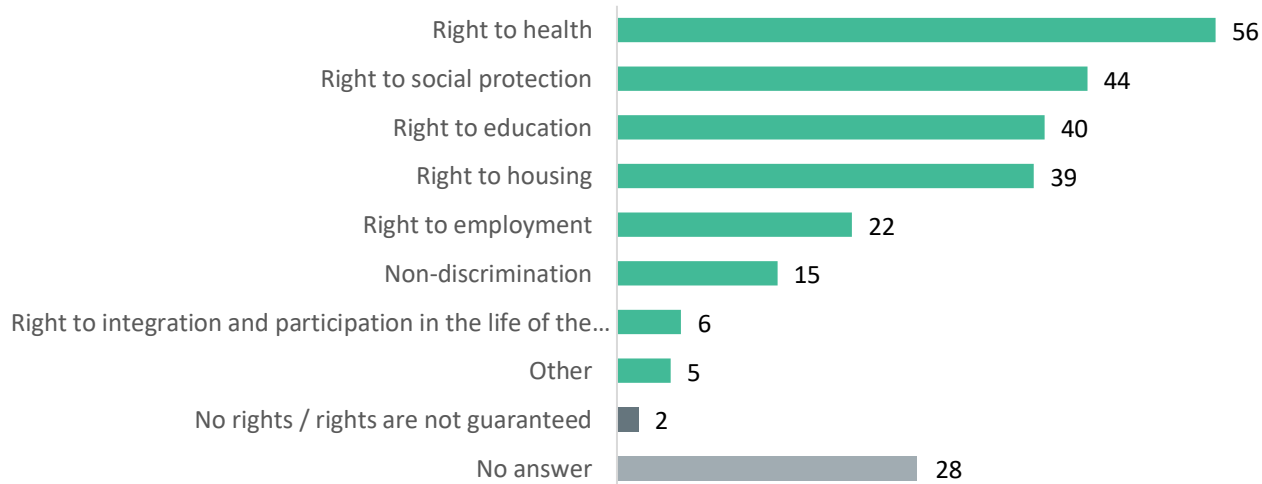


The number of respondents who answered the question: 286 persons.

5.4. Level of awareness about social rights guaranteed by the state

The respondents also answered what social rights they were guaranteed by the state. More than half (56%) of the respondents believe that such rights include the right to health. Also, a relatively large share of FLA clients believes that the state guarantees the right to social protection (44%), the right to education (40%) and the right to housing (39%). Every fifth respondent (22%) expects to be guaranteed the right to employment. Fewer respondents noted the right to integration and participation in the life of the community (6%) and the right to non-discrimination (15%). Other rights included the right to life, work, and freedom of religion. At the same time, 2% of the respondents believe that they have no rights or that the state does not guarantee any rights; and 28% of respondents were undecided on the answer.

What social rights are guaranteed to you by the state?
(% of all respondents)

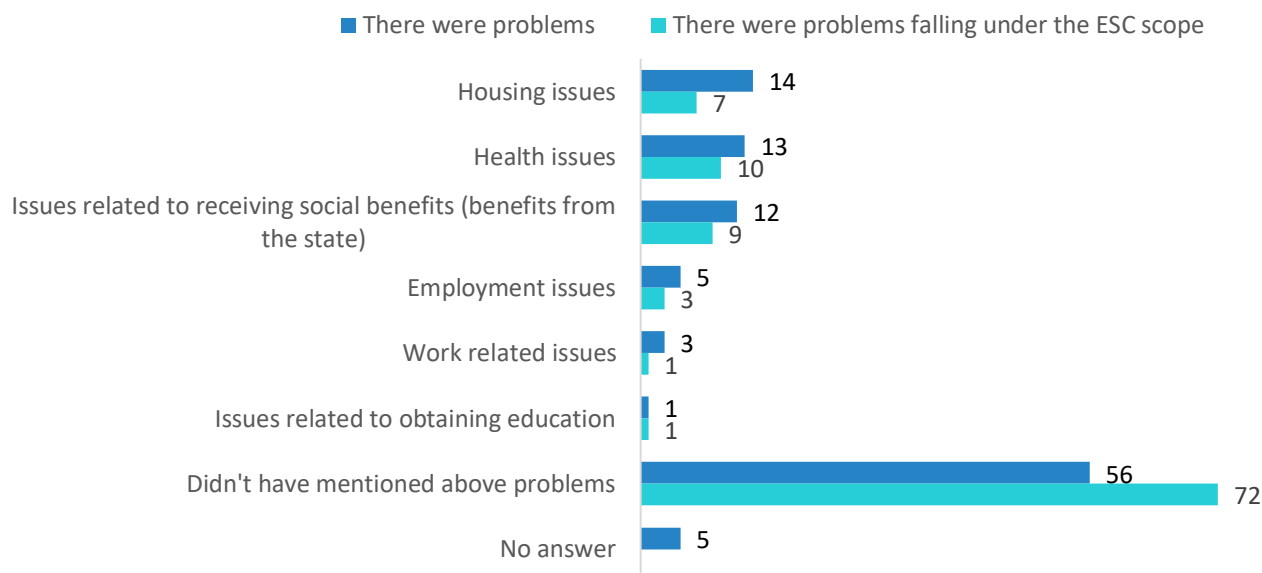


The number of respondents who answered the question: 286 persons. There were several options to choose from.

5.5. Solution of a legal issue

Among the surveyed clients of the FLA system, 39% had problems in the past 2 years related to housing (14%), health (13%), receiving social benefits (12%), employment (5%), work (3%), education (1%). A more detailed analysis of the content of problems made it possible to identify those of them that fell within the scope of the European Social Charter. 28% of respondents should have such problems. The most common problems are related to health (10%), receiving social benefits (9%) and housing (7%).

Among the proposed social rights groups, select those in which you have experienced problems for the last two years (starting in 2018)
(% of all respondents)



The number of respondents who answered the question: 286 persons. There were several options to choose from.

Among 28% of respondents who had a problem that fell within the scope of the European Social Charter, the absolute majority reported one or other negative consequences of this problem. The most common consequence was stress (55%). A third of the respondents (33%) incurred significant financial losses, 29% of the respondents felt harm to their moral health, and 24% – harm to physical health. Such consequences as lack of confidence in themselves and their capabilities (14%), deterioration of family relationships (11%), loss of sources of livelihood (6%) and loss of social ties (3%) were also mentioned.

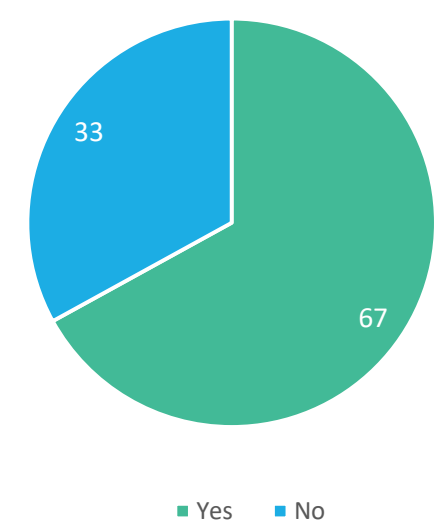
What were the consequences of the problem you faced?
(% of those who had a problem that falls within the ESC scope)



The number of respondents who answered the question: 66 persons. There were several options to choose from.

Two-thirds (67%) of those who had a problem tried to solve it, and one third did not. The main reason why the respondents did not try to solve the problem was their disbelief that something could be changed (68% of the respondents). Other common reasons were the time it took to solve the problem (32%) and the need to put in a lot of effort (23%).

Have you tried to solve the problem that arose?
(% of those who had a problem that falls within the ESC scope)



The number of respondents who answered the question: 66 persons.

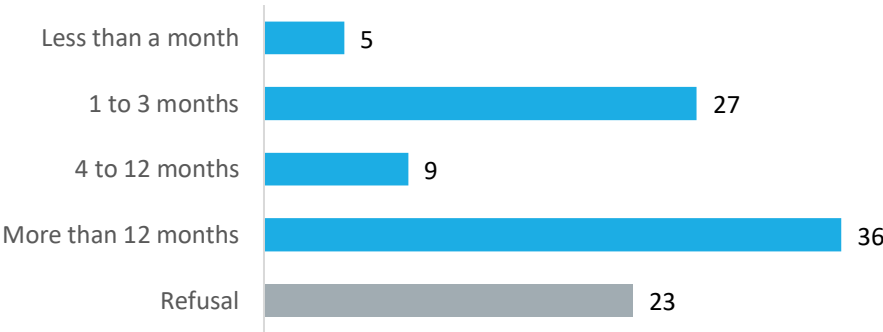
What are the reasons you didn't try to solve the problem?
(% of those who did not solve a problem that falls within the ESC scope)



Attention, few answers! The number of respondents who answered the question: 22 persons. There were several options to choose from.

Problems that were not solved continued in 36% of respondents for more than a year, in 9% – from 4 to 12 months, in 27% – from 1 to 3 months, in 5% – less than a month. About a quarter of respondents (23%) found it difficult to answer.

How long does the problem last?
(% of those who did not solve a problem that falls within the ESC scope)

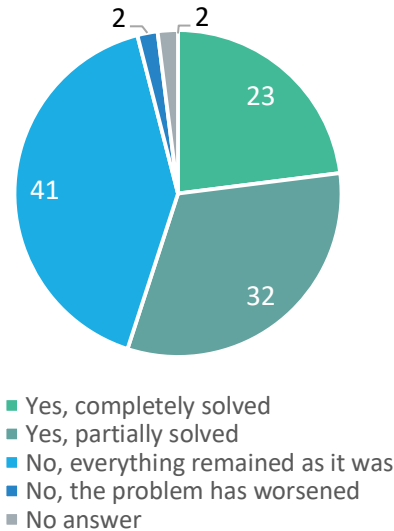


Attention, few answers! The number of respondents who answered the question: 22 persons.

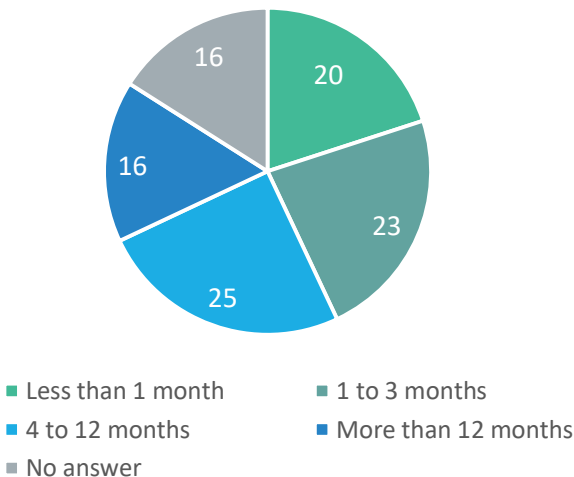
More than half of those who solved their problem eventually solved it completely (23%) or partially (32%). Everything remained as it was in 41% of respondents. The problem worsened in 2% of respondents.

Among those who solved the problem, every fifth respondent (20%) took less than a month to solve; about a quarter (23%) spent 1 to 3 months on solving it, the other quarter (25%) solved the problem from 4 to 12 months; 16% of respondents had been doing this for more than 12 months. 16% found it difficult to calculate.

Has your problem been solved at the moment?
 (% of those who solved a problem that falls within the ESC scope)



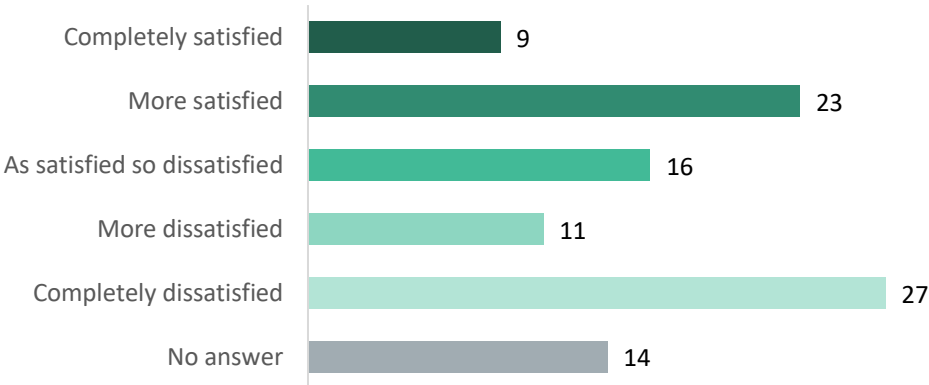
How long did it take you to solve the problem?
 (% of those who solved a problem that falls within the ESC scope)



The number of respondents who answered the question: 44 persons.

Among those who solved the problem, about a third were completely (9%) or more satisfied (23%). 16% of respondents were as satisfied as they were not. More than a third were more (11%) or completely dissatisfied (27%). The remaining 14% were undecided about the answer.

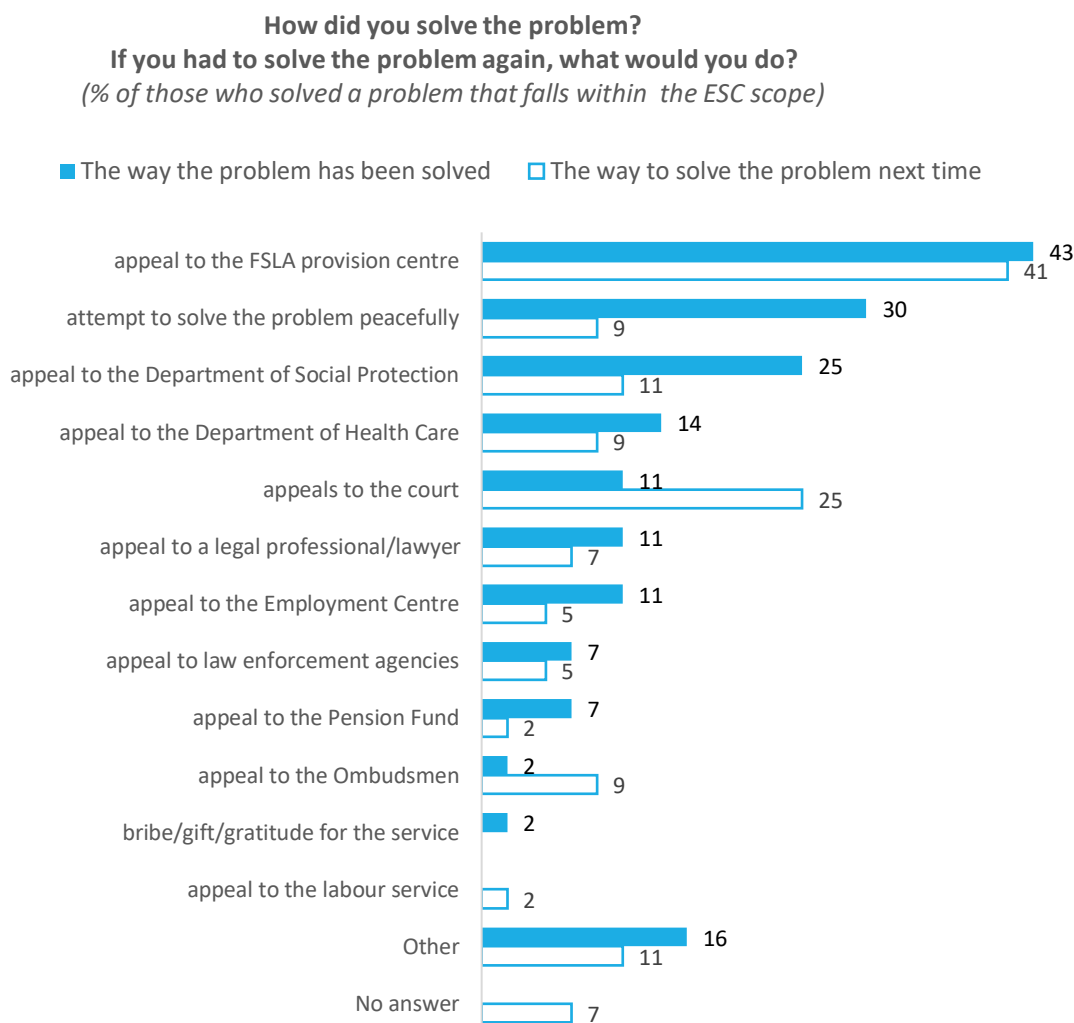
Are you satisfied with the problem solution result?
 (% of those who did not solve a problem that falls within the ESC scope)



The number of respondents who answered the question: 44 persons.

It was expected that among FLA clients, the most common way to solve their problem was to contact the FSLA centre (43%). Attempts to solve the problem peacefully (30%) and appeals to the department of social protection of the population (25%) were also often mentioned. Appeals to the health department were recalled by 14%, to the court – 11%, to a lawyer or attorney – 11%, to the employment centre – 11%, to law enforcement agencies – 7%, PFU bodies – 7%, to the Ombudsman – 2%.

If respondents had to solve their problem again, they would be less likely to use most of the methods they had used before. In particular, three times fewer respondents would try to solve the problem peacefully than they did in the real situation (9% and 30%, respectively). On the other hand, FLA clients were much more likely to go to court: 11% – in a real situation and 25% – in a hypothetical one. Appeals to the FSLA centre were mentioned almost equally often for a real and hypothetical situation.

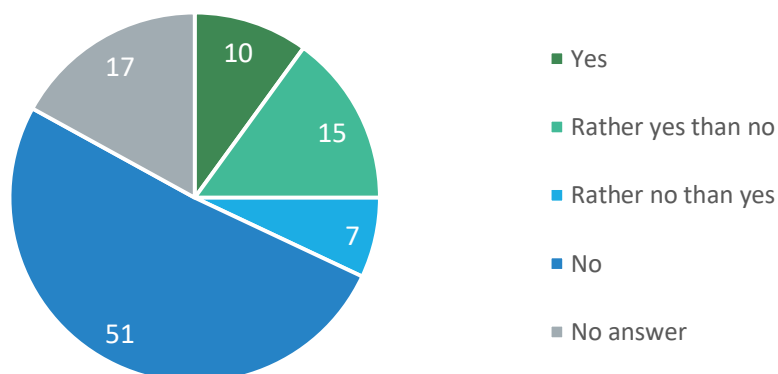


The number of respondents who answered the question: 44 persons. There were several options to choose from.

5.6. Information for action

Most clients of the FLA system were not interested in additional training on the issues fundamental social rights: 51% – not at all interested, 7% – probably not, and 17% – were undecided about the answer. A quarter of the respondents would like to undergo training: 10% were sure of this, and 15% were more likely to agree that they needed it. Women are more interested than men: 29% of women and 17% of men are interested in training.

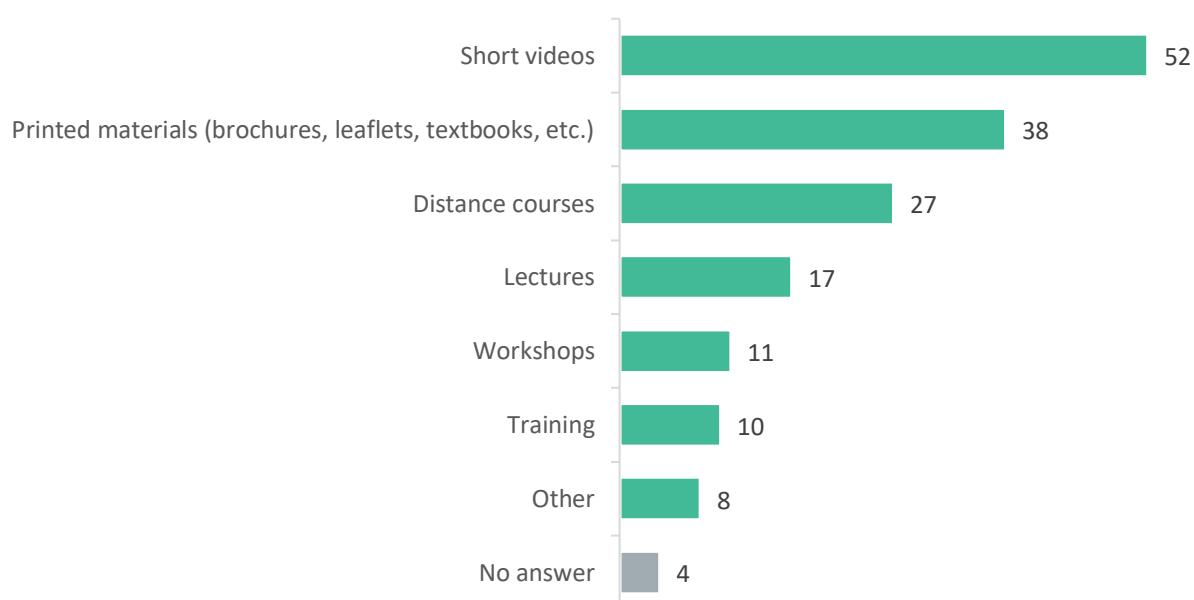
Would you like to receive additional training in fundamental social rights?
(% of all respondents)



The number of respondents who answered the question: 286 persons.

As for the most convenient format of additional training, short videos, as reported by more than half (52%) of those interested in training were the most popular. Printed materials – brochures, leaflets, textbooks, etc. (38%) were in the second place. Distance courses (27%) were the third. The respondents were comparatively less interested in lectures (17%), workshops (11%) and practical training (10%).

What format is more convenient for you to study?
(% of those who would like to undergo additional training in fundamental social rights)

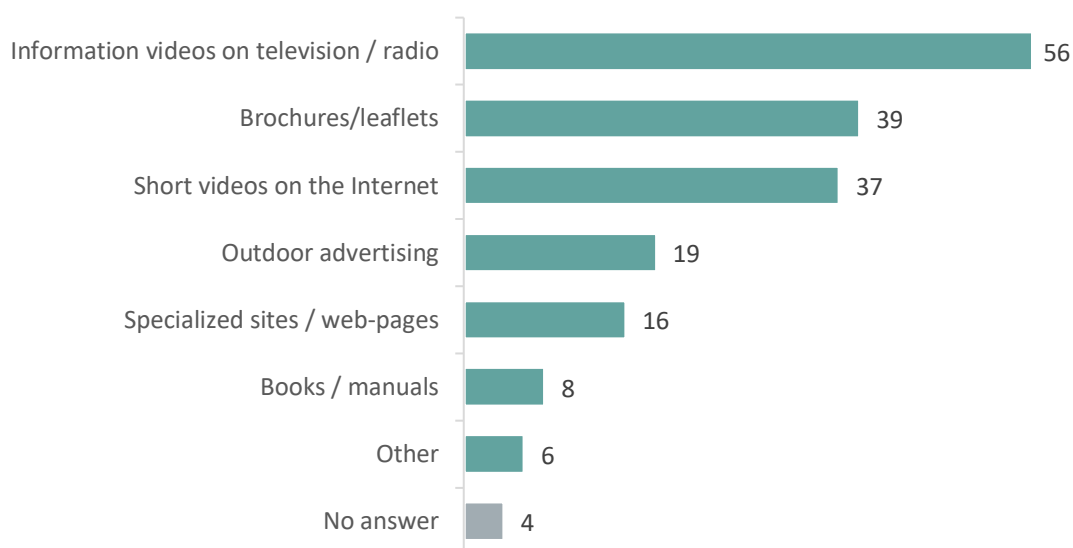


The number of respondents who answered the question: 92 persons. There were several options to choose from.

Regarding the most convenient way to get information about the rights of all respondents, more than half (56%) mentioned informational clips on television or radio, more than a third also named brochures or leaflets (39%) and short videos on the Internet (37%). Outdoor advertising was a convenient source of information for 19%, special sites – for 16%. It was least convenient for respondents to learn about their rights from books and manuals (8%).

Among women, the majority of respondents mentioned such sources of information as informational videos on television and radio (62% compared to 45% among men), brochures/leaflets (46% and 25%), street advertising (22% and 13%). Men were more likely to choose short videos on the Internet (45% compared to 33% of women) and specialized sites (23% and 13%).

What way of receiving information about your rights is convenient for you?
(% of all respondents)



The number of respondents who answered the question: 285 persons. There were several options to choose from.