

Protsenko Taras,
Doctor of Juridical Sciences, Full Professor,
Chief Researcher,
State Research Institute MIA Ukraine,
Kyiv, Ukraine,
ORCID ID 0000-0003-0611-5258

**FORMING AND IMPLEMENTATION OF GENDER EQUALITY POLICY
IN THE SYSTEM OF THE MINISTRY OF INTERNAL AFFAIRS OF
UKRAINE**

The author has researched topical issues of gender equality policy in the system of the Ministry of Internal Affairs of Ukraine. Attention is drawn to the fact that the mechanism for implementing the policy of equal rights and opportunities for women and men in Ukraine is far from being perfect. It was noted that at the current stage of formation and implementation of gender policy in Ukraine should be fixed not only at the national level, but also be specified in various spheres of public life, including law enforcement. The author has submitted proposals to improve the implementation of the policy of equal rights and opportunities for women and men in the system of the Ministry of Internal Affairs of Ukraine.

Keywords: gender equality, law enforcement, equality of rights of men and women.

It is obvious that the implementation of the principle of equality has to cover all life spheres as well as the public one. It is worth noting that today, in Ukraine there are certain preconditions for the implementation of the policy of equal rights and opportunities for women and men (or so-called “gender equality”). At the same time, the mechanism for the implementation of gender equality yet cannot be qualified as perfect. Discrimination against both women and men sexes still exists

in Ukrainian society, in particular, in the sphere of exercising the rights to take part in public administration.

In this regard, it is obvious that at the present stage of the formation and implementation of gender policy in Ukraine, the provisions on gender equality should be consolidated not only at the national level but also be detailed in different spheres of public life, including law enforcement one.

Both domestic and foreign scholars devoted a lot of papers concerning the study of individual aspects of the implementation of the policy of equal rights and opportunities of women and men in different time periods. However, there is no comprehensive research related to the introduction of the policy of equal rights and opportunities for women and men directly within the system of the Ministry of Internal Affairs of Ukraine (hereinafter referred to as the MIA). The above information refreshes the need to undertake independent research on this issue and requires follow-up study.

Modern European integration processes taking place in Ukraine, violate socio-economic and political situation in the country caused fundamental changes in the activities of the majority of state institutions, including law-enforcement agencies. In this context, in the process of implementing Development Strategy of IAA of Ukraine, the MIA was reformed into a multi-functional civilian agency of European type, which ensures guidance and coordination of the activities of the National Police of Ukraine (hereinafter referred to as the NPU), the State Service Emergency Service of Ukraine (hereinafter referred to as the SESU), Administration of the State Border Guard Service of Ukraine (hereinafter the SBGSU), the State Migration Service of Ukraine (hereinafter referred to as the SMSU) and the National Guard of Ukraine (hereinafter referred to as the NGU) implementing the state policy in the relevant spheres by the Cabinet of Ministers (the CMU) by virtue of the Minister of Internal.

Today, it is necessary to consider the activity of the MIA of Ukraine, which is one of the main subjects of the implementation of the mentioned policy, as a perfect example in implementing the policy of the equal rights and opportunities of

women and men in government bodies. Thus, a substantive step towards the implementation of the obligations assumed by the state was the establishment of the post of the Adviser on Human Rights and Gender Issues within the Ministry of Internal Affairs in autumn of 2004. The introduction of such a position has become a manifestation of the fact that the MIA can be an active participant in the process of forming and implementing gender policy in Ukraine. In particular, it concerns the issues of the fight against sexual harassment, prevention of domestic violence, child abuse, counter-trafficking in persons. Moreover, according to the Order of the MIA as of 06.02.2008 № 105, it was created a working group under the MIA to introduce gender approaches into the activities of IAA. It elaborated Program for Gender Equality in the Internal Affairs Agencies (hereinafter referred to as IAA) in Ukraine for the period until 2011 aimed at developing and maintaining gender equality in the IAA through conducting a complex of measures to resolve problems of law-enforcement bodies [1].

At the same time, it must be noted that statutory regulation of the mentioned sphere does not fully reflect the real state of affairs. In order to assess the current state of introduction of the policy of equal rights and opportunities for women and men in the system of the MIA of Ukraine, in our opinion, the analysis of statistical information on the distribution and the ratio of men and women of the Ministry of Internal Affairs of Ukraine is an important precondition, in particular: the Central Office of the Ministry of Internal Affairs of Ukraine, institutes and establishments subjected to its administration, namely: the Main Service Center, higher education institutions and research establishments (hereinafter referred to as the MIA) as well as the National Guard of Ukraine and central executive bodies the activities of which are guided and coordinated by the CMU through the Minister of Internal Affairs (hereinafter Internal Affairs Agencies) both for 2016–2017 and 2018 (as of August, 2018). The study of this information allows identifying the dynamics of involvement of women and men in the activities of the above-mentioned bodies as well as assessing the success of the introduction of policy on the equal rights and opportunities for women and men in the system of the MIA of Ukraine during the

last three years. In addition, obtained data can serve as an informational basis for further adjustments in personnel policy in the context of introducing gender parity in the system of the MIA of Ukraine [2].

Thus, the analysis of statistic data on general characteristic of personnel policy on recruitment and holding of women and men on the positions in the system of the MIA of Ukraine during 2016–2017 shows that the total number of people working in the system of the MIA of Ukraine (not taking into account the State Border Guard Service of Ukraine and the State Emergency Service of Ukraine due to the lack of data) is as follows:

– in 2016, it was more than 150 thousand people; more than 105 thousand or 69.2% were men and more than 47 thousand or $\approx 30.8\%$ –women;

– in 2017, it was more than 170 thousand people; more than 118 thousand or 71.3 % were men and more than 47 thousand or 28.7 % – women.

The above data demonstrates the following situation: the total number of employees in 2017 increased by 8.68% compared to 2016 but it was not caused by the expansion in the number of women. Based on the data, one can conclude that vacancies were mainly held by men, whose number has increased by 2%. If to examine data in individual bodies, it is worth mentioning that the number of working people:

1) in the Central Office of the MIA, higher education institutions and scientific establishments, service centers and other institutions and establishments belonging to the sphere of its management (hereinafter referred to as the MIA):

– in 2016, it amounted to more than 19 thousand people ($\approx 12.62\%$ of the total number of employees of the MIA) where more than 7 thousand or 39.5% were men and more than 11 thousand or 60.5% – women;

– in 2017, the total number of women increased and amounted to more than 12 thousand compared to almost 8 thousand men whose number also increased; women prevailed over the number of men by about a third;

2) in relation to the internal affairs agencies (in particular, the National Guard of Ukraine and central executive bodies the activities of which are guided

and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Internal Affairs (except the State Border Guard Service of Ukraine and the State Emergency Service of Ukraine due to the lack of data), in 2016, the total number was more than 133 thousand people ($\approx 87.3\%$ of the total number of employees of the MIA) where more than half – more than 98 thousand were men ($\approx 73.4\%$ of the total number of employees in the system of the MIA of Ukraine) and just more than 35 thousand – women ($\approx 26.5\%$ of the total number of employees in the internal affairs agencies of Ukraine). In its turn, in 2017, the total number of women (executives and performers) was ≈ 36 thousand ($\approx 24.3\%$) compared to more than 110 thousand men ($\approx 75.6\%$) and is less than the number of men in three times.

Thus, in comparison with the MIA, there is a lack of the balance in the general amount of staff in the very internal affairs agencies. At the same time, the distribution of women and men by post shows varying nature and traditional hold of executive positions mainly by women, while leadership positions are mostly occupied by men. This tendency is mainly observed in the bodies of the MIA of Ukraine.

The analysis of the obtained statistics does not allow drawing up a coherent vision of the ratio of the number of women and men employees who are on parental leave due to the lack of such data towards the MIA and the NGU. But nevertheless, the analysis of a similar data concerning the MIA bodies gives the reasons to argue that the situation is as follows.

In 2016, more than 98% of 100% of employees, who were on parental leave, of the MIA bodies were women. 3,664 people are the total number of employees of the central executive bodies who had childcare leave in 2017. Almost 100% of them are women (97.70%). In the context of the aforementioned, it is not surprising that in the central office of the National Police of Ukraine none of the male employees took a child-care leave and 100% of the so-called “parental leave people” were women.

Thus, during 2016–2017, the percentage of women was one-third of the total number of employees in the analysed bodies. Moreover, the distribution of posts showed that most of the positions related to the performance of assignments were occupied by women compared to senior positions where the density of men is significantly higher. The largest gap between the number of men and women was observed in security agencies, where a critical lack of female employees was noted.

As for 2018, it should be noted that the analysis of statistical data on the general characteristics of the personnel policy regarding the employment and posts maintenance for women and men shows that the number of men in the entire system of the MIA of Ukraine exceeds the number of women almost 4.5 times or by 56% – 78% of men and 22% of women of the total number of employees (taking into account the SBGSU and the SMSU) as of 20.08.2018. Thus, the total number of employees in the MIA of Ukraine is more than 290 thousand people: more than 226 thousand are men ($\approx 78\%$ of the total number) and more than 64 thousand are women ($\approx 22\%$ of the total number).

Among them the number of employees of:

1) the MIA (the Central Office, the Main Service Center, higher education institutions and scientific establishments of the MIA) is 13 thousand people: more than 6 600 or 50.4% are men and more than 6,500 or 49,6% are women;

2) the number of employees of the internal affairs agencies (in particular, the National Guard of Ukraine and central executive bodies the activities of which are guided and coordinated by the Cabinet of Ministers of Ukraine through the Minister of internal Affairs) is more than 277 thousand people: more than 220 thousand or 79.3% are men and more than 57 thousand or 20.7% are women.

Consequently, it is observed that the MIA keeps gender parity that is approximately the same number of women and men hold posts (50.4% of men and 49.6% of women of the total number of employees in the MIA), while the MIA agencies have a certain misbalance because the amount of men holding posts

exceeds 3.8 times or by 58.6% the amount of women (79.3% of men and 20.7% of women of the total number of employees in the MIA agencies).

The results of gender analysis of the implementation of personnel policy in individual bodies and units of the MIA of Ukraine regarding the recruitment and posts maintenance for women and men gives grounds to state that there is a significant difference in the number of female and male employees. For example, the absence and/or low number of women is usually observed in those agencies and units whose functions and tasks the society mainly associates with men, that is, the implementation of which requires excellent physical training, involves increased responsibility, heavy physical activity, service in “field conditions” (that, in turn, leads to the lack of appropriate sanitary comfort), frequent absence at home, the need to work in a mode of high exertion and self-denial.

First of all, they include the NGU, SBGSU, NPU and SMSU where the number of women amounts from 7.1% to 28% of the total number of these bodies, as well as separate units of the MIA the activities of which are directly related to interaction with these bodies (Office of Cooperation with the NGU, Office of Cooperation with the SBGSU, Office of Cooperation with NPU, division of mobilization work and armor protection organization). In other words, agencies the activities of which are related to the observance of strict hierarchy, subordination and discipline, special organizational structure and interpersonal communication, physical well-being, greater social and professional responsibility, the resolution of operational-service tasks, unlimited work day, and high risk to lose health and/or even life.

In contrast, the absence and/or the low number of men is observed in those bodies and units the functions and tasks of which are mainly related to conditions that require activity without additional physical and psychological stresses with a more calm and normalized work schedule (for example, legal support, documentation of official activity, monitoring of human rights observance, provision of health care, compliance with gender equality, etc.). Thus, such units should be considered, in particular: in the MIA –Department for Gender Equality

Issues; Department for the Prevention of Corruption and Lustration; Department of Legal Support; Department of Informatization; Department of Health and Rehabilitation, Department of Official Activity Documentation, Office of Human Rights Monitoring; in the bodies of the MIA – SMSU where the number of women is almost 80% of the total number of employees of the State Migration Service of Ukraine.

If to conduct a gender analysis of the implementation of personnel policy in the system of the MIA of Ukraine in terms of holding senior positions in the system of the MIA of Ukraine, it should be emphasized that the number of employees who hold leadership positions (not below than deputy head of the department) in the system of the MIA of Ukraine is more than 34 thousand people, among which more than 30 thousand or 87% are men and more than 4 thousand or just 13% are women.

The number of employees who hold senior posts directly in:

1) the MIA, there are 1600 thousand people: more than 1100 thousand are men ($\approx 69.7\%$) and more than 500 are women ($\approx 30.3\%$);

2) there is a misbalance in gender parity towards holding senior posts by men and women in the internal affairs agencies where the number of employees holding senior positions is more than 32 thousand people, among which more than 28 thousand are men ($\approx 87.8\%$) and more than 4 thousand are women ($\approx 12.2\%$):

– a small number of women holding leadership positions is observed: in the National Guard of Ukraine where only 2.3% of women take senior positions and 97.7% are men; in the State Border Guard Service of Ukraine where only $\approx 10\%$ of women occupy managerial positions and $\approx 90\%$ – men; in the National Police of Ukraine where only $\approx 12.5\%$ of women occupy managerial positions and $\approx 87.5\%$ is men; in the State Emergency Service of Ukraine where $\approx 19.1\%$ of women hold senior positions and $\approx 80.9\%$ – men;

– in turn, a large number of women who hold leadership positions is observed only in the State Migration Service of Ukraine where 59% of women hold senior positions, and 40.9% is men.

Thus, as you can see, the number of men in the system of the MIA of Ukraine, who hold managerial positions in the system of the MIA of Ukraine, exceeds the number of women almost in 7.6 times or by 74%. The number of men who are hold managerial positions in the Ministry of Internal Affairs of Ukraine exceeds the number of women almost 3.2 times or by 39.4% and in the agencies of the MIA of Ukraine – exceeds the number of women more than 7 times or by 75.6%.

Gender analysis of the implementation of personnel policy in the system of the MIA of Ukraine regarding the issue of parental leave gives grounds to assert that the number of employees of internal affairs agencies of Ukraine, who were on parental leave, is more than 6200 persons: almost 97% are women and only about 3% are men.

It should be pointed out that carrying out comprehensive analysis of employees in individual bodies and units of the MIA of Ukraine, who are on parental leave, in our opinion, is not expedient because the absolute majority of the total staffing (that is more than 90%) is women.

In this context, one can mark only the National Guard of Ukraine where the number of women who are on parental leave amounts to 100% of the total staffing.

I would also like to draw your attention to the fact that there is a significant difference in the ratio of women and men not only regarding holding of management positions and parental leave, as it was mentioned above, but also regarding the participation in the Anti-Terrorist Operation (ATO), Joint Forces Operation (JFO) and peacekeeping activities. The great majority of employees of the system of the MIA of Ukraine who have taken part or participate in ATO (JFO) (including those who were injured /crippled or who died in the ATO zone (JFO) and obtained the status of “Combat veterans”) as well as in peacekeeping activities are men.

Thus, the number of female employees in the system of the MIA of Ukraine who have taken part or participate in ATO (JFO) (including those who were injured /crippled or who died in the ATO zone (JFO) and obtained the status of

“Combat veterans”) as well as in peacekeeping activities is from 0,04 % to 2,8 %. The above conclusion is based on the fact that the number of employees in the system of MIA of Ukraine, as of 20.08.2018, who:

1) has participated or is participating in maintaining ATO (JFO) is 47 thousand people, 46 thousand of whom is men ($\approx 97.4\%$) and only more than 1100 are women ($\approx 2.5\%$), in particular, the number of such employees: a) in the MIA is 555 people, 474 of whom are men ($\approx 81\%$) and 81 – women ($\approx 14.6\%$); b) in the agencies of the MIA system (not taking into account the data of the State Guarder Board of Ukraine due to the lack of information) it accounts to 46 thousand people, more than 45 thousand of whom are men ($\approx 97.6\%$) and over 1100 are women ($\approx 2.3\%$);

2) was injured /crippled in the ATO zone is 861 people, 852 of whom are men ($\approx 98.9\%$) and only 9 women ($\approx 1.04\%$), in particular, the number of such employees: a) 11 persons in the MIA, no women at all, and all 11 persons (100%) are only men; b) in the system of the MIA agencies (not taking into account the data of the State Guarder Board of Ukraine due to the lack of information), it is 850 people, 841 of whom are men ($\approx 98.9\%$) and more than 9 are women ($\approx 1.09\%$);

3) died in the ATO zone (JFO): 236 people, 235 of whom are men ($\approx 99.6\%$) and only one woman ($\approx 0.4\%$);

4) obtained the status of “Combat veterans”: more than 35 thousand people, more than 34 thousand of whom are men ($\approx 97.2\%$) and over 900 people are women ($\approx 2.8\%$), in particular, the number of such workers: a) in the MIA is 545 people, 483 of whom are men ($\approx 88,6\%$) and 62 – women ($\approx 11,4\%$); b) in the agencies of the MIA of Ukraine (not taking into account the data of the State Guarder Board of Ukraine due to the lack of information) there are more than 34 thousand people, 33 thousand of whom are men ($\approx 97.4\%$) and more than 900 are women ($\approx 2.6\%$);

5) involved in peacekeeping activities – 153 people, 148 of whom are men ($\approx 96.7\%$) and 4 women ($\approx 2.6\%$).

Therefore, the analysis provides grounds for the general conclusion that the current state of introduction of the policy of equal rights and opportunities for women and men in the system of the MIA of Ukraine does not fully comply with the relevant requirements and international standards. Despite the positive changes which have taken place after the MIA reform, there are many gaps in the sphere under consideration, including: a lack of equality between women and men among employees of the MIA system, insufficient security of equal treatment and equal career opportunities for male and female employees and others.

That sort of conclusion is based on the latest statistical data:

1. The number of men in the system of the MIA of Ukraine exceeds the number of women almost 4.5 times or by 56% (78% of men and 22% of women of the total number of employees).

2. In the internal affairs agencies of Ukraine, there is a misbalance in the gender parity towards the holding of posts by women and men because men hold the posts 3.8 times or by 58.6% more than females (79.3% of men and 20.7 % of women of the total number of employees in the system of the MIA of Ukraine). At the same time, the MIA observes gender parity, that is, there is approximately equal number of women and men holding posts (50.4% of men and 49.6% of women of the total number of employees of the MIA).

3. There is a meaningful and significant difference in the number of female and male employees in separate units of the MIA and internal affairs agencies. For example, the absence and / or a low number of women is usually observed in those agencies and units the functions and tasks of which the society mainly associates with men, that is, the implementation of which requires excellent physical well-being, involves increased responsibility, heavy physical activity, service in “field conditions” (that, in turn, leads to the lack of appropriate sanitary comfort), frequent absence at home, the need to work in a mode of high exertion and self-denial.

They should include agencies the activities of which are related to the observance of strict hierarchy, subordination and discipline, special organizational

structure and interpersonal communication, excellent physical well-being, greater social and professional responsibility, the resolution of operational-service tasks, unlimited work day, and a high risk to lose one's health and/or even life.

In contrast, the absence and/or a low number of men is observed in those bodies and units the functions and tasks of which are mainly related to the conditions that require activity without additional physical and psychological stresses with a more calm and normalized work schedule (for example, legal support, documentation of official activity, monitoring of human rights observance, provision of health care, compliance with gender equality, etc.).

4. There is a significant difference in the correlation of women and men not only in the context of holding senior posts in the system of the MIA of Ukraine and parental leave but regarding participation in ATO (JFO) and peacekeeping activity, in particular:

1) now, men hold the majority of senior positions in the system of the MIA of Ukraine. Thus, the number of men in the system of the MIA of Ukraine, who hold senior positions (not below than a deputy head of the department), exceeds almost 7.6 times or by 74% the number of women (87% of men and 13% of women of the total number of senior employees). The number of men who hold senior positions in the Ministry of Internal Affairs of Ukraine is almost 3.2 times or by 39.4% higher than the number of women (69.7% of men and 30.3% of women of the total number of senior employees) and in the bodies of the MIA of Ukraine – almost 7.1 times or by 75.6% higher than the number of women (87.8% of men and 12.2% of women of the total number of senior employees);

2) parental leave among male staff of the system of the MIA of Ukraine is unpopular, and the number of women in the system of the MIA of Ukraine who are on parental leave exceeds the number of men almost 33.3 times or by 94% (97% of women and 3% of men are on parental leave), and in the National Guard of Ukraine none of male employees took a parental leave and 100% of the so-called “parental leave people” were women;

3) the overwhelming majority of employees of the system of the MIA of Ukraine who has participated or are participating in ATO (JFO) (including those who were injured /crippled or who died in the ATO zone (JFO) and obtained the status of “Combat veterans”) as well as in peacekeeping activities is men. Thus, the number of female employees in the system of the MIA of Ukraine who has participated or is participating in ATO (JFO) (including those who were injured /crippled or who died in the ATO zone (JFO) and obtained the status of “Combat veterans”) as well as in peacekeeping activities is from 0,04 % to 2,8 %.

Thus, the findings confirm the availability of significant differences in the number of female and male employees in the relevant bodies and units of the MIA. The phenomena can be explained by the lack of interest in the majority of women to hold the positions requiring excellent physical well-being, involving increased responsibility, heavy physical activity, over time work, etc. giving preference to non-stress areas of work, with standard working hours, without additional workload trying to balance their work life with the family. It is also caused by the fact that now in the system of the MIA there are relevant prejudices that first, women are not ready for such type of work and are not interested in it and, secondly, such positions should be mainly held by the employees who have a certain list of qualities that is usually peculiar to male not female character according to the vision of an ordinary person.

We believe that it was caused by the narrow understanding of gender issues as well as by the availability of certain gender stereotypes which are deeply rooted in the society according to which: first, work in law enforcement agencies, holding of senior positions in the agencies as well as participation in ATO (JFO) and peacekeeping activity is understood as exclusively man not woman staff; second, it is considered that solely a woman should be engaged in upbringing of children and therefore, it is she who should be on parental leave. One for the reasons is also the existence of certain stereotypes about the fact that one of the reasoning may be the marginalization of father role laid down since the Soviet era when motherhood was considered the greatest duty to the state. It is impossible to disagree with the fact

that “... in the security sector, there is a widespread metaphor for women career as follows “three maternity leaves–you are colonel”, or “3 maternity leaves – retiring pension”. At the same time, men who are on service, taking parental leave, are often publicly or implicitly victimized by colleagues and executive staff, subject to certain mockeries and ridicules because they are not considered to be full-time employees [3]. Many experts believe that the above stereotypes are available due to the corresponding public perception of the social role of a man who is a priori considered to be a courageous “breadwinner” of the family, and one who is on parental leave is a “henpecked husband” who had to stay at home due to his inability to support his family.

REFERENCES

1. *Bidenko Yu., Kyselova V.* Pro hendernu polityku v Ukraini. “On gender policy in Ukraine”. URL: <http://gendercenter.sumdu.edu.ua/index.php/news/314-pro-hendernu-polityku-v-ukraini> (date of application: 18.03.2019). [in Ukrainian].
2. *Koller Yu. S.* (2018) Ministerstvo vnutrishnikh sprav Ukrainy yak subiekt zabezpechennia realizatsii hendernoi polityky v Ukraini. Realizatsiia hendernoi polityky na suchasnomu etapi rozvytku suspilstva: stan, problemy, perspektyvy: materialy I mizh nar. nauk.-prakt. konf. “Ministry of Internal Affairs of Ukraine as a subject of ensuring the implementation of gender policy in Ukraine, Implementation of gender policy at the present stage of society development: state, problems, prospects”. (Khmelnyskyi, April, 25. 2018). P. 146-149. [in Ukrainian].
3. *Zhinky. Myr. Bezpeka: Informatsiino-navchalnyi posibnyk z hendernykh aspektiv konfliktiv dlia fakhivtsiv sektoru bezpeky.* “Women. Peace. Security: A Gender Conflict Handbook for Security Professionals” / Authors / Kyiv, 2017. 264 p. [in Ukrainian].

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