


## PROBLEMS OF GENDER TOLERANCE FORMATION IN THE CONTEXT OF THE INTRODUCTION OF MARTIAL LAW IN UKRAINE

### PROBLEMAS DE FORMAÇÃO DE TOLERÂNCIA DE GÊNERO NO CONTEXTO DA INTRODUÇÃO DA LEI MARCIAL NA UCRÂNIA

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**Abstract.** The article is devoted to studying issues that slow down the formation of gender tolerance in the context of armed conflict on the territory of Ukraine. Aspects of gender equality and factors influencing its achievement in Ukrainian realities are highlighted. The article analyzes the problems of the development and formation of gender equality, historical prerequisites and factors that could have influenced the implementation of ideas of tolerance to one degree or another, changes and novelties of the current legislation, and their compliance with European standards for the protection of human rights. The paper also provides convincing arguments about the existence of the problem of gender discrimination and the situation faced by internally displaced persons, both female and male, in various spheres of society and professional sectors. It is established that during the period of martial law in Ukraine, girls and women are the most vulnerable due to the change of family roles, increased responsibility for the life and health of loved ones, loss of a breadwinner, increased cases of violence, external insecurity due to massive shelling by the occupying country. Certain features of the most vulnerable segments of the population and problems of discrimination against representatives of other nationalities in war conditions are also studied.

**Keywords:** gender, tolerance, equality, discrimination, martial law.

**Resumo.** O artigo dedica-se ao estudo de questões que retardam a formação da tolerância de gênero no contexto do conflito armado no território da Ucrânia. São destacados os aspectos da igualdade de gênero e os factores que influenciam a sua realização nas realidades ucranianas. O artigo analisa os problemas do desenvolvimento e formação da igualdade de gênero, os pré-requisitos históricos e os factores que podem ter influenciado de uma forma ou de outra a implementação das ideias de tolerância, as mudanças e novidades da legislação em vigor, e a sua conformidade com as normas europeias para a proteção dos direitos humanos. O documento também apresenta argumentos convincentes sobre a existência do problema da discriminação de gênero e a situação enfrentada pelas pessoas deslocadas internamente, tanto mulheres como homens, em diversas esferas da sociedade e sectores profissionais. Está estabelecido que durante o período da lei marcial na Ucrânia, as meninas e as mulheres são as mais vulneráveis devido à mudança de papéis familiares, ao aumento da responsabilidade pela vida e saúde dos entes queridos, à perda de um chefe de família, ao aumento dos casos de violência, à violência externa insegurança devido aos bombardeamentos massivos por parte do país ocupante. São também estudadas certas características dos segmentos mais vulneráveis da população e problemas de discriminação contra representantes de outras nacionalidades em condições de guerra.

**Palavras-chave:** gênero, tolerância, igualdade, discriminação, lei marcial.

## INTRODUCTION

The topic's relevance is driven by the international community's concern regarding gender equality issues worldwide. Before the war, significant steps were taken to implement European standards of gender equality into the national legislation of Ukraine. However, the introduction of adequate protection mechanisms became significantly more challenging in the conditions of armed conflict. As a result, the

emergence of new problems greatly influenced the formation of gender policies, considerably slowing down desired progress in this direction.

Despite the progress in gender equality, ratification of most relevant global conventions, and the adoption of corresponding legislation, Ukrainian women continue to face obstacles to their significant economic, civic, and political participation. That is further complicated by risks of economic instability, poor health conditions, and violence for some of the most vulnerable groups.

The traditional values and patriarchal views that justify discrimination and violence against women and girls remain widespread while existing gender inequality is constantly exacerbated by the humanitarian crisis caused by Russia's full-scale invasion of Ukraine in 2022.

Women in Ukraine's current realities and needs require research that considers their unique challenges and problems. Women in Ukraine may encounter various barriers, such as:

- gender inequality;
- limited access to education and the job market;
- violence against women and other issues that are particularly relevant during the war.

The studies can help identify these problems, understand how women can overcome them, and explore how their development and increased societal status can be explored.

At the same time, the issues of gender tolerance are not limited to women alone. In the conditions of armed conflict, men's constitutional rights are also significantly violated. The existing stereotypes about their inability to be weak and demonstrate their sincere emotions often lead to mental illness due to long-term stress accumulation.

The men who are liable to be mobilized repeatedly face cruelty from representatives of territorial recruitment centers. This, in turn, undermines the authority and level of public trust in government and local authorities.

## **LITERATURE REVIEW**

The problems of gender equality and tolerance, non-discrimination, and gender-based violence have been discussed by many national scholars and their foreign colleagues, including Kateryna Levchenko, Lyudmyla Shevchenko, Nadiia Hryshyna, Mariiana Kachynska, Ursula Novakiska, Ewa Bienkowska, Andrzej Dominiczak, Golie G. Jansen, Madelaine Adelman, Hillary Haldane, Jennifer R. Wies, Emma Williamson, Hilary Abrahams, Anne Phillips, and many other researchers.

The research aims to investigate contemporary issues related to the development and establishment of gender tolerance during the armed conflict in Ukraine. The study seeks to analyze the impact of the war events on the role and status of women, as well as to uncover the challenges they face in this context. The issues that can be studied include:

- gender-based violence;
- unequal access to education and healthcare;
- women's economic involvement during wartime and other vital aspects.

Understanding these issues will enable the development of effective strategies and policies to support and protect women's rights during armed conflicts.

This research focuses on the problem of gender tolerance formation in the conditions of martial law introduced in our country. This study examines the interrelation between armed conflict and gender stereotypes, norms, and roles. Investigating this issue will help reveal how martial law influences the perception of gender roles and the formation of gender tolerance in society during a conflict. Such research can identify the key challenges and provide recommendations for improving the status of women and building an equal and gender-tolerant community during the war.

In this study, the comparative, formal-legal, and system analysis methods were used to accomplish the aim of this research. The comparative method allowed for the analysis and comparison of legislation and policies regarding gender tolerance in the context of martial law in different countries or contexts. This method helped to identify similarities and differences in approaches and levels of protection of women's rights during the conflicts.

The formal-legal method was used to analyze the legislation and international norms related to gender equality and women's rights during a state of war. It helped to clarify which legal frameworks and mechanisms exist to protect and support women in similar situations.

The systemic analysis method helped to examine the interrelation between different elements of the system that influence the formation of gender tolerance during martial law. This approach allowed for considering socio-cultural, economic, and political factors that affect the appearance of gender stereotypes, roles, and norms in such conditions.

By employing these research methods, the authors obtained a comprehensive understanding of gender tolerance problems during martial law. Also, possible ways to improve women's situation in similar circumstances were identified.

In this regard, it is necessary to pay attention to the prevailing conditions for forming and developing gender tolerance and equality between women and men in Ukraine. These preconditions include socio-cultural factors that influence perceptions of gender roles and statuses in society and the political context defining the legal frameworks and measures for protecting women's rights.

The study of the aforementioned aspects will help to identify and highlight the most pressing and critical problems arising from the full-scale invasion of the terrorist country. It will enable the development of effective changes and increase the coefficient of equal opportunities for all members of society. The research findings will serve as a basis for developing strategies, policies, and programs to address these problems and support gender tolerance.

Focusing on various spheres of society affected by the war demonstrates the most vulnerable areas in the state's policy. It will help develop a clear action plan to achieve the goals and fulfill obligations to the European and international communities. The research results can also be used to support Ukraine in implementing reforms to strengthen gender tolerance and equality in all spheres of society.

## RESULTS

The lengthy process towards gender tolerance can be explained by social and political circumstances in Ukraine, such as the 2014 Revolution of Dignity, the annexation of Crimea, anti-terrorist operations in Donbas, and the resulting economic crisis.

Recently, the intention was to address gender inequality by bringing Ukrainian legislation in line with the standards of the Istanbul Convention, for example, the new Ukrainian law "On Preventing and Countering Domestic Violence" (On ratification of the Council of Europe Convention on preventing violence against women and domestic violence and combating these phenomena, 2022; The Council of Europe, 2021). These changes apply to all Ukrainian legislation, including criminal, civil, administrative, and procedural law. The law introduces new definitions, such as violence based on sex, which establishes administrative and criminal penalties for offenders (On preventing and countering domestic violence, 2022).

The problem with early gender socialization lies in the fact that people may not realize that their own experience is not unique and may include a series of violations or discrimination.

The Constitution of Ukraine, in Article 24, proclaims that citizens have equal constitutional rights and freedoms and are equal before the law. This article should not have any restrictions based on religious or political beliefs, race, skin color, ethnic or social origin, property status, place of residence, language, sex, or other grounds (Constitution of Ukraine, 1996).

Equal rights between men and women are ensured through several means:

- Providing women with the same opportunities as men in socio-political and cultural activities, professional training, education, and employment (including equal pay).
- Specific measures for occupational safety for women and establishing rights to pension provision.
- Favorable conditions that allow women to balance their careers with domestic and family life.
- Legal protection and support for motherhood and childhood, including paid maternity leave and other assistance to pregnant women and mothers.

According to the Law of Ukraine "On Ensuring Equal Rights and Opportunities for Women and Men," gender equality is proclaimed as equal legal norms and the real opportunities for their proper implementation by women and men. It creates equal opportunities for both genders to participate in all matters without any exceptions in Ukraine's social life (On ensuring equal rights and opportunities for women and men, 2005).

Among various international obligations in the field of gender equality, the most fundamental is the UN Convention on the Elimination of All Forms of Discrimination against Women of 1979. This Convention was conceived as an International "Bill of Rights" for women, defining what constitutes discrimination and providing a basis for national action plans to combat such discrimination. The states

that adopt the Convention are expected to focus on incorporating the principle of gender equality into their legal systems, repealing discriminatory legislation, and enacting new laws prohibiting discrimination against women (Library of the Chairman of the Trade Union Committee, 2005).

According to the Decree of the President of Ukraine No. 64 of February 24, 2022, "On the Introduction of Martial Law in Ukraine," a legal regime of martial law has been imposed on the territory of Ukraine (Official Bulletin of Ukraine, 2022).

From this moment on, the lives of every Ukrainian citizen have drastically changed. Some of them defend the multi-million population on the frontlines; others are standing guard in the rear. Some citizens engage in volunteer activities, while others make important decisions for the country.

In this context, many people believe that the problem of gender tolerance in the context of martial law in Ukraine is "irrelevant." However, this critical issue has been a concern even before the full-scale invasion by the Russian Federation on our country's territory and has not lost its relevance with the onset of the war. It can even be noted that, on the contrary, gender equality issues have become much more visible during the militarization crisis.

The first thing we might encounter is membership in Ukraine's Armed Forces. In her interview, Oksana Grigorieva, an advisor on gender issues to the Ground Forces commander, reported that there are currently 60,000 Ukrainian women serving, including 40,000 in the Armed Forces of Ukraine (AFU). Before February 24, 2022, the percentage of women in the Ukrainian army was around 16-17%. After the mobilization of mostly men while women volunteered, the share of women in the army decreased, and now it is 8% (Grigorieva O., 2023).

According to the Order of the Ministry of Defense of Ukraine, "On Approval of the List of Specialties and/or Professions Related to Corresponding Military Registration Specialties, after Obtaining Which Women Are Enlisted in the Military Registration of Military Personnel and the List of Specialties and/or Professions Related to Corresponding Military Registration Specialties" of October 11, 2021, No. 313, all women between 18 and 60 years old with a specialty and/or profession related to the corresponding military registration specialty, as determined by the list approved by the Ministry of Defense of Ukraine, and who are fit for military service according to their health condition (Official Bulletin of Ukraine, 2019) are subject to military registration.

However, it does not mean that the forced mobilization of women is ongoing. On the contrary, the legislation aims to achieve equal opportunities for women and men. At the normative legal level, it is stipulated that every woman has the right to hold any position in the senior non-commissioned officer rank. Nevertheless, it is too early to talk about achieving gender tolerance on this issue and getting rid of deep-seated stereotypes (Suslova O. I., 2017).

It is hard to disagree that military structures worldwide have always been patriarchal and predominantly male. It is also understandable that women have different physiological capabilities and training levels, which play a decisive role on the battlefield. However, the attitude of the command is usually quite ambivalent. Women in the military often hear that their place is in the kitchen, and their calling is to give birth to and raise children, while men engage in the "men's work." This stereotype has been shaped over the years since the Soviet Union era. Undoubtedly, if we want to build a European future, we must also respect European values (Suslova O. I., 2016). In fact, this is a relevant issue not only in Ukraine but also worldwide. However, the trends are changing, and we should follow them. For example, the number of women in the armed forces of NATO countries has increased tenfold over the past 40 years. Today, more than 300,000 women serve in the armies of NATO allies, with nearly 40,000 holding officer ranks (Karolina K., 2019).

As for the men liable for military service, they become victims of abuse by representatives of military recruitment offices and physical violence that occurs in public places. Indeed, they are the most likely to suffer from illegal violence associated with the introduction of martial law in Ukraine.

The second issue is that women are crucial in providing humanitarian assistance but are not fully involved in decision-making. Indeed, women's civil society organizations and individual women volunteers are rapidly mobilizing to ensure that their communities and IDPs (internally displaced persons) receive all the support they need to access essential services and meet their immediate needs (Machlouzarides M., 2022). Women do a significant amount of work -they drive vehicles and provide hospitals and local residents with medicine and food while caring for their own families, relatives, and neighbors. However, in terms of formal decision-making, the centralization of power and the increased role of the Armed Forces have made it more difficult for women to influence official processes of political and administrative decision-making, leading to a decrease in women's overall participation (Grushetsky A., & Harchenko N., 2009).

The issues related to social development and gender equality are often pushed to the background, and women's voices are not adequately considered in the planning and decision-making processes related to humanitarian assistance or broader peace processes. Decisions are often made quickly and do not fully reflect the needs and priorities of different groups of women and men, including the most vulnerable ones. The decision-making process has changed. The leadership positions are held exclusively by men, as required by wartime, and this process is not very democratic (Gender Culture Center, 2022; National Institute for Strategic Studies, 2023).

Men most often start wars and participate in military conflicts, while women most often suffer from their consequences. That is why allowing women to participate in these processes before harm is inflicted is essential. It will help to increase the effectiveness of preventing armed conflicts (Rehn E., & Sirleaf E. J., 2002).

Another problem is limited access to educational institutions due to threats to safety and life. This issue will increasingly affect the unemployment rate among all population segments and likely continue to push women into unprotected informal sectors of the economy. As many women lose their partners on the frontlines, the poverty rate and dependence on social benefits increase.

Access to online education also depends on the availability of equipment and internet connectivity, which are less accessible to people with lower incomes. The extracurricular activities have entirely stopped, increasing the stress on children and creating additional anxiety and care for women (Nechiporenko L., Rudenko M., Suslova O., 2016).

Women with disabled children face tough challenges as they constantly need to care for them, making it difficult to work offline. As a result, some skilled women simply lose their livelihoods.

Traditional gender roles and the mother-father model are being disrupted, significantly impacting upbringing. Women will more frequently take on additional responsibilities, increasing pressure on their nervous systems and leading to more frequent problems with mental and emotional health and stability (Jansen Golie G., 2006).

Attention should be paid to the fact that gender tolerance pertains not only to the desire to eliminate restrictions on women's rights but to achieve equal opportunities. During the war, men also face a range of issues. Of course, not all serve in the ranks of the Ukrainian army; many diligently work in the rear. Some men, too, belong to vulnerable segments of the population, such as individuals with disabilities or single parents. For example, internally displaced men encounter difficulties in finding housing as women and children often take priority over them. People with disabilities and other individuals with limited mobility and their caregivers are particularly vulnerable when attempting to access bomb shelters or relocate to safer areas (Stefanishina O., 2022).

The lack of access to housing increases protection risks, as cases of sexual exploitation and human trafficking occur since many displaced individuals seek refuge through informal arrangements and become victims of violence. Due to losing livelihoods, they even agree to exploitative conditions to secure the most critical and immediate value - their lives (Association of Women-lawyers JurFem, 2022).

In the context of mass displacement, hastily opened collective shelters, often in schools, suffer from overcrowding, poor hygiene, and a lack of basic amenities and expendable materials like beds, mattresses, and blankets. The absence of separate gender-segregated restrooms creates conditions that can increase the risk of sexual harassment and other forms of sexual violence against women and girls in public places (Ivanina T., Kyselova O., Kolodii M., 2020).

Another problem concerns ensuring food supplies and achieving food security in the country. This issue has been further exacerbated by the destruction of the Kakhovka hydroelectric power station, which resulted in the flooding of many crop areas. The collapse of the Kakhovka Dam has also led to the depletion of the Kakhovka reservoir, which previously provided sufficient water supply for irrigation, especially during dry summer periods in the fertile lands of eastern regions (Radio Liberty, 2023).

Even before the escalation of the war, women in Ukraine experienced more food shortages than men. With the war starting and a fierce wave of panic, for the first three to four weeks, the population faced a situation where the shelves in grocery stores were practically empty. Food availability in such conditions became questionable due to disrupted supply chains, a lack of humanitarian aid, a shortage of money, and rising prices. Many nutrient-rich foods such as fish, dairy products, and fruits remain limited, particularly in regions that previously relied on supplies from the war-affected areas.

Additionally, a cholera epidemic is expected to erupt due to massive pollution and an ongoing ecological disaster in the Kherson region. According to statistics, men are more prone to infection. Consequently, there is a risk of death from hunger and dehydration (Kozko V. M., Belkina E. O., Merkulova N. F., 2008).

Considering the limited availability of Internet and mobile communication in the occupied territories, the population, especially the elderly and vulnerable groups, do not receive updated information about the arrival of food supplies. The shortage of baby food remains a severe problem among Ukrainians in various regions and among displaced populations, and mothers with newborns also experience a scarcity of infant formula.

Special dietary food products are inaccessible and are not included in humanitarian food distribution programs, which fail to meet the specific needs of pregnant and lactating women, newborns and infants, adolescents, disabled individuals, and those with various medical conditions.

Women also reduce their own food consumption to save on food supplies for the sake of children, the elderly, and sick people. Due to water supply, electricity, and gas disruptions, many people have resorted to cooking over fires outside their homes and collecting water from streams and lakes. People living in shelters in war-affected areas try to make ends meet by relying on food aid from volunteers in poor hygienic conditions (Tkachenko Ya., 2021).

However, the men on the front lines also face the aforementioned problems. It is challenging to provide food and safely deliver cargo to the locations of Ukrainian military troops in the areas of active hostilities.

Unfortunately, the problem of discrimination against women of other nationalities has noticeably intensified during martial law. For instance, representatives of the Roma nation often face refusal of food at distribution points or denial of accommodation in refugee centers (Council of Europe, 2021).

Before the war, the majority of healthcare personnel in Ukraine were women, and they continue to play a central role in frontline response services amidst the current crisis. Many healthcare workers, pharmacists, and distributors have been displaced within the country or to other countries. It led to a reduction or absence of medical services and essential supplies, thus exacerbating the limited access to healthcare, especially in war-affected areas. The access is further complicated by mined roads, lack of medications, and targeted attacks on medical facilities, including hospitals and ambulances (Lukyanova G., 2023).

Both women and men suffer from issues related to access to medical care. The remote villages, in particular, suffer from the absence of services and medications. Since the onset of the war, people with disabilities, chronic illnesses, and other ailments have faced severe challenges, including a significant increase in hypertension and cardiovascular diseases, even among young people. The HIV-infected individuals, the majority of whom are men, and people with substance abuse disorders suffer from the lack of necessary medications in Ukraine (Clinical Trials Arena, 2022).

Among those who also require regular access to medications are transgender individuals, many of whom have had to suspend hormone therapy due to supply shortages.

Many medical consultations have shifted to online mode, especially in conflict-affected areas. They require access to the Internet via a computer or smartphone, which is hindered by constant shelling, lack of electricity, and network connectivity (Zelenska O., 2022).

A critical problem is accessing reliable information, particularly regarding hostilities, evacuation options, procedures, etc. Information can vary significantly depending on the sources from which it is obtained.

Displaced women have highlighted the constantly changing services in different places where they stayed and the lack of awareness about their entitlements, such as whether it is regular or one-time distribution. Older people, most of whom are women, are often less mobile and less experienced in using technology. They have limited internet access and lack access to information (Kaczynska M., 2018).

There are different feelings of safety in cities for women and men. Women are more concerned about the absence of street lights and the presence of a large number of men on the streets, which instills fear in them regarding increased cases of rape in the evenings.

The risk of gender-based violence increases during times of war. In Ukraine, there is an increasing number of distressing reports in the media about conflict-related sexual violence, especially in occupied and war-affected areas (Nalyvaiko L. R., 2022).

The formation of gender equality is also influenced by the fact that most Ukrainian men aged 18 to 60 are prohibited from leaving Ukraine during the war. Both young men and men of pre-retirement age can be particularly vulnerable. The first ones may still be students, dependent on family and unemployed, while the older men may have difficulty accessing medical care in case of injury because others receive services on a priority basis (Ilyash M. M., 2022).

Financial vulnerability due to job loss, rising food and fuel prices, and increased rental costs in case of relocation are one of the most widespread problems for the entire population of Ukraine. The men, who

are often considered responsible for their families financial security, may feel increasing pressure due to these issues.

Due to psychological factors, men usually struggle to talk about their feelings or seek emotional support. They usually do not seek psychological help and "keep it all inside" because of the stereotype imposed by society that "men do not cry."

In volunteer work in all sorts of positions, from managers to drivers, there is a less rigid division of gender-based labor.

## **DISCUSSION**

The research findings indicate that women in Ukrainian society face various problems and obstacles under martial law. Firstly, they are more economically vulnerable, with lower employment rates despite having comparable education levels to men. Women also experience difficulties in accessing services and face the displacement of the male role in family relationships. They live in constant fear for the lives of their loved ones and the future of the country.

The study also revealed that women experience deteriorating physical and mental health, exacerbated by instability and inadequate access to healthcare services. The gender norms that contribute to emotional pressure and physical violence continue to be prevalent, especially among the men who feel a shift in their role from being a father to a protector.

Even in cases of physical and psychological violence within families, although it is equal for women and men in the sample, women have a lower level of personal safety, especially under martial law. In this context, it is necessary to expand the provision of psychosocial support and strengthen protection mechanisms for internally displaced persons affected by armed aggression by the Russian Federation on the territory of Ukraine.

Furthermore, it is essential to focus on enhancing the role of women in contributing equally to social and civic life. It requires implementing and popularizing measures, particularly among men of different ages and rural residents.

An integral part of this process is also eliminating discrimination in matters relating to representatives of different nationalities, including the Roma people. It is necessary to ensure their safe protection, access to food and basic hygiene items while avoiding racial discrimination and biased attitudes.

## **CONCLUSIONS**

In our research, we employed effective methods to analyze the emergence and development of gender tolerance in Ukraine and the issues that arose due to the Russian Federation's invasion of our territory. We paid attention to women's heightened vulnerability during the armed conflict while also considering the situation of men in these circumstances. We emphasized the stereotypes that need to be eliminated to achieve European human rights protection standards and fulfill international obligations.

The obtained results will enable us to develop an effective strategy for national policy to rebuild and develop Ukraine after the victory. We intend to build our state on the principles of gender tolerance and gender equality between women and men. It is also vital for us to avoid racial discrimination, particularly towards representatives of the Roma nation, who currently face the danger of lack of access to food, medical services, and shelter.

In this context, our priority is to enhance social support for internally displaced persons and the most vulnerable segments of the population in the conditions of armed conflict. This will require additional measures and resources, but it is necessary to ensure fairness and protect all citizens of our country.

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