



Promoting and strengthening
the Universal Periodic Review

Recommendations & Pledges

UKRAINE

Second Review Session 14

Review in the Working Group: 24 October 2012
Adoption in the Plenary: 14 March 2013

Ukraine's responses to recommendations (as of 22.05.2013):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
No response, all pending	112 accepted in full (1 of which was in course of implementation - n° 97.12 and 5 were already implemented - n° 97.21, 26, 43, 86, 112), 3 accepted in part (underlined in blue), 28 rejected, 2 comment without clear position	The delegation stated that 115 recs were accepted, 3 were partially accepted and 27 were rejected. These figures differ from the ones provided in the addendum.	Accepted: 115 Rejected: 28 No clear position: 2 Pending: 0 Total: 145

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/22/7:

97. The following recommendations will be examined by Ukraine, which will provide responses in due time, but no later than the twenty-second session of the Human Rights Council in March 2013:

R - 97.1. Ratify the International Convention for the Protection of All Persons from Enforced

Disappearance, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Statute of the International Criminal Court (Spain);

R - 97.2. Consider the possibility of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Argentina);

R - 97.3. Ratify the International Convention on the Rights of All Migrant Workers and Members of Their Families (Indonesia);

R - 97.4. Consider ratifying the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families as well as ILO Convention No. 189 (Philippines);

R - 97.5. Consider an early ratification of the third Optional Protocol to CRC on a communication procedure (Slovakia);

R - 97.6. Examine the possibility of swift ratification of the Rome Statute (Tunisia);

R - 97.7. Ratify the Rome Statute of the International Criminal Court (Slovakia) (Austria);

R - 97.8. Ratify the Rome Statute of the International Criminal Court, and fully align its national legislation with all obligations under the Rome Statute (Estonia);

R - 97.9. Take all measures necessary to ratify the Rome Statute of the ICC (Belgium);

R - 97.10. Take the necessary measures for the prompt ratification of the Rome Statute as well as the adoption of legislation to implement the Statute (France);

R - 97.11. Ratify the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Portugal);

A - 97.12. Take further measures and accede to the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption (Ireland);

R - 97.13. Make the necessary constitutional changes in order to ratify the Rome Statute of the International Criminal Court, signed in January 2001 (Portugal);

R - 97.14. Consider the possibility of introducing the necessary constitutional changes to ratify the Rome Statute of the International Criminal Court and develop a law on cooperation between the State and the International Criminal Court (Uruguay);

R - 97.15. Make the necessary constitutional changes to ratify the Rome Statute (Hungary);

A - 97.16. Revise national legislation so as to effectively implement the provisions of the Convention on the Rights of Persons with Disabilities (Mexico);

A - 97.17. That any draft law that infringes fundamental human rights and violates commitments of Ukraine to international human rights law like the European Convention on Human Rights and the ICCPR be recalled (Netherlands);

R - 97.18. Reject any proposed legislation that would restrict freedom of expression relating to sexual orientation (Slovenia) (Norway);

R - 97.19. Withdraw its draft legislation criminalizing the promotion of homosexuality, and refrain from adopting any other legislation that restricts freedom of expression (Australia);

A - 97.20. Include provisions in the draft framework law to address the concerns expressed by treaty bodies in the area of discrimination (Nicaragua);

A - 97.21. Speed up the work to bring the criminal procedure code in line with European standards,

as proposed by the Council of Europe (Norway);

A - 97.22. Consider bringing national legislation relating to trafficking in and sale of children in line with the Optional Protocol to the CRC, on the sale of children, child prostitution and child pornography (Slovenia);

A - 97.23. Do its utmost to bring national legislation in line with the Espoo and Aarhus Conventions in order to ensure a general enjoyment of the right to an environment that is safe for life and health (Romania);

A - 97.24. Ensure that legislation, including the proposed Bill 8711, is fully compliant with Ukraine's international commitments, including under the European Convention on Human Rights (United Kingdom of Great Britain and Northern Ireland);

R - 97.25. Enact legislation that explicitly protects LGBT persons from discrimination and ensure that laws that contain discriminatory provisions against LGBT persons are amended (Ireland);

A - 97.26. Consider measures for the early passage of the proposed anti-discrimination law now being considered by its parliament (Philippines);

A - 97.27. Adopt a comprehensive anti-discrimination legislation that would include also a definition of direct and indirect discrimination and a comprehensive list of grounds for discrimination (Czech Republic);

A - 97.28. Accelerate the adoption of a bill on preventing and combating discrimination (Thailand);

A - 97.29. Enact legislation which clearly prohibits child prostitution and other forms of sexual exploitation, consistently with the international obligations undertaken by the country, bearing in mind that the Lanzarote Convention will enter into force as regards Ukraine on 1 December 2012 (Italy);

A - 97.30. Adopt a comprehensive anti-discrimination law that addresses the worrying trend of incidents based on gender, sexual orientation, racial and ethnic discrimination (Portugal);

A - 97.31. Step up efforts to strengthen the national mechanism for the advancement of women and to provide such mechanism with adequate resources (Malaysia);

A - 97.32. Establish an independent national preventive mechanism in accordance with its obligations under OP-CAT (Switzerland);

A - 97.33. Establish its effective national preventive mechanism in compliance with OP-CAT (Czech Republic);

A - 97.34. Accelerate its efforts to achieve conformity with the provisions of OP-CAT regarding a national mechanism for the prevention of torture (Tunisia);

A - 97.35. Take the necessary measures for the full implementation of the Optional Protocol to the Convention against Torture, and in particular, establish an independent national preventive mechanism (France);

A - 97.36. In the realm of the new criminal procedure code, establish an independent mechanism for the investigation of alleged cases of torture by officers of law-enforcement agencies independent from the Ministry of the Interior and the Prosecutor's Office (Estonia);

A - 97.37. Create a mechanism for the prevention of torture that complies with the requirements established by the Optional Protocol to the Convention against Torture, giving special emphasis to the independence of this mechanism (Mexico);

A - 97.38. Establish an institutional mechanism to counter racial discrimination and re-activate institutions which have ceased to be operational; particularly the Inter-departmental Working Group against xenophobia and ethnic and racial intolerance (Iran (Islamic Republic of));

A - 97.39. Ensure effective implementation of the National Plan of Action for children (2010-2016) (Republic of Moldova);

A - 97.40. Take effective measures to implement the National Plan of Action for children (2010-2016) and allocate sufficient funding for implementation (Iran (Islamic Republic of));

A - 97.41. Efficiently implement recently ratified international conventions, especially in the field of child rights (Kazakhstan);

A - 97.42. Continue to implement measures and programmes to promote and protect the rights of children, in particular the right to education and the right to health (Cuba);

A - 97.43. Adopt the National Action Plan for equal opportunities for persons with disabilities (Slovakia);

R - 97.44. Apply the Yogyakarta principles in policy development (Slovenia);

A - 97.45. Continue full and effective implementation of the decisions of the European Court of Human Rights (Armenia);

A - 97.46. Take effective measures to increase budgetary allocation to the health sector (Iran (Islamic Republic of));

A - 97.47. Further strengthen a gender-sensitive approach in all poverty alleviation programmes (Azerbaijan);

A - 97.48. Use a gender sensitive approach in all poverty alleviation programmes (Bangladesh);

A - 97.49. Adopt plans and programmes related to trafficking in persons (Iraq);

A - 97.50. Pay more attention to the awareness of the citizens of Ukraine about their rights and to involvement of society in taking important decisions (Russian Federation);

A - 97.51. Pay due attention to the recommendations made by the Special Rapporteur on torture (Kazakhstan);

A - 97.52. Take appropriate measures aimed at increasing the number of women in decision-making positions as well as address the issue of a persisting wage gap between men and women (Algeria);

R - 97.53. Implement temporary special measures, including quotas, to achieve gender equality in areas where women are underrepresented or disadvantaged and for women suffering from multiple discrimination, such as Roma women (Bangladesh);

A - 97.54. Devote more efforts to harmonizing gender equality for guaranteeing their equal rights and opportunities in both the legislative and executive branches (Kazakhstan);

NC - 97.55. Take measures to include in its legislation a precise definition of the different forms of discrimination (Belgium);

A - 97.56. Remove from the legislation discriminatory provisions based on race, sex or sexual orientation, and adopt comprehensive anti-discrimination legislation (Canada);

R - 97.57. Step up the efforts to fight against discrimination by refraining from contradictory legislation and by amending the anti-discrimination legislation to include explicit references to sexual orientation and gender identity as possible grounds of discrimination (Finland);

A - 97.58. Maintain its programmes aimed at preventing and combating racism, racial discrimination and xenophobia (Cuba);

A - 97.59. Continue its effort to combat discrimination and promote equality in accordance with international treaties establishing guarantees of fundamental human rights and freedoms, and

equality in the enjoyment of such rights, without privileges or restrictions based on race, colour, political, religious or other belief, gender, sexual orientation, ethnic or social origin, property status, place of residence, language or other grounds (Brazil);

A - 97.60. Take more effective procedures to counter discrimination and xenophobia (Iraq);

A - 97.61. Continue efforts to combat different forms of discrimination and ensure respect for the rights of ethnic minorities (Argentina);

A - 97.62. Take further measures against racism and extremism and encourage peaceful co-existence between different ethnic groups (China);

A - 97.63. Continue moving forward with the adoption of effective measures that promote tolerance and respect for foreigners and members of national, racial and ethnic minorities (Chile);

A - 97.64. Continue its efforts to combat discrimination and ensure that manifestations of racial, ethnic and religious hatred are promptly investigated and acted upon accordingly; and in this regard, intensify its efforts in enacting anti-discrimination laws (Malaysia);

A - 97.65. Further pursue its efforts to create appropriate institutional mechanisms to counter all forms of discrimination and further pursue its efforts to provide human rights training for police personnel to effectively fight hate crimes (Morocco);

A - 97.66. Issue a comprehensive anti-discrimination law and update the national action plan in order to dedicate special attention to addressing the practices of law-enforcement officials, as well as the legal and practical measures needed to combat incitement and hate crimes (Egypt);

A - 97.67. Exert all efforts to redress discriminatory treatment imposed on ethnic minorities, including ethnic Koreans (Republic of Korea);

R - 97.68. Continue strengthening tolerance in the Ukrainian society and take measures to prevent integration of nationalistic ideas in the political platforms of the public associations (Russian Federation);

A - 97.69. Respect its international commitments on fundamental rights related to non-discrimination, prevent the adoption of a law prohibiting freedom of expression with regards to homosexuality and raise awareness of civil society on combating all forms of discrimination, including discrimination based on sexual orientation and gender identity (France);

R - 97.70. Take an active stance to stop any actions or laws that constitute an infringement of the rights of LGBT persons (Sweden);

R - 97.71. Implement the recommendation issued in 2010 by the Committee of Ministers of the Council of Europe on measures to combat discrimination based on sexual orientation or gender identity (Switzerland);

R - 97.72. Adopt legislative and other measures to correct and prevent discrimination based on sexual orientation, and to ensure full respect for freedom of expression and association of LGBT persons (Uruguay);

R - 97.73. Increase efforts to improve the effective protection of LGBT persons, abandon legislation work on draft law no. 8711 on so-called "propaganda of homosexuality" and refrain from other legislation infringing on the human rights and fundamental freedoms of LGBT persons (Germany);

A - 97.74. Study the possibility of expanding measures to combat discrimination, especially in the case of children with disabilities and HIV (Argentina);

A - 97.75. Take further measures to systematically ensure safeguards against the occurrence of torture or ill-treatment, in particular in prison and detention facilities, while implementing also recommendations of the European Committee for the Prevention of Torture (Czech Republic);

A - 97.76. Continue to strengthen provisions to address domestic violence, and programmes to reinforce mechanisms for the protection of women and children (Chile);

A - 97.77. Respect the principles and standards provided by the Council of Europe Convention on preventing and combating violence against women and domestic violence, even prior to its ratification and entry into force (Italy);

A - 97.78. Continue to work towards a comprehensive approach to preventing and addressing all forms of violence against women (Republic of Moldova);

A - 97.79. Increase efforts to prevent and combat all forms of abuse of children and adopt preventive measures and provide protection and services for their recovery (Iran (Islamic Republic of));

A - 97.80. Allocate adequate resources to ensure the effective implementation of the Combatting Trafficking in Persons Act (2011) (Philippines);

A - 97.81. Step up the national efforts in the field of trafficking in persons through a victim-oriented approach that attaches special focus on the protection of children from abuse and sexual exploitation (Egypt);

A - 97.82. Continue efforts in combating human trafficking and provide the necessary assistance to victims of trafficking (Lithuania);

A - 97.83. Redouble its efforts in regard to combating trafficking in persons, particularly in combating the trafficking of children for sexual and labour exploitation, including through addressing the root causes of trafficking, establishing additional shelters for rehabilitation and social integration of victims and ensuring systematic investigation, prosecution and punishment of traffickers (Indonesia);

A - 97.84. Give adequate training on the Law on combating trafficking in human beings to all those involved in the fight against human trafficking, especially border guards (Portugal);

A - 97.85. Continue its efforts aimed at fighting trafficking in persons, particularly children and women, and at ensuring compensation and rehabilitation for trafficking victims (Algeria);

A - 97.86. Introduce a clear definition of child pornography into national legislation (Portugal);

A - 97.87. Take note of the recommendations of the Committee on the Rights of the Child in the National Plan for the application of the CRC until 2016 (Nicaragua);

A - 97.88. Implement genuine measures ensuring truly independent judiciary, including establishing transparent procedures and criteria regarding the appointment and dismissal of judges and the use of disciplinary measures (Slovakia);

A - 97.89. Continue strengthening the independence and impartiality of the judiciary and guaranteeing greater transparency of legal procedures, through measures such as the review of the Criminal Code and of the Public Prosecutor's Office (Spain);

A - 97.90. Provide the legal and operational framework for an independent judiciary, inter alia, by establishing fair procedures and criteria regarding the appointment and dismissal of judges (Austria);

A - 97.91. Consider establishing enhanced procedures and transparent criteria regarding the appointment and dismissal of judges, and the application of disciplinary measures in order to dispel concerns of the international community regarding the independence of the judiciary (Poland);

A - 97.92. Provide the legal and operational framework for an independent and effective judiciary, and undertake reform of the Prosecutor's Office that ensures its independence and impartiality and separate the criminal prosecution functions from those investigating alleged abuse (Canada);

A - 97.93. Further strengthening of the judiciary by investigating all allegations of human rights violations by law enforcement officers and the police (Germany);

A - 97.94. Take concrete steps to improve the objectivity and independence of the criminal justice system by incorporating the recommendations of the Venice Commission, implementing the judgments of the European Court of Human Rights, and addressing concerns about selective justice (United Kingdom of Great Britain and Northern Ireland);

A - 97.95. Fully implement the new criminal procedure code, including necessary constitutional and statutory reforms needed to limit the powers of the Prosecutor General's office, and establish an impartial and independent criminal justice system, in line with Ukraine's obligations under the ICCPR (United States of America);

A - 97.96. Full implementation of the new criminal procedure code, and that the independency of judges is strengthened, the role of the public prosecution is balanced and corruption in judiciary system is tackled (Germany);

A - 97.97. Rapidly implement the recently adopted criminal procedure code (Norway);

A - 97.98. Continue to make efforts with regard to reform in criminal proceedings, including enhancing the independence and impartiality of the Prosecutor's Office, as well as the updating of pretrial investigation procedures (Republic of Korea);

A - 97.99. Create an independent body to investigate cases of torture and guarantee compensation for victims. Additionally, bring conditions of detention in line with international standards and ensure respect for the judicial guarantees of detainees (Spain);

A - 97.100. Improve the legislation and its application in order to combat police impunity and increase the number of criminal investigations of suspected perpetrators accused of police brutality, as well as provide training for staff of law-enforcement bodies on the rights of detainees (Sweden);

A - 97.101. Ensure that the right of victims of torture or other cruel, inhuman or degrading treatment to obtain reparation is respected (Switzerland);

A - 97.102. Take sincere efforts to hold accountable those police and law enforcement officers responsible for the torture and ill-treatment of detainees (Iraq);

A - 97.103. Take urgent measures to prevent cases of ill-treatment and torture by police officers and ensure their accountability for any criminal acts (Austria);

A - 97.104. Strengthen the effectiveness and the independence of the mechanisms to supervise the observance of human rights of inmates and persons under police custody with the aim of preventing ill-treatment (Italy);

A - 97.105. In line with the observation made by the Committee on the Elimination of Racial Discrimination, ensure proper investigation and continue its actions to stop hate crimes (Bangladesh);

A - 97.106. Protect and promote effectively the right to a fair trial in accordance with internationally established standards (Slovakia);

A - 97.107. Intensify its efforts to fight hate crimes and encourage senior State officials to take a clear position against these crimes, and publicly condemn racist acts of violence and other offences motivated by hatred (Tunisia);

A - 97.108. Take the necessary steps to ensure that all allegations of mistreatment are impartially investigated (Portugal);

A - 97.109. Ensure non-selective prosecutions on its territory and a fair trial for persons being prosecuted, in conformity with the standards as under article 14 of the ICCPR, including the right to appeal laid down in paragraph 5 (Netherlands);

A - 97.110. Urgently address the problem of the acceptance by the courts of evidence obtained as a result of ill-treatment in detention (Hungary);

NC - 97.111. Fulfil its commitments on the use of minority languages in justice, in both criminal and civil procedures (Romania);

A - 97.112. Adopt a law on the bar association that recognizes the right of the bar to self-government and guarantees proper representativeness by regular elections and regional representation (Hungary);

A - 97.113. Ensure that all citizens, including opposition figures, such as former Prime Minister Tymoshenko, enjoy their right to fair, transparent and impartial treatment in the judicial system (Australia);

R - 97.114. End politically motivated prosecutions (United States of America);

A - 97.115. Consider stepping up efforts towards reform in juvenile justice (Slovenia);

A - 97.116. Strengthen and advance its efforts for establishing a juvenile justice system and promote alternative measures to deprivation of liberty for juvenile offenders (Austria);

A - 97.117. Ensure that the new criminal procedure code respects the human rights of those held in custody, and that the statements informing migrants of the justification for their deportation is in one of the languages that the deportee understands (Egypt);

A - 97.118. Further promote freedom and pluralism of the media as key elements for enabling the exercise of freedom of expression (Poland);

A - 97.119. Create an enabling environment for journalists and media professionals and ensure fully transparent and impartial investigation and prosecution in all cases of attacks against them (Austria);

A - 97.120. Further develop measures to fully guarantee freedom of expression, particularly the protection of the integrity of persons working in the media in the exercise of that right (Chile);

A - 97.121. Ensure better protection of journalists and combat abuse and violence to which they are subject (France);

A - 97.122. Pursue measures against State organs which attempt to limit media and journalists (Germany);

A - 97.123. Implement a law on freedom of assembly that complies with applicable standards under article 21 of the ICCPR (United States of America);

R - 97.124. Implement recommendations made by independent electoral observation missions in relation to the conduct of the October 28th Ukrainian parliamentary elections, as a matter of priority (Canada);

A - 97.125. Review its legislation to ensure the right of all boys and girls to have a nationality and ensure birth registration, regardless of their ethnic origin or their parents' status (Mexico);

A - 97.126. Ensure adequate funding for the public education system and improve the availability, accessibility and quality of general education in rural areas (Iran (Islamic Republic of));

A - 97.127. Strengthen efforts in mitigating the effects caused by the decline in schools in recent years to ensure that the children's schooling cycle is not left vulnerable (Sri Lanka);

A - 97.128. Continue to develop the national health sector, with special focus on access to health for poorer segments of the population (Sri Lanka);

A - 97.129. Adopt effective measures to ensure access of all categories of citizens to treatment and prevention of HIV (Uzbekistan);

A - 97.130. Take steps to reverse the negative trend of the decrease in vaccination coverage in Ukraine (Brazil);

A - 97.131. Apply the relevant international experience in ensuring the protection of human rights in the zones of environmental crisis (Uzbekistan);

A - 97.132. Ensure implementation of environment protection legislation (Iran (Islamic Republic of));

A - 97.133. Ensure implementation of legislation and other measures protecting the rights of persons with disabilities by, inter alia, allocating adequate funding for projects aiming at establishing a barrier-free living environment, and guaranteeing for children with disabilities equal access to education in mainstream schools (Finland);

A - 97.134. Adopt a national programme for implementation of the Convention on the Rights of Persons with Disabilities (Iran (Islamic Republic of));

A - 97.135. Protect persons with mental disabilities and refer to justice those responsible for violations against them in psychiatric hospitals (Iraq);

A - 97.136. Continue the promotion of the rights of national minorities, as well as governmental policy on combating discrimination (Armenia);

A - 97.137. Take further steps to promote education in the languages of the national minorities, including in the areas where the number of students may be decreasing (Romania);

A - 97.138. Further ensure, in a sustainable way, the education in minority languages (Republic of Moldova);

A - 97.139. Further improve the situation pertaining to minority issues, especially in the social and economic fields for the disadvantaged groups, and promote equal opportunities for them to have access to education and other related sectors at all levels (Cambodia);

A - 97.140. That no effort be spared for the improvement of the current status and living conditions of the Crimean Tatars along with the other minorities (Turkey);

A - 97.141. Take further action in ensuring and preserving the political, economic, social and cultural rights of the Crimean Tatars, which would also be conducive to better inter-communal relations (Turkey);

A - 97.142. Adopt necessary measures and legislation to protect the rights of all migrant workers in the country (Thailand);

A - 97.143. Review the Ukrainian legislative framework on asylum and refugees, so as to ensure respect of the principle of non-refoulement and that asylum seekers are not deported to countries where they might find themselves at risk (Spain);

A - 97.144. Respect the principle of non-refoulement (Belgium);

R - 97.145. Ensure the protection of refugees and asylum seekers and reconsider cases in which asylum seekers are to be forcibly returned (Iraq);

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