

## Responses to Recommendations

### UKRAINE

Review in the Working Group: 13 May 2008

Adoption in the Plenary: 12 June 2008

#### Switzerland's responses to recommendations (as of 13.08.2012):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
32 RECS. accepted; 3 rejected; 5 pending	Out of the 5 recs. pending, 2 were accepted and 3 rejected	No additional information provided	Accepted: 34 Rejected: 6 No clear position: 0 Pending: 0

#### List of recommendations contained in Section II of the Report of the Working Group A/HRC/8/45:

**57. The recommendations formulated during the interactive dialogue have been examined by Ukraine and the recommendations listed below enjoy the support of Ukraine:**

A - 1. To consider signing and ratifying the Rome Statute of the International Criminal Court as soon as possible (Austria, Mexico, Portugal);

A - 2. To work towards the implementation of the recommendations of the Committee on the Rights of the Child (Brazil);

A - 3. To ensure the independence of the Ukrainian Parliament Commissioner for Human Rights, including financially (Germany);

A - 4. To continue its efforts to further enhance the role of the Parliament Commissioner for Human Rights and of the national machinery for the advancement of women (Jordan);

A - 5. To persevere in punishing offenders of women's rights (Algeria);

A - 6. To continue its efforts to improve legislation and policies and to create institutional mechanisms to combat all forms of discrimination (Algeria);

A - 7. To follow through on creating an advisory council to address discrimination, to adopt comprehensive anti-discrimination legislation, as recommended by the Committee on Economic, Social and Cultural Rights in 2007, and to continue to direct attention to enhance human rights training

for police officers and more effective ways of dealing with hate crimes (Algeria);

A - 8. To mainstream tackling racism throughout its departments and in its policy-making (United Kingdom);

A - 9. To step up its struggle against racism, inter alia through implementing the recommendations made by the Committee on the Elimination of Racial Discrimination concerning identity documents for Roma as well as those made by the Committee on the Elimination of Discrimination against Women and the Committee on the Representation of Women in Public Services (Belgium);

A - 10. To combat xenophobia, racism, anti-Semitism, and religious intolerance and to pursue and prosecute the perpetrators of such offences (Canada);

A - 11. To report regularly to the Committee on the Elimination of Discrimination against Women; to recruit more women for public office and to adopt measures requiring equal pay for equal work (Slovenia);

A - 12. To continue to assess effectively the protection of the rights of the child, including child trafficking, the fight against child prostitution and pornography and child labour (Italy) ;

A - 13. To implement the recommendations of various treaty bodies as well as of the national Parliament Commissioner for Human Rights to establish a separate juvenile justice system for children and youth in line with European and international standards, as soon as possible (Austria);

A - 14. To continue its efforts to reduce juvenile violence and address the root causes of the problem (Cuba);

A - 15. To take measures to criminalize domestic violence in accordance with the recommendations of the Committee on Economic, Social and Cultural Rights; to continue to fund and set up victim-centric services for women and children dealing with domestic violence (Canada);

A - 16. To develop a programme to effectively improve the situation of persons in deprivation of liberty, including measures that would lead to a reduction of the mortality rates among prisoners (Russian Federation);

A - 17. To take measures to implement the recommendations made by the Committee on Economic, Social and Cultural Rights, the Committee against Torture and the Human Rights Committee regarding prison conditions and the treatment of detainees (Canada);

A - 18. To take further efficient measures to ensure that all people deprived of their liberty are held in conditions that meet international standards and that the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment regarding per-trial detention are fully implemented (Netherlands);

A - 19. To allocate sufficient funds for the implementation of the State Programme and establish training and awareness-raising projects for law enforcement officials dealing with victims of trafficking (Austria);

A - 20. Further progress on the recommendation of the Committee against Torture to set up an independent oversight mechanism for investigating torture (United Kingdom);

A - 21. To vigorously investigate and prosecute prison and police officials guilty of the mistreatment of detainees and prisoners (United States of America);

A - 22. To change its domestic laws to make confessions obtained under torture inadmissible as evidence in criminal court proceedings against the person who confessed (United States of America);

A - 23. To undertake further work regarding the independence of the judiciary and corruption in the judiciary and across the executive (United Kingdom);

A - 24. To take further efficient measures to ensure that law enforcement officials, prosecutors and judges involved in enforcing the law relating to hate crimes and other violent acts of racial discrimination and xenophobia fully understand the nature of such crimes and that statistics on racist incidents are kept centrally and are publicized (Netherlands);

A - 25. To continue to combat racial and ethnic hatred and to ensure that manifestations of racial, ethnic and religious hatred are promptly investigated and prosecuted (Germany);

A - 26. To step up efforts to investigate racist attacks and punish the perpetrators and tackle the underlying causes of issues of racist discrimination and racist attacks as part of its ongoing reform of the justice system (Switzerland);

A - 27. To take all measures necessary to ensure that all acts of violence against journalists be investigated and that appropriate punishments are meted out (France);

A - 28. To ensure full and effective compliance of national legislation and law enforcement practices, particularly in the areas of education and mass media with the obligation of article 27 of the International Covenant on Civil and Political Rights and the obligations that derive from Ukraine being party to other international legal instruments, including on the protection of national minorities (Russian Federation);

A - 29. To provide a more orderly process for refugees/asylum applicants and ensure that repatriations are carried out in line with UNHCR guidelines (United States);

A - 30. To bring its legislation on the determination of the status of refugees and stateless persons in line with international standards (Mexico);

A - 31. To develop a national strategy for human rights education in the school system in accordance with the Plan of Action 2005-2009 of the World Programme for Human Rights Education, including the review and revision of curricula and textbooks, the training of teachers and the practice of human rights in the school community (Italy);

A - 32. To include, systematically and continuously, a gender-perspective into the follow-up process to the Universal Periodic Review (Slovenia).

**58. The following recommendations will be examined by Ukraine which will provide responses in due time. The response of Ukraine will be included in the outcome report to be adopted by the Human Rights Council at its eighth session:**

R - 1. To redouble its efforts and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families the Convention Relating to the Status of Stateless Persons of 1954 and the 1961 Convention to Reduce Statelessness (Mexico);

A - 2. To sign and ratify, at the earliest opportunity, the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto (Portugal);

R - 3. To implement the Committee on Economic, Social and Cultural Rights encouragement to recognize the right to self-identification of all ethnic groups in Ukraine as well as to ensure protection and development of their cultural heritage (Romania);

A - 4. To ensure the safety and proper treatment of all persons held in custody by the police and to consider the establishment of an independent police complaints mechanism (Italy);

R - 5. To consider applying the Yogyakarta Principles on the Application of International Human Rights Law in relations to Sexual Orientation and Gender Identity as a guide to assist in policy development (Slovenia).

**59. Recommendations noted in paragraphs 20 (b) and (c) and 32 (a) above (protection of rights of persons belonging to ethnic, religious and linguistic minorities, as well as the status of the Russian language) did not enjoy the support of Ukraine:**

R - Paragraph 20 (b). To ensure, in areas of compact residence of linguistic minorities, conditions for the unhindered use of the native language and to receive education in the mother tongue; (Russian Federation)

R - Paragraph 20 (c). given that Russian is the mother tongue of a significant proportion of Ukraine's population, to consider assigning the Russian language the status of second national language (Russian Federation)

R - Paragraph 32 (a). To take measures to implement the Human Rights Committee and CERD recommendations to protect the rights of persons belonging to ethnic, religious and linguistic minorities (Canada)

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