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HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF THE ANNEX
TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1

Ukraine

This report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The periodicity of the review for the first cycle being four years, most documents are dated after 1 January 2004. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations¹

<i>Core universal human rights treaties</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of Treaty bodies</i>
ICERD ²	7 March 1969	Yes (art.17 para.1)	Individual complaints (art. 14): Yes
ICESCR ³	12 Nov. 1973	Yes (art. 26 para.1)	-
ICCPR ⁴	12 Nov. 1973	Yes (art. 48 para.1)	Inter-state complaints (art. 41): Yes
ICCPR-OP 1 ⁵	25 July 1991	No	-
ICCPR-OP 2 ⁶	25 July 2007	No	-
CEDAW ⁷	12 March 1981	No	-
OP-CEDAW ⁸	26 Sept. 2003	No	Inquiry procedure (art. 8 and 9): Yes
CAT ⁹	24 Feb. 1987	No	Inter-state complaints (art. 21): Yes Individual complaints (art. 22): Yes Inquiry procedure (art. 20): Yes
OP-CAT ¹⁰	19 Sept. 2006	No	-
CRC ¹¹	28 Aug. 1991	No	-
OP-CRC-AC ¹²	11 July 2005	Yes (art. 38)	-
OP-CRC-SC ¹³	3 July 2003	No	-
<i>Core treaties to which Ukraine is not a party: ICRMW,¹⁴ CPD,¹⁵ CPD-OP,¹⁶ and CED.¹⁷</i>			

<i>Other main relevant international instruments¹⁸</i>	<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide	Yes
Rome Statute of the International Criminal Court	No
Palermo Protocol ¹⁹	Yes
Refugees and stateless persons ²⁰	Yes, except 1954 and 1961 Conventions
Geneva Conventions of 12 August 1949 and Additional Protocols thereto ²¹	Yes, except Protocol III
ILO fundamental conventions ²²	Yes
UNESCO Convention against Discrimination in Education	Yes

1. CESCR welcomed the favourable position of the State concerning the elaboration of an Optional Protocol to ICESCR, and also recommended that Ukraine consider ratifying CPD, CPD-OP, the CIS Agreement on the Cooperation in Solving Problems of Disability and Persons with Disabilities (1996) as well as ILO Convention Nos. 102, 117, 118, 121, 128, 130, 168 and 174. CESCR also welcomed the adoption by Ukraine of legislation on climate protection giving effect to the 1997 Kyoto Protocol and the ratification of the Revised European Social Charter.²³ In 2007, the special Rapporteur on the sale of children, child prostitution and child pornography and CESCR recommended that Ukraine ratify the ICRMW.²⁴ In 2007, the Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights noted that Ukraine ratified the Basel Convention on the Control of Trans-boundary Movements of Hazardous Wastes and their Disposal²⁵. In 2002 and 2007, CRC requested the State to accede to the Hague Convention on Protection of Children and Cooperation in respect of Inter-country Adoption.²⁶ In 2002, CRC recommended, also highlighted by UNHCR²⁷, the State, inter alia, to accede to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.²⁸

B. Constitutional and legislative framework

2. The Special Rapporteur on toxic wastes noted that the right to a safe environment was enshrined in the Constitution of 1996²⁹. He also noted a comprehensive legislative framework, anchored, inter alia, in the Law on Environmental Protection (1995), the Law on Waste (1998), the Law on the Transport of Dangerous Freights, and the Law on the National Programme for the Treatment of Toxic Wastes (2000).³⁰ In analysing some of the main environmental challenges³¹, he noted that even with a very well-developed legal framework, proper enforcement is essential to limit instances of illicit movements and dumping of toxic and dangerous products and wastes³².

3. UNICEF informed about the “Presidential Decree on urgent measures to protect child rights” of July 2005, which declared that 2008 will be the “Year of Support for National Adoption and Other Forms of Family Education of Orphaned Children and Children Deprived of Parental Care”.³³ UNICEF also informed on the adoption by the Supreme Court of two decrees (2004): “Court Use of Legislation on Liability for Involvement of Minors in Crimes and other Anti-Social Activities” and “Court Use of Legislation in Cases Concerning the Crimes of Minors”.³⁴

4. In 2002, CEDAW noted with satisfaction that the Convention is incorporated into Ukrainian law, while in the same year, CRC expressed concern that the legislation on the Convention was of a declaratory nature and thus had not been fully implemented. Both CEDAW and, in 2007, CRC for OP-SC noted, respectively, that the Convention and the optional protocol take precedence over national legislation.³⁵ Ukraine also informed CERD that the Homeless Citizens and Neglected Children Act had entered in force on 1 January 2006.³⁶

C. Institutional and human rights infrastructure

5. CESCR noted with concern the Ukrainian Parliament Commissioner for Human Rights’ (National Ombudsman Institution) reported lack of independence, and its ineffectiveness in defending economic, social and cultural rights. CESCR, CERD and the HR Committee recommended that Ukraine ensure adequate funding and, according to CESCR and CAT, ensure the independence of the Ombudsman.³⁷ CERD further recommended that Ukraine widen public access, including by minority groups, to the Commissioner’s Office at the regional, district and municipal levels.³⁸

6. CERD welcomed the establishment in 2006 of a Council for State Policies for the advancement of the rights and freedoms of all persons, including national minorities. In 2007, CRC expressed concern at the absence of an independent mechanism mandated to review the implementation of CRC and optional protocols to it. In 2002, CEDAW expressed its concern that the national machinery for the advancement of women does not have sufficient power to effectively accomplish its tasks.³⁹

D. Policy measures

7. The United Nations 2004 Common Country Assessment noted that the absence of an adequate policy on equal opportunities for women has slowed down economic development and the building of a democratic society.⁴⁰ In 2006, the HR Committee welcomed the adoption, in 2005, of a statute seeking to promote equal rights and opportunities for women, as well as a national plan of action for 2001-2005 to improve the position of women in public

life.⁴¹ CEDAW requested the State to introduce education and training programmes on the Convention and to undertake awareness-raising campaigns targeted at women.⁴²

8. The HRC Committee, CAT and CRC welcomed the measures undertaken to combat the trafficking of women, such as legislation to prosecute and punish the offenders.⁴³ The Special Rapporteur on the sale of children noted that the Ministry of Internal Affairs has set up a special unit to counter human trafficking in 2005⁴⁴. CESCR urged the State to allocate sufficient funds for the implementation of the State Programme to Combat Child Homelessness and Neglect (2006-2010).⁴⁵

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

<i>Treaty Body</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD ⁴⁶	2004	August 2006	August 2007	Nineteenth to twenty-first periodic reports to be submitted in a single document due in 2010.
CESCR ⁴⁷	2006	November 2007	-	Sixth periodic report due in 2011.
HR Committee ⁴⁸	2005	November 2006	Due in November 2007	Seventh periodic report due in 2011.
CEDAW ⁴⁹	1998	June 2002	-	Sixth and seventh periodic report overdue since 2002 and 2006 respectively.
CAT ⁵⁰	2004	May 2007	Due on May 2008	Sixth periodic report due in 2011.
CRC ⁵¹	1998	October 2002	-	Combined third and fourth periodic report due in September 2008.
OP-CRC- AC	-	-	-	Initial report overdue since 2007.
OP-CRC- SC	2006	June 2007	-	Combined third and fourth periodic reports due in September 2008.

2. Cooperation with special procedures

<i>Standing invitation</i>	Yes
<i>Latest visits or mission reports</i>	Special Rapporteur on the sale of children (22-27 October 2006); Special Rapporteur on the adverse effects of toxic wastes (22-30 January 2007) Special Rapporteur on freedom of expression and opinion (14-20 May 2007).
<i>Visits agreed upon in principle</i>	None
<i>Visits requested and not yet agreed upon</i>	None
<i>Facilitation/cooperation during missions</i>	The Special Rapporteur on sale of children thanked the government for allowing him to undertake a fruitful visit ⁵² . The Special Rapporteur on toxic wastes thanked the Government for allowing him to undertake a informative and productive visit ⁵³ . In particular, he thanked the Ministry of Environmental Protection for having opened its doors and given him the possibility to meet all relevant public authorities ⁵⁴ .
<i>Follow-up to visits</i>	None

<i>Responses to letters of allegations and urgent appeals</i>	Between 01 January 2004 and 31 December 2007, a total of 17 communications were sent to the Government of Ukraine. In addition to communications sent for particular groups, 37 individuals, including 4 women, were covered by these communications. Between 01 January 2004 and 31 December 2007, the Government replied to 15 communications, which represents replies to 88 per cent of communications sent.
<i>Responses to questionnaires on thematic issues</i> ⁵⁵	Out of 12 questionnaires sent by the Special Procedures mandate holders ⁵⁶ between 1 January 2004 and 31 December 2007, the Government of Ukraine has responded to two questionnaires within the deadline ⁵⁷ .

3. Cooperation with the Office of the High Commissioner for Human Rights

9. In 2004 and 2005, OHCHR cooperated closely with the United Nations Country Team in the process of preparation of the CCA and the United Nations Development Assistance Framework. In 2004, OHCHR conducted a CCA/UNDAF training and in 2005, it facilitated a UNDAF prioritization workshop. Since 2006, a UNDP Human Rights Adviser has been working under the direct supervision of the Resident Representative.

B. Implementation of international human rights obligations

1. Equality and non discrimination

10. In 2007, CESCR recommended that Ukraine consider adopting comprehensive anti-discrimination legislation and amending its Criminal Code to include provisions on racially motivated crimes. In 2006, CERD expressed concern, that the draft Anti-Discrimination Bill covers direct but not indirect discrimination.⁵⁸ Following CERD concluding observations, the State provided extensive information on article 161 of the Criminal Code, under which incitement to racial discrimination is punishable only where intent can be proven and only if the victim is a citizen.⁵⁹

11. In 2007, the Special Rapporteur on freedom of opinion and expression highlighted the need to address racial and ethnic hatred, aggravated by violence against ethnic groups, immigrants and other foreigners, who are often victims of discrimination, and the need for coordinated action by different organs of the Government⁶⁰. The HR Committee noted with concern problems of anti-Semitism and reports of vandalism of religious sites of minorities, and recommended that the State ensure all members of ethnic, religious, or linguistic minorities be protected against violence and discrimination, while CERD recommended to take preventive measures to protect religious sites belonging to minorities.⁶¹ The State informed CERD that the implementation of systematic measures will promote tolerance and actively counteract any manifestation of racial or religious hatred.⁶² CAT further requested the State to publicly condemn hate crimes and other violent acts of racial discrimination, xenophobia and related violence and work to eradicate incitement and any role public officials or law enforcement personnel might have in such violence.⁶³

12. CERD expressed concern about the persistence of negative societal attitudes and stereotypes against Roma. In 2002, CRC also expressed concern that Roma suffer from widespread discrimination.⁶⁴ Both CERD in 2006 and CESCR in 2007 recommended Ukraine to take immediate steps to issue all Roma with personal and other relevant identification documents.⁶⁵ In its follow-up response to CERD, the State explained the lack of

identity documents by, *inter alia*, the fact that most of the Roma have no registered place of residence in the country.⁶⁶

13. In 2002, CEDAW noted with concern the persistence of traditional stereotypes regarding the role of women. In 2007, CESCR expressed its concern, as did CEDAW in 2002 that only 7 per cent (5 per cent in CEDAW's concluding observations) of the members of Parliament are women and that women are underrepresented at top level in the public service. CESCR recommended, as did CEDAW previously, that the State adopt temporary special measures, with a view to increasing the representation of women.⁶⁷ The HR Committee recommended that Ukraine continue to recruit women for public office and consider a legislative or administrative standard requiring equal pay for equal work.⁶⁸

2. Right to life, liberty and security of the person

14. CAT regretted that the definition of torture contained in the Criminal Code does not fully reflect all elements contained in article 1 of the Convention, notably with respect to discrimination.⁶⁹ CAT expressed deep concern at allegations of torture and ill-treatment of suspects during detention, and at the lack of compensation and appropriate measures of rehabilitation for victims of torture, trafficking, domestic and other sexual violence.⁷⁰ CAT recommended that Ukraine reinforce its training programmes on the absolute prohibition of torture and in the detection of signs of torture and ill-treatment.⁷¹

15. CAT in 2007 and CRC in 2002 expressed concern at allegations of torture and ill-treatments committed by law enforcement personnel, and at the apparent impunity of the perpetrators.⁷² The HR Committee made similar remarks and recommended Ukraine, *inter alia*, 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.⁷³ CAT recommended Ukraine to ensure that all public officials can be prosecuted,⁷⁴ that all detained suspects are afforded fundamental legal safeguards during their detention,⁷⁵ and requested that all allegations of torture and ill-treatment are promptly and impartially investigated.⁷⁶

16. CERD, and CESCR and CAT in 2007⁷⁷, expressed concern about allegations of police abuse of Roma, and of persons belonging to other minorities, asylum-seekers and non-citizens of different ethnic origin. CERD urged Ukraine, *inter alia*, to effectively investigate complaints and to provide adequate protection and compensation to victims.⁷⁸ In its follow-up response, the State provided information on the Ukrainian legislative and administrative framework governing militia and informed the Committee that, since the beginning of 2007, no reports of unlawful acts by members of the militia against foreign citizens and Roma, have been received.⁷⁹ Upon consideration of the State response, CERD noted, however, that the reply did not contain answers to the specific recommendations made by the Committee on this issue and requested Ukraine to supply further information.⁸⁰

17. CESCR, CAT and the HR Committee expressed concern about reports on substandard living conditions in prisons and pre-trial detention centres, and about the prevalence of HIV/AIDS and tuberculosis amongst detainees. CESCR, CERD and CAT, the latter also highlighted by UNHCR⁸¹, expressed further concern about the poor conditions of detention for refugees and asylum-seekers. The three Committees recommended that Ukraine reduce the prison population, including by using alternative sanctions, and guarantee the right of detainees to be treated humanely.⁸²

18. The 2004 CCA noted that the increasing incidence of domestic violence faced by the

Ukrainian society is another concern that also hinders development efforts.⁸³ In 2007, CESCR expressed grave concern, as did CEDAW in 2002, about the high incidence of domestic violence, in particular against women and children whereas CAT noted the extremely low level of cases brought to justice. The HR Committee, CESCR and CAT recommended that Ukraine intensify its efforts to combat domestic violence, and ensure that centres for rehabilitation are available to all victims.⁸⁴ In 2006, the HR Committee noted the adoption of a Domestic Violence Act and the establishment of crisis and rehabilitation centres for the victims and, with CESCR, also recommended Ukraine to ensure that any notion of victim behaviour is not used as a form of impunity. CESCR further urged the State to proceed with the adoption of a criminal law provision specifically criminalizing domestic violence.⁸⁵

19. While acknowledging the progress made, CESCR and CAT remained concerned at the high number of persons trafficked for purposes of sexual exploitation. CRC expressed further concern about the information that child victims of crimes covered by OP-CRC-SC are often stigmatized and may be tried and placed in detention. CESCR recommended that the State further intensify its efforts to combat trafficking in persons, by, inter alia, allocating sufficient funds for the implementation of the State Programme to Combat Trafficking in Human Beings. CAT further called upon Ukraine to have each case promptly investigated and that perpetrators be brought to justice.⁸⁶

20. The Special Rapporteur on the sale of children in 2007, and the 2004 CCA noted that as a result of Ukraine's economic transition period, an increasing number of children were placed in public care and were victims of trafficking⁸⁷. He expressed his concern about the absence of effective governmental policies and noted that the allocation of resources to tackle this problem should be a priority⁸⁸. He was also made aware that child prostitution in Ukraine has increased in recent years⁸⁹ and that the country is increasingly becoming a main destination for sex tourism.⁹⁰ The Special Rapporteur recommended the adoption of a number of legislative measures, such as decriminalising prostitution, defining the age of sexual consent, defining the crime of pornography, allowing children to file complaints of abuse without parental consent.⁹¹

21. In 2007, CESCR expressed deep concern about reports that more than 400,000 children below the age of 15 are working in the informal and illegal economy and urged the State to intensify its efforts to combat child labour.⁹² CESCR also noted with deep concern that several thousands of children live in the streets and are vulnerable to police abuse, various forms of exploitation, as well as to health risks such as HIV/AIDS.⁹³ Similar concerns were expressed by the Special Rapporteur on the sale of children, who, inter alia, noted that the procedures regarding adoptions are lengthy and recommended that they be simplified, giving priority to foster families and to adoption inside the country⁹⁴.

3. Administration of justice and the rule of law

22. According to the Special Rapporteur on the sale of children⁹⁵ and the HR Committee, despite efforts to strengthen the independence of the judiciary, corruption remains a persistent problem, and the process for appointment of judges is not transparent. The Committee called upon Ukraine to promote the integrity of the judiciary by providing adequate remuneration for judges and by establishing an independent body responsible for appointing, promoting and disciplining judges.⁹⁶ CESCR recommended that Ukraine ensure the effective judicial protection of economic, social and cultural rights, including through the introduction of a right of direct individual access to the Constitutional Court.⁹⁷

23. CAT recommended in 2007 that Ukraine pursue efforts to reform the General Prosecutor's office, in order to ensure its independence and impartiality, and separate the function of criminal prosecution from the function of supervision of investigations in allegations of torture. CAT also recommended the establishment of an independent oversight system mechanism to ensure prompt and impartial investigations into allegations of torture during criminal investigations.⁹⁸

24. The Special Rapporteur on the sale of children and UNICEF⁹⁹ noted that Ukraine has no separate judicial system for children and youth. Although authorities have assured that minors are always separated from adults, the Special Rapporteur was concerned about the risks of abuses,¹⁰⁰ and stated that the establishment of a separate juvenile justice system in conformity with international standards should be a priority¹⁰¹. CRC expressed similar concerns and recommended that Ukraine ensure the full implementation of juvenile justice standards and use detention, including pre-trial detention, only as a measure of last resort.¹⁰²

4. Freedom of expression and right to participate in public and political life

25. A number of communications sent by the Special Rapporteur on freedom of opinion and expression are related to allegations of violence, including fatal attacks, arrest and trial of journalists¹⁰³. In most of these cases, it was alleged that the journalists had been investigating cases of corruption¹⁰⁴. In all these cases, the Government provided detailed replies, noting in a number of cases that investigations were underway or had been finalised¹⁰⁵. The Special Rapporteur on freedom of opinion and expression, during his visit to Ukraine, noted that there was undue delay in the determination of cases of violence against journalists and many of the perpetrators have not been brought to justice¹⁰⁶. In addition, CAT and the HR Committee noted that violent attacks against journalists, as well as the harassment of journalists, still pose a persistent threat to the freedom of the press. Both committees requested Ukraine to protect freedom of opinion and expression, and to ensure prompt and impartial investigation and prosecution.¹⁰⁷

26. CERD noted that Crimean Tatars reportedly remain underrepresented in the public service of the Autonomous Republic of Crimea and called upon Ukraine to adopt measures to ensure their adequate representation, including at senior levels.¹⁰⁸ Following CERD's concluding observations, Ukraine provided further information on this matter.¹⁰⁹

5. Right to work and to just and favourable conditions of work

27. Both CEDAW, in 2002, and CESCR, in 2007, expressed concern about the high rate of unemployment among women. CESCR also noted with concern that only few Roma can find regular employment and that the majority of them work as unskilled labourers.¹¹⁰ CESCR noted with concern that the minimum wage does not provide an adequate standard of living for workers and their families,¹¹¹ and that employers reportedly obstruct the creation of independent trade unions. CESCR recommended that the State take urgent measures to ensure the freedom to form and join trade unions of one's choice.¹¹²

6. Right to social security and to an adequate standard of living

28. CESCR noted with concern that 28 per cent of the population reportedly live below the official poverty line and recommended that Ukraine allocate sufficient funds for the implementation of its poverty eradication strategy.¹¹³

29. The 2004 CCA noted that the demographic and health indicators reveal that a severe health system crisis has developed in recent years¹¹⁴ and that the poorer sectors of the population, especially those living in rural areas, continue to shoulder most of the burden of economic transition. This was particularly evident in regard to basic services in health and education.¹¹⁵ Similar concerns were expressed by CESCR, which noted that the rural health system was poorly funded, and of lesser quality than the urban system.¹¹⁶

30. In 2002, CEDAW expressed its concern about the status of women's health, especially their reproductive health, and urged Ukraine to reinforce programmes of sexual and reproductive behaviour and further discourage abortion as a means of birth control.¹¹⁷ CRC expressed concern, *inter alia*, at the increase in child morbidity, the high maternal mortality rate and the increase in the number of disabled children, and the practice of institutionalizing them.¹¹⁸ However, a 2006 WHO report noted that both infant and neonatal mortality rates in Ukraine are well below average rates.¹¹⁹ 2006 and 2007 UNDP reports indicated that the under-five mortality rate decreased from 18 per 1,000 live births in 2004 to 17 per 1,000 live births in 2005.¹²⁰

31. A 2004 UNICEF report noted that Ukraine is one of the worst-affected countries in the region with people living with HIV.¹²¹ UNICEF informed that there is a substantial funding gap to mount an effective AIDS response while at the same time funds remain unutilised due to low absorption capacity.¹²² CESCR, and CRC in 2002, expressed grave concern at the high prevalence of HIV/AIDS in Ukraine. CESCR further noted with concern information from the State that in 2006, 70 persons out of 100,000 (80 out of 100,000 in rural areas) were suffering from tuberculosis, which is particularly prevalent among the prison population.¹²³ CESCR recommended, *inter alia*, that the State improve the availability of HIV prevention and the treatment, and combat discrimination against persons living with HIV/AIDS and high risk groups.¹²⁴

32. The Special Rapporteur on toxic wastes recommended that customs officials carry out systematic controls of all shipments of raw materials¹²⁵. In addition, he noted that in the particular cases he examined, local authorities were not sufficiently proactive in providing information to members of the public that could have allowed them to take preventive measures¹²⁶.

33. CRC remained concerned that one of the main factors exerting a harmful impact on children's health remains the aftermath of the Chernobyl disaster and noted that insufficient attention has been given to its long-term consequences.¹²⁷

7. Right to education

34. In 2007, CESCR recommended, *inter alia*, that the State adopt special measures in order to increase school attendance by Roma children, combat discrimination against them, and that increase salaries for teachers, including minority language teachers, and teachers specialized in teaching Ukrainian and Russian as a non-native language.¹²⁸ CERD encouraged Ukraine to further promote the publication of textbooks for schoolchildren in minority languages.¹²⁹ Following CERD's concluding observations, Ukraine provided further information on this matter.¹³⁰

8. Minorities and indigenous peoples

35. In 2007, CESCR expressed concern that, in spite of the efforts undertaken by the

State, most Crimean Tatars have been excluded, in the Autonomous Republic of Crimea, from the land privatization process, that only a limited number of Crimean Tatars have obtained plots of land, while others face criminal sanctions for squatting on land. CESCR recommended, inter alia, that Ukraine allocate sufficient funds for the implementation of the Programme for the Resettlement and Integration of Formerly Deported Persons.¹³¹ CERD urged Ukraine to ensure that Crimean Tatars living in settlements enjoy legal security of tenure and access to basic infrastructures.¹³² In its follow-up response to CERD, the State provided facts and figures as well as information on programmes addressing this issue.¹³³ Upon consideration of the State's follow-up report, CERD requested further specific information, notably on the possibilities to claim restitution for formerly confiscated property and on land allotments.¹³⁴

36. CESCR noted that, according to the core document of the State, only Ukrainians are considered to be an indigenous ethnic group, and it encouraged the State to recognize the right of self-identification of all ethnic groups in Ukraine, as well as to ensure protection and development of their cultural heritage. CERD recommended that the State consider recognizing the Ruthenian minority as a national minority.¹³⁵ Following CERD's concluding observations, Ukraine provided further information on the Ruthenian minority.¹³⁶

9. Migrants, refugees and asylum-seekers

37. In 2002, CRC welcomed, also highlighted by UNHCR¹³⁷, the enactment of the "Refugee Law 2001"¹³⁸ and requested Ukraine to ensure that asylum-seeking, refugee and illegal immigrant children have access to education and health services.¹³⁹ CERD noted with concern, also highlighted by UNHCR¹⁴⁰, that the Refugee Law does not contain standardized refugee determination criteria and recommended that Ukraine consider amending it.¹⁴¹ A 2007 UNHCR report noted that the law does not provide access for UNHCR to refugees' individual files, or for refugees to have legal representation during the determination of their status.¹⁴² In its follow-up response to CERD, the State considered that the Refugee Act is in full conformity with the 1951 Convention relating to the Status of Refugees and the 1967 Protocol.¹⁴³ In 2007, CAT expressed concern, also highlighted by UNHCR¹⁴⁴, about the discrimination that asylum-seekers face on grounds of nationality, and requested Ukraine to adopt the draft laws on refugees and on the legal status of foreign and stateless persons.

38. The Special Rapporteur on torture sent a communication, in 2006, on eleven individuals who had been deported, following an extradition request, to another State where the Special Rapporteur was concerned that they may be at risk of torture. The Government replied that the individuals' applications for asylum had been rejected, that they had refused to appeal that decision, and were expelled following a court decision.¹⁴⁵

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

39. The Special Rapporteur on freedom of opinion and expression noted in 2007 that since 2004, the overall situation with regard to the exercise of the right to freedom of opinion and expression has improved¹⁴⁶.

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

A. Pledges by the State

40. In 2006, the Government committed, inter alia, to cooperate fully with the Human

Rights Council, in terms of the Universal Periodic Review, and to continue to cooperate with United Nations human rights treaty bodies.¹⁴⁷

B. Specific recommendations for follow-up

41. CAT requested that the State provide, by May 2008, information on its response to CAT's recommendations¹⁴⁸ concerning, inter alia, allegations of torture and ill-treatment, and acts of violence against journalists and minorities.¹⁴⁹

42. The HR Committee requested information by November 2007, on the follow-up given to the Committee's recommendations¹⁵⁰ on acts of torture, conditions of detention, attacks against journalists and violence against minorities.¹⁵¹ To date, the State has not provided the HR Committee with the requested information.

43. CERD requested information, by August 2007, on the way Ukraine has followed up on its recommendations concerning the lack of identification documents and allegations of police abuse of Roma; the access to land, adequate housing and infrastructure of formerly deported persons, in particular Crimean Tatars.¹⁵² The State provided on time detailed responses on follow-up measures taken to implement CERD recommendations.¹⁵³ At its seventy-second session (February-March 2008), CERD considered the State's reply and asked for further information.¹⁵⁴

44. The Special Rapporteur on the sale of children recommended, inter alia, the creation of a high level independent institution to enforce children's rights and public policies, in line with CRC concluding observations¹⁵⁵.

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

45. The 2006-2010 UNDAF four priority areas are: 1) Institutional reforms to enable all people to fulfill their human rights; 2) Civil society empowerment to enable all people to access services; 3) Health care and services with a special focus on raising quality and accessibility; 4) Reducing poverty through effectively targeted development and entrepreneurship.¹⁵⁶

46. The Special Rapporteur on the sale of children encouraged the Government to seek the assistance from the United Nations Country Team and other international organizations in implementing the recommendations of his report¹⁵⁷.

Notes

- ¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://untreaty.un.org/>.
- ² International Convention on the Elimination of All forms of Racial Discrimination.
- ³ International Convention on Economic, Social and Cultural Rights.
- ⁴ International Covenant on Civil and Political Rights.
- ⁵ First Optional Protocol to the International Covenant on Civil and Political Rights.
- ⁶ Second Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.
- ⁷ Convention on the Elimination of all Forms of Discrimination Against Women.
- ⁸ Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.
- ⁹ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- ¹⁰ Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- ¹¹ Convention on the Rights of the Child.
- ¹² Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.
- ¹³ Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.
- ¹⁴ International Convention on the Protection of the Rights of All Migrants Workers and Members of their Families.
- ¹⁵ Convention on the Rights of Persons with Disabilities.
- ¹⁶ Optional Protocol to the Convention on the Rights of Persons with Disabilities.
- ¹⁷ International Convention for the Protection of All Persons from Enforced Disappearance.
- ¹⁸ Information relating to other relevant international human rights instruments, including regional instruments, may be found in the pledges and commitments undertaken by Ukraine before the Human Rights Council, as contained in the note verbale dated 17 April 2006 sent by the Permanent Mission of Ukraine to the United Nations addressed to the President of the General Assembly.
- ¹⁹ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- ²⁰ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.
- ²¹ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Convention relative to the Treatment of Prisoners of War (Third Convention); Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.
- ²² International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No.105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the

Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

²³ CESCR, Concluding observations, E/C.12/UKR/CO/5, adopted on 20 November 2007, para.4, 5, 7, 57 and 58, CEDAW, Concluding observations, A/57/38, adopted on 6 June 2002, 27th session, para.298.

²⁴ Special Rapporteur on sale of children, child pornography and child prostitution, A/HRC/4/31/Add.2, para. 75(a), CESCR, E/C.12/UKR/CO/5, para. 60.

²⁵ Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, A/HRC/5/5/Add.2, para.6.

²⁶ CRC, Optional protocol to the Convention on the rights of the child on the sale of children, child prostitution and child pornography (CRC-OP-SC), Concluding observations, CRC/C/OPSC/UKR/CO/1, adopted on 8 June 2007, para.30, CRC, Concluding observations, CRC/C/15/Add.191, para.49.

²⁷ UNHCR submission to the UPR on Ukraine, pp. 2-3, citing CRC/C/15/Add.191, paras. 62-63.

²⁸ CRC, 2002, Concluding Observations, CRC/C/15/Add.191, paras. 63 (e).

²⁹ Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, A/HRC/5/5/Add.2, para. 7.

³⁰ Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, A/HRC/5/5/Add.2, para.8.

³¹ Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, A/HRC/5/5/Add.2, paras. 21,22, 23, 35, 36, 37, 38, 39.

³² Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, A/HRC/5/5/Add.2, para. 50.

³³ UNICEF submission to the UPR on Ukraine, pp. 2-3, paras. 4-5.

³⁴ UNICEF submission to the UPR on Ukraine, p. 3, paras. 7-10.

³⁵ CEDAW, op.cit., para.273, CRC, CRC-OP-SC, op.cit., para.17, CRC, Concluding observations, CRC/C/15/Add.191, adopted on 4 October 2002, para.9.

³⁶ CERD, information provided by the Government of Ukraine on the implementation of the concluding observations of CERD, CERD/C/UKR/CO/18/Add.1, 27 August 2007, para.27.

³⁷ CESCR, op.cit., para.9 and 32, CERD, op. cit. para. 6, the HR Committee, op.cit., para.3 and 5, CAT, Concluding Observations, CAT/C/UKR/CO/5, adopted on 18 May 2007, para.21.

³⁸ CERD, Concluding observations, CERD/C/UKR/CO/18, adopted on 17 August 2008, para.6.

³⁹ CERD, op.cit., para.3c, CRC, CRC-OP-SC, op.cit., para.27, CEDAW, op.cit., para.283.

⁴⁰ See United Nations Common Country Assessment, 2004, p. 5 accessible at http://www.undg.org/archive_docs/5472-Ukraine_CCA.doc (accessed on 25 February 2008).

⁴¹ The HR Committee, op.cit., para.4a.

⁴² CEDAW, op.cit., para.278.

⁴³ CAT, op.cit., para.6, CRC-OP-SC, op.cit., para. 4 (e), the HR Committee, op.cit., para.4(b).

⁴⁴ Special Rapporteur on sale of children, child pornography and child prostitution, A/HRC/4/31/Add.2, para. 31.

⁴⁵ CESCR, op.cit., para.22 and 45.

⁴⁶ Committee on the Elimination of Racial Discrimination.

⁴⁷ Committee on Economic, Social and Cultural Rights.

⁴⁸ Human Rights Committee.

⁴⁹ Committee on the Elimination of Discrimination Against Women.

⁵⁰ Committee against Torture.

⁵¹ Committee on the Rights of the Child.

⁵² Special Rapporteur on the sale of children, child prostitution and child pornography, A/HRC/4/31/Add.2, para. 1.

⁵³ Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, A/HRC/7/21, para. 1.

⁵⁴ Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, A/HRC/5/5/Add.1, para.2.

⁵⁵ The questionnaires included in this section are those which have been reflected in a report by a Special Procedure mandate holder.

⁵⁶ - Special Rapporteur on the right to education (A/HRC/4/29): Questionnaire on the right to education of persons with disabilities Report of the Special Rapporteur on the right to education, the right to education of persons with disabilities sent in 2006);

- Special Rapporteur on the human rights of migrants (A/HRC/4/24): Questionnaire on the human rights of migrants on border control and measures to reduce/address irregular migration; expulsion; conditions for admission/stay; rights of migrants; and the protection of migrants sent on 8 and 9 September 2006;

- Special Rapporteur on trafficking in persons, especially in women and children (A/HRC/4/23): Questionnaire on Forced marriages in the context of trafficking in persons, especially women and children Report of the Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children sent on 26 July 2006.

- Special Representative on human rights defenders (E/CN.4/2006/95/Add.5): Questionnaire aimed at identifying the main areas of progress and the remaining challenges that need to be addressed in relation to the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms sent in June 2005.

- Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15): Questionnaire on the human rights of indigenous peoples sent in August 2007

- Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67) : Joint questionnaire on demand for commercial sexual exploitation and trafficking and demand for sexual services deriving from exploitation sent on 25 and 26 July 2005.

- Special Rapporteur on the right to education (E/CN.4/2006/45): Questionnaire on girl's right to education sent in 2005.

- Working Group on the use of mercenaries as a means of violating human rights(A/61/341): Questionnaire on Mercenaries sent in mid-November 2005.

-Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31): Questionnaire on the Sale of Children's organs sent on July 2006.

- Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2005/78): Questionnaire on Child pornography on the Internet sent on 30 July 2004.

- Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2004/9): Questionnaire on the Prevention of child sexual exploitation sent on 29 July 2003.

-Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprise (A/HRC/4/35/Add.3) : Questionnaire to identify policies and practices by which states regulate, adjudicate and otherwise influence corporate actions.

⁵⁷ Questionnaire on the Sale of Children's organs and Questionnaire aimed at identifying the main areas of progress and the remaining challenges that need to be addressed in relation to the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.

⁵⁸ CESCR, op.cit., para.3, 33 and CERD, op.cit., para.7.

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- ⁵⁹ CERD, information provided by the Government of Ukraine on the implementation of the concluding observations of CERD, CERD/C/UKR/CO/18/Add.1, 27 August 2007, para.15-19. CERD, op. cit. para. 9.
- ⁶⁰ United Nations Press Release, United Nations Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression ends visit to Ukraine, 23 May 2007.
- ⁶¹ The HR Committee, op.cit., para.16 and CERD, op.cit., para.8.
- ⁶² CERD, information provided by the Government of Ukraine on the implementation of the concluding observations of CERD, CERD/C/UKR/CO/18/Add.1, 27 August 2007, para.1-14.
- ⁶³ CAT, op. cit., para. 15.
- ⁶⁴ CERD, op.cit., para.19, CRC, op.cit., para.74.
- ⁶⁵ CESCR, op. cit., para.11 and 34 and CERD, op. cit., para.11.
- ⁶⁶ CERD, information provided by the Government of Ukraine on the implementation of the concluding observations of CERD, CERD/C/UKR/CO/18/Add.1, 27 August 2007, para.26.
- ⁶⁷ CESCR, op.cit., para.12 and 35, CEDAW, op.cit., para.274 and 295.
- ⁶⁸ The HR Committee, op.cit., para. 18.
- ⁶⁹ CAT, op.cit., para.8.
- ⁷⁰ CAT, op.cit., para.21.
- ⁷¹ CAT, op.cit., para.22.
- ⁷² CAT, op. cit. para. 10, CRC, op. cit., para. 37.
- ⁷³ HR Committee, op. cit., para. 7.
- ⁷⁴ CAT, op.cit., para.8.
- ⁷⁵ CAT, op.cit., para.9.
- ⁷⁶ CAT, op.cit., para.13.
- ⁷⁷ CERD op. cit. 10, CESCR, op.cit., para.10 and CAT, op.cit., para.15.
- ⁷⁸ CERD, op.cit., para.12.
- ⁷⁹ CERD, information provided by the Government of Ukraine on the implementation of the concluding observations of CERD, CERD/C/UKR/CO/18/Add.1, 27 August 2007, para.37-51.
- ⁸⁰ CERD, follow-up letter on Concluding observations dated 7 March 2008.
- ⁸¹ UNHCR submission to the UPR on Ukraine, p. 1, citing CAT/C/UKR/CO/5, 38th session, para. 20.
- ⁸² CESCR, op.cit., para.26 and 49, CAT, op.cit., para.20 and 25, CERD, op.cit., para.17(e)(i) and (iii), and the HR Committee, op.cit., para.11.
- ⁸³ See United Nations Common Country Assessment, 2004, p. 5; accessible at http://www.undg.org/archive_docs/5472-Ukraine_CCA.doc (accessed on 25 February 2008).
- ⁸⁴ CESCR, op.cit., para.19, CEDAW, op.cit., para.291 and CAT, op.cit., para.14.
- ⁸⁵ The HR Committee, op.cit., para.10 and CESCR, op.cit., para.19 and 42.
- ⁸⁶ CAT, op.cit., para. 14, CRC-OPSC, op.cit., para., 23, CESCR, op.cit., para.20 and 43.
- ⁸⁷ Special Rapporteur on sale of children, child pornography and child prostitution, A/HRC/4/31/Add.2, para. 45. See United Nations Common Country Assessment, 2004, p. 4; accessible at http://www.undg.org/archive_docs/5472-Ukraine_CCA.doc
- ⁸⁸ Special Rapporteur on sale of children, child pornography and child prostitution, A/HRC/4/31/Add.2, para.47.
- ⁸⁹ Special Rapporteur on sale of children, child pornography and child prostitution, A/HRC/4/31/Add.2, para 54.
- ⁹⁰ Special Rapporteur on sale of children, child pornography and child prostitution, A/HRC/4/31/Add.2, para. 57.
- ⁹¹ Special Rapporteur on sale of children, child pornography and child prostitution, A/HRC/4/31/Add.2, para. 75.
- ⁹² CESCR, op.cit., para.21 and 44.

⁹³ CESCR, *op.cit.*, para.22 and 45.

⁹⁴ Special Rapporteur on sale of children, child pornography and child prostitution, A/HRC/4/31/Add.2, para.41, 49 and 77(c).

⁹⁵ Special Rapporteur on sale of children, child pornography and child prostitution, A/HRC/4/31/Add.2, para.70.

⁹⁶ The HR Committee, *op.cit.*, para.17.

⁹⁷ CESCR, *op.cit.*, para.55.

⁹⁸ ⁹⁸ CAT, *op.cit.*, para. 10.

⁹⁹ UNICEF submission to the UPR on Ukraine, p. 3, paras. 7-10.

¹⁰⁰ Special Rapporteur on sale of children, child pornography and child prostitution, A/HRC/4/31/Add.2, para. 58.

¹⁰¹ Special Rapporteur on sale of children, child pornography and child prostitution, A/HRC/4/31/Add.2, para. 59.

¹⁰² CRC, CRC-OP-SC, *op.cit.*, para.21 and 22 and CRC, *op.cit.*, para.70 and 71.

¹⁰³ Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression, E/CN.4/2005/64/Add.1 paras. 957, 960, 962. E/CN.4/2006/55/Add.1, paras. 1050, 1051.

¹⁰⁴ Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression, E/CN.4/2006/55/Add.1, para. 1050, 1052, E/CN.4/2005/64/Add.1, para.957, 960, 962.

¹⁰⁵ Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression, E/CN.4/2006/55/Add.1, para.1051, 1053; E/CN.4/2005/64/Add.1, para 958, 961.

¹⁰⁶ United Nations Press Release, United Nations Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression ends visit to Ukraine, 23 May 2007.

¹⁰⁷ CAT, *op.cit.*, para.17 and the HR Committee, *op.cit.*, para.14.

¹⁰⁸ CERD, *op.cit.*, para.14.

¹⁰⁹ CERD, information provided by the Government of Ukraine on the implementation of the concluding observations of CERD, CERD/C/UKR/CO/18/Add.1, 27 August 2007, para.55-59.

¹¹⁰ CEDAW, *op.cit.*, para.293, CESCR, *op.cit.*, para.13, 14 and 37.

¹¹¹ CESCR, *op.cit.*, para.15 and 38.

¹¹² CESCR, *op.cit.*, para.17 and 40.

¹¹³ CESCR, *op.cit.*, para.23 and 46.

¹¹⁴ See United Nations Common Country Assessment, 2004, p. 4 accessible at http://www.undg.org/archive_docs/5472-Ukraine_CCA.doc (accessed on 25 February 2008).

¹¹⁵ See United Nations Common Country Assessment, 2004, p. 4 accessible at http://www.undg.org/archive_docs/5472-Ukraine_CCA.doc (accessed on 25 February 2008).

¹¹⁶ CESCR, *op.cit.*, para.27 and 29 .

¹¹⁷ CEDAW, *op.cit.*, para.289 and 290.

¹¹⁸ CRC, *op.cit.*, para.58.

¹¹⁹ WHO, Highlights on Health in Ukraine 2005, Copenhagen, 2006, p. 1, available at <http://www.euro.who.int/document/e88285.pdf> (accessed on 25 February 2008).

¹²⁰ UNDP, 2007 Human Development Report, New York, 2007, p. 316; UNDP, 2006 Human Development Report, New York, p. 262.

¹²¹ UNICEF State of the Children's World 2005, New York, 2004, p. 68.

¹²² UNICEF submission to the UPR on Ukraine, p. 1, para 6.

¹²³ CESCR, *op.cit.*, para. 29.

¹²⁴ CRC, *op.cit.*, para. 53, CESCR, *op.cit.*, para. 28 and 51.

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- ¹²⁵ Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, A/HRC/5/5/Add.2, para. 50.
- ¹²⁶ Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, A/HRC/5/5/Add.2, para. 52.
- ¹²⁷ CRC, op.cit., para.55.
- ¹²⁸ CESCR, op.cit., paras. 30, 31, 53 and 54.
- ¹²⁹ CERD, op.cit., para.5, 16.
- ¹³⁰ CERD, information provided by the Government of Ukraine on the implementation of the concluding observations of CERD, CERD/C/UKR/CO/18/Add.1, 27 August 2007, para.72-82.
- ¹³¹ CESCR, op.cit., para.24 and 47.
- ¹³² CERD, op.cit., para. 15.
- ¹³³ CERD, information provided by the Government of Ukraine on the implementation of the concluding observations of CERD, CERD/C/UKR/CO/18/Add.1, 27 August 2007, para.60-71.
- ¹³⁴ CERD, follow-up letter on Concluding observations dated 7 March 2008.
- ¹³⁵ CESCR, op.cit., para.59 and CERD, op.cit., para.20.
- ¹³⁶ CERD, information provided by the Government of Ukraine on the implementation of the concluding observations of CERD, CERD/C/UKR/CO/18/Add.1, 27 August 2007, para.114-122.
- ¹³⁷ UNHCR submission to the UPR on Ukraine, pp. 2-3, citing CRC/C/15/Add.191, paras. 62-63.
- ¹³⁸ CRC, 2002, Concluding Observations, CRC/C/15/Add.191, paras. 62.
- ¹³⁹ CERD, op.cit., para.13 and CAT, op.cit., para.20, CRC, op.cit., para.63.
- ¹⁴⁰ UNHCR submission to the UPR on Ukraine, p. 2, citing CERD/C/UKR/CO/18, 69th session, paras 4; 12; 13; 17.
- ¹⁴¹ CERD, op. cit. para. 13.
- ¹⁴² UNHCR submission to the UPR on Ukraine, *UNHCR Position on the Situation of Asylum in Ukraine in the Context of Return of Asylum-Seekers*, 2007, p.5, para. 6.
- ¹⁴³ CERD, information provided by the Government of Ukraine on the implementation of the concluding observations of CERD, CERD/C/UKR/CO/18/Add.1, 27 August 2007, para.52-54.
- ¹⁴⁴ UNHCR submission to the UPR on Ukraine, p. 1, citing CAT/C/UKR/CO/5, 38th session, para. 20.
- ¹⁴⁵ Special Rapporteur on the question of torture, A/HRC/4/33/Add.1, para. 316.
- ¹⁴⁶ United Nations Press Release, United Nations Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression ends visit to Ukraine, 23 May 2007.
- ¹⁴⁷ Ukraine's Voluntary Pledge submitted in support of its candidacy to the membership of the Human rights Council dated on 17 April 2006, available at <http://www.un.org/ga/60/elect/hrc/ukraine.pdf> (accessed on 14 February 2008).
- ¹⁴⁸ In the original document CAT make reference to recommendations contained in paragraphs 9, 10, 12, 15, 17 and 19 of its concluding observations.
- ¹⁴⁹ CAT, op.cit., para.28.
- ¹⁵⁰ In the original document the HR Committee make reference to recommendations contained in paragraphs 7, 11, 14, and 16 of its concluding observations.
- ¹⁵¹ The HR Committee, op.cit., para.20.
- ¹⁵² CERD, op. cit. para. 23
- ¹⁵³ Information provided by the Government of Ukraine on the implementation of the concluding observations of the CERD, CERD/C/UKR/CO/18/Add.1.
- ¹⁵⁴ CERD, follow-up letter on Concluding observations dated 7 March 2008.

¹⁵⁵ Special Rapporteur on sale of children, child pornography and child prostitution, A/HRC/4/31/Add.2, para.74.

¹⁵⁶ See 2006-2010 UNDAF, Ukraine, pp.4-5, accessible at http://www.undg.org/archive_docs/6600-Ukraine_UNDAF__2006-2010_.pdf (accessed on 25 February 2008).

¹⁵⁷ Special Rapporteur on sale of children, child pornography and child prostitution, A/HRC/4/31/Add.2, para.81.
