

UKRAINE  
**Submission to the UN Universal Periodic Review**  
**Human Rights Without Frontiers, International**  
Second Session of the UPR Working Group, May 2008

Human Rights Without Frontiers, International (HRWF) is an international non governmental organisation defending human rights, democracy, and the rule of law. For details see Appendix 1)

In this submission HRWF provides information under sections C, and D.

**C. Promotion and Protection of Freedom of Religion or Belief and Religious Non Discrimination**

1. Conflict between religious communities results from competition to control state distribution of formerly confiscated church properties.
2. Conflict between religious communities is heightened by competition to control content and delivery of religious instruction in state school.
3. The wise and just recommendations of the Council of Europe, Venice Commission, and HDIM panel of experts on freedom of religion and belief have not been fully implemented.

**D Identification of best practices, challenges, and constraints. Human Rights Without Frontiers makes the following recommendations.**

1. **HRWF calls upon the state of Ukraine to establish clear rules for the distribution of formerly confiscated properties.**
2. **HRWF calls upon the state of Ukraine to require the receiving entity to assume the full cost of maintaining any property received. Receiving churches should be required to fund maintenance from the free will contributions of its own members without recourse to the public powers.**
3. **HRWF recommends that any properties which cannot be maintained in that fashion should remain as public property.**
4. **HRWF recommends that confessional instruction should be done on church-owned property and be funded not by the state but by the free will contributions of a church's own membership.**
5. **State school curriculum related to religion should follow the OSCE Toledo guidelines to help youth develop the ability to make wise choices in exercise of their religious freedom.**
6. **The recommendations of the Council of Europe, Venice Commission, and HDIM panel of experts on freedom of religion and belief should be implemented.**

## Appendix I

### Human Rights Without Frontiers Int'l

From its inception, the main focus of the activities of Human Rights Without Frontiers Int'l has been monitoring, research, and analysis in the field of human rights as well as promotion of democracy and the rule of law on national and international level. In these endeavours, we have been guided by the understanding that it is not sufficient for international norms and standards in the field of human rights to be approved and adopted by governments. States enjoy different levels of approximation to democratic development and the rule of law and human rights norms do not always have a "taken-for-granted" quality. In many cases, they still need to undergo a long, and sometimes painful, process of socialization in order to become integrated into state policies. The success of this process would be predicated, among other things, on the strength of non-governmental human rights networks to instigate changes towards human rights promotion.

We also work on the assumption that ideas, and not only state interests and positions, matter in international relations. In this respect, international human rights instruments can be seen as representing the ultimate expression of collective ideas of social justice. As such, we consider their implementation to be of utmost importance as an overarching framework for the ideas of liberty, democracy, the rule of law.

Within this context, *HRWF Int.* has adopted an approach to human rights promotion, which is wider in scope than lobbying on a specific human right. Our emphasis is on human rights advocacy, which we understand as a process, through which we bring new ideas, norms and discourses into policy debates and promote norm implementation by pressuring target actors to adopt new policies and by monitoring compliance with international standards.

In pursuit of this overarching objective, the *HRWF Int.* has been using three main strategies: information, communication, and leverage. Gathering trustworthy information of situations of human rights violations is essential in constructing a solid case which merits attention and advocacy. On the level of communication, we try to generate attention to issues at stake, alert policy-makers to long-term implications of specific human rights abuses and open up channels of communication on the international arena as means of gaining attention. New issues can be brought up for public debate through various advocacy techniques: media attention, debates, hearings, and larger conferences. Though information gathering and communication are an important part of our advocacy campaigns, the crucial strategic step is to gain enough influence to induce changes in state positions and policies.

Part of our advocacy cycle is devoted to formulating issues and identifying possible "target" loci of advocacy, which are primarily in the domain of international organisations. The United Nations, the European Union, the Council of Europe and the Organisation for Security and Co-operation in Europe (OSCE) are the main venues for targeted and structured human rights advocacy activities. The European Union is an important international actor and human rights have become an integral and important part of its external relations. The principles of liberty, democracy, the rule of law and the respect for human rights are goals of the foreign and security policy of the European Union and underpin its co-operation with third countries. In this respect, the EU institutions – the European Commission, the European Parliament, and the Council of the European – are crucial to human rights promotion worldwide. **Website:** <http://www.hrwf.net>  
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