



**International covenant
on civil and
political rights**

Distr.
GENERAL

CCPR/C/UKR/CO/6/Add.1
21 August 2008

Original: ENGLISH

HUMAN RIGHTS COMMITTEE

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 40 OF THE COVENANT**

UKRAINE

Addendum

**Comments by Ukraine on the Concluding Observations of
the Human Rights Committee (CCPR/C/UKR/CO/6)***

[19 May 2008]
[Russian]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited before being sent to the United Nations translation services.

Paragraph 7

1. Ukraine has made unremitting efforts to bring its national legislation into line and comply with international human rights standards. Guided by the Constitution, the Procurator's Office Act and orders of the Procurator General, procurators at all levels systematically monitor compliance with the legislation governing the execution of court decisions in criminal cases and the enforcement of other coercive measures involving restrictions on personal freedom.

2. To ensure regular oversight of all remand facilities and penal colonies, interviews are held once a month with prisoners on personal matters, and decisions taken by the administration are reviewed to ensure that they are lawful. Article 24 of the Penal Enforcement Code of Ukraine specifies the persons who have the right to visit penal institutions for the purpose of monitoring conditions. Procurators are required to investigate and hear complaints from detainees and persons in custody of the violation of their rights and freedoms. In accordance with article 25 of the foregoing Code, oversight committees have been entrusted with public monitoring of observance of the rights of convicted prisoners while serving their sentences.

3. In the case of the fatal beating of a 36-year-old man in Zhytomyr on 7 April 2005, the Procurator's Office of Zhytomyr province instituted criminal proceedings against Mr. Y. for murder on 7 April 2005 under article 115, paragraph 1, of the Criminal Code.

4. According to the report of the pretrial investigation, at approximately 10.50 p.m. on 6 April 2005 Inspector P. of the Zhytomyr municipal division of the Directorate of the Ministry of Internal Affairs of Ukraine in Zhytomyr province handed over Mr. Y., who was drunk, to the on-duty unit of the division and filed a police report on the administrative offence described in article 173 of the Code of Administrative Offences of Ukraine. Mr. Y. was put in pretrial detention cell No. 2 in the on-duty unit of the Zhytomyr municipal division. Mr. Y.'s health deteriorated significantly between 1 and 6 a.m. on 7 April 2005. Inspector P. and Duty Officer K. of the Zhytomyr municipal division pretrial detention centre believed that Mr. Y. was pretending to be ill and inflicted bodily harm on him. This was evidenced by bruises and abrasions on his chest, right and left rib fractures and lung injuries, which resulted in his death in the on-duty unit of the Zhytomyr municipal division at 7.35 a.m. on 7 April 2005.

5. The criminal case against K. and P. was referred to the Bohun District Court in Zhytomyr for consideration of the merits on 27 April 2005 under article 121, paragraph 2, and article 365, paragraph 3, of the Criminal Code. The court investigation is currently under way.

6. In the case of the fatal beating of a man in a Kharkiv pretrial detention facility on 17 December 2005, the Procurator's Office of the Oktyabr district of Kharkiv instituted criminal proceedings against the facility medical personnel on 22 December 2005 on charges of improper performance of their professional duties leading to the death of a person in custody.

7. According to the report of the pretrial investigation, Mr. M., who was being held in custody, was checked into the detention facility dispensary on 29 November 2005 for hypertensive vegetative vascular dystonia accompanied by loss of consciousness, falling out of bed and bumping into walls while moving around the cell. On 17 December 2005 Mr. M. died in the medical ward of the Kharkiv detention facility as a result of craniocerebral trauma, with irritation of the meninges, which had occurred four to five days previously, leading to severe

vomiting and inhalation of vomit into the respiratory tract. According to the conclusions of an additional forensic examination, the Kharkiv detention facility medical personnel's actions were timely, comprehensive and sound.

8. As a result of the pretrial investigation, the criminal case was closed on 29 May 2007 under article 6, paragraph 2, of the Code of Criminal Procedure of Ukraine. There are no grounds for reversing the decision to dismiss the criminal case.

9. With respect to the case of Mykola Zahadhevsky's death in pretrial detention in April 2004, it should be noted that the division for monitoring the execution of court decisions of the Kharkiv pretrial detention facility has no record on file of that person. Furthermore, no deaths occurred in the institution in 2004.

10. Under article 85-2 of the Code of Criminal Procedure, inquiry bodies, investigators, procurators and the courts have the right to videotape the interrogation of crime suspects during criminal investigations. The Office of the Procurator General considers that such recordings could be used on a permanent basis when conducting investigations of suspects, which, in its view, would reduce the number of cases in which suspects retract their testimony.

11. In recent years the Government of Ukraine has taken a number of steps to promote human rights in the internal affairs bodies, as follows:

- The post of adviser to the Minister of Internal Affairs on human rights and gender issues was established in October 2004.

- A citizens' human rights board under the Ministry of Internal Affairs and similar boards under the Ministry offices in the provinces were set up in December 2005. The citizens' boards are collegiate bodies in which members of civil society and law enforcement agencies meet to identify the most urgent problems relating to respect for human rights and the activities of the internal affairs bodies and to develop strategies to overcome them.

- Mobile teams for monitoring the observance of citizens' constitutional rights and freedoms were launched in August 2006 to carry out independent inspections of prisons for detainees and persons in custody; they constitute a unique instrument to ensure civil oversight of the activities of the internal affairs bodies of Ukraine. These mobile teams are deemed equivalent to the national preventive mechanisms called for in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

- An office to monitor the observance of human rights in the activities of the internal affairs bodies was established in January 2008. The aim is to create a system of in-house monitoring of observance of human rights in the work of the internal affairs bodies in accordance with international law enforcement standards.

12. It should be noted that the Act of Ukraine to amend the Criminal Code and the Code of Criminal Procedure (on making criminal sentences more humane) entered into force on 7 May 2008.

13. Under this Act, torture is punishable by three to five years' deprivation of liberty and is defined as "beating, tormenting or any other violent act by which severe physical pain or physical or mental suffering is intentionally inflicted for such purposes as forcing the victim or a third person to commit acts contrary to his or her will, including obtaining from the person or a third person information or a confession and punishing the person for an act which the person or

a third person has committed or is suspected of having committed, as well as for such purposes as intimidating or discriminating against the person or a third person”.

14. Such a definition of the term “torture” is consistent with article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Paragraph 11

15. Today 407 (84 per cent) of temporary detention facilities meet the established requirements. The cells of these militia facilities are equipped with individual bunks, washstands and windows allowing sufficient access to natural light and air. The facilities have exercise yards. Detainees are provided with three meals a day, which are fully funded by the State. Eighty institutions were temporarily shut down for major repairs. Medical assistance to persons in pretrial detention facilities is provided by 29 medical units and 3 first-aid posts with a 9 per cent shortfall in medical staff.

16. Additional information: as at 1 January 2008, there were 535 special militia facilities, including 487 temporary detention facilities, which can hold up to 9,800 persons, 36 holding and processing facilities with 1,300 places for persons arrested for vagrancy and 12 special holding facilities with 390 places for persons under administrative detention. According to the Ministry of Internal Affairs these institutions hold 6,300 persons daily.

17. Yet the status of observance of citizens’ constitutional rights in remand centres is a cause for concern, as 103 prisoners died during the past year, while the overall average annual population of such institutions declined. Almost half of all deaths occurred in Kyiv and Donetsk remand centres.

18. Circulatory and respiratory disease accounted for 44.2 per cent of deaths in remand centres and 64 per cent in penal institutions.

19. Improper conditions and medical care, inadequate funding and overcrowding in certain pretrial detention facilities (such as the Donetsk, Kyiv, Simferopol and Kherson remand centres) contribute to poor outcomes of disease among prisoners in those facilities.

20. There have been cases of critically ill tuberculosis patients who have died within 10 days after being hospitalized, because they were not sent for treatment in time. Yet the Health (Framework) Act of Ukraine provides for medical assistance in places of detention, incorporating all the international experience in this area.

21. The World Bank Tuberculosis and HIV/AIDS Control Project in Ukraine is being implemented to prevent the spread of HIV/AIDS and tuberculosis and provide adequate treatment in prisons.

22. The project seeks to address the tuberculosis and HIV/AIDS epidemic in Ukraine by supporting the national tuberculosis control strategy developed in accordance with international standards and the national programme on the prevention of HIV infection and assistance to and treatment of persons affected by HIV and AIDS for 2004-2008. The project includes three components: tuberculosis; HIV/AIDS; and prisons.

23. The prison tuberculosis subcomponent focuses on four areas: building institutional and technical capacities; diagnosis; monitoring; and treatment.

24. The prison AIDS subcomponent focuses on preventive measures for persons living with HIV and enhancing national capacities.

25. Total funding for the prison component amounts to \$9.9 million.
26. The Government has signed a memorandum of understanding with the World Health Organization on the prevention, diagnosis and treatment of tuberculosis and introduced advanced methods recommended by the Organization and optimal programmes to deal with the disease.
27. As at 1 January 2008, 104 special wards in communal tuberculosis treatment centres, totalling 400 places, had been set aside for the internal affairs bodies. Between 150 and 200 patients are treated daily in such wards under the supervision of militia officers. In 2007, 680 patients were treated.
28. It should also be noted that in 2007:
- 121 hospital workers and some 300 nurses in the prison system underwent further training in specialized departments of the Academy of Postgraduate Studies and obtained qualifications and certificates of completion of training in accordance with the law.
 - 113 HIV-positive prisoners received antiretroviral drug treatment, which is twice as many as in 2006. As at 1 January 2008, 5,017 prisoners out of an overall prison population of 150,000 in 181 National Penitentiary Service institutions were registered as HIV-positive.
 - 215 persons were treated for HIV in general hospitals for prisoners in Darivka penal colony No. 10 in Kherson province, which is 35 per cent more than in 2006.
 - The introduction of a range of disease control measures made it possible to prevent outbreaks of intestinal infection, measles, flu and acute respiratory viral infections.
 - A software programme for infectious disease prognosis and epidemiological monitoring has been introduced.
 - To improve prevention and care of persons in detention, a bill has been drafted amending certain legislation of Ukraine concerning persons suffering from active tuberculosis.
 - In Donetsk province an infectious disease section has been established for prisoners suffering from HIV/AIDS.
 - The State Penal Service has established wards in 11 specialized treatment facilities for inpatient treatment of prisoners serving life sentences.
 - The Kherson province tuberculosis hospital has established a unit specializing in treating tuberculosis patients serving life sentences.
 - All medical facilities are equipped with ultrasound and new X-ray machines. The medical equipment in remand centres has begun to be replaced.
 - Routine repairs were performed in all treatment facilities and medical units of institutions and in some remand centres of the State Penal Service of Ukraine.
 - Repair and construction work was performed at **45** sites, including the ongoing construction of 14 new temporary detention facilities, the restoration of 18 institutions and 13 major repairs, costing 28 million hryvnias. Work was completed on reconstruction of the temporary detention facility of the Storozhynets district division of the Department of the Ministry of Internal Affairs in Chernivtsi province and major repairs of the temporary detention facility of the Tsiurupynsk district division of the Department of the Ministry of Internal Affairs in Kherson province.

29. Construction of a new temporary detention facility of the Stakhanov municipal unit of the Department of the Ministry of Internal Affairs in Luhansk province and the restoration and major repairs of 12 institutions in the Zhytomyr, Ivano-Frankivsk, Kyiv, Lviv, Rivne and Sumy provinces and in Kyiv were scheduled for completion in the first quarter of this year. Two institutions of the Autonomous Republic of Crimea and Kyiv province are scheduled for completion in the second quarter and a temporary detention facility of the Novohrad-Volynskyi district division of the Department of the Ministry of Internal Affairs in Zhytomyr province in the third. Repair and construction work will be completed on 16 institutions in total.

30. Some 30 million hryvnias have been set aside for construction and repair work at 35 sites of special militia facilities in 2008.

31. It should be noted that, in accordance with the requirements of the Procurator General, procurators are conducting comprehensive inspections of special facilities of the internal affairs bodies and the State Department of Corrections. As a result of such oversight by procurators, in 2007, 5,055 complaints were examined (compared with 4,812 in 2006), 13,498 cases of intervention by the procurator's office were documented (11,997), 9,950 officials were disciplined (9,114), criminal proceedings were instituted in 344 cases (286), 295 unlawfully detained persons were released from special facilities of internal affairs bodies and 89 were released from correctional facilities in which they had been held without just cause.

32. In an effort to bring the conditions of prisoners and persons in custody into line with international standards, in 2006 the Government approved a national programme (2006-2010) to improve the conditions of detention of convicts and persons in custody.

33. The main objectives of the programme are to improve the institutional and legal functioning of the State Penal Service; to bring the conditions of detention, health and material well-being of convicts and persons in custody into line with legal requirements; to upgrade the equipment and technology in educational institutions; to support the activity of enterprises of the State Penal Service; and to renew and maintain in good working order engineering facilities and security and communications technology and equipment.

34. The implementation of these measures under the programme will help to improve conditions of detention for convicts and persons in custody.

35. It should be noted that during the past three years cooperation with civil organizations has increased. Various civil organizations visited institutions of the State Penal Service 6,168 times in 2005, 8,227 times in 2006 and 9,467 times in 2007.

36. International organizations are also displaying a growing interest in cooperating with institutions of the State Penal Service. During the past three years alone members of international organizations visited Penal Service institutions 845 times, including 145 times in 2005, 233 in 2006 and 467 in 2007.

37. The number of inspections of State Penal Service bodies and institutions by various monitoring agencies has increased noticeably, as have the visits by representatives of foreign States, religious and civil organizations and the media.

38. To ensure more humane and better conditions of detention of persons in custody, the Pretrial Detention Act has been amended to improve the legal situation of persons in custody and their conditions of detention. These include removal of certain disciplinary penalties against prisoners such as deprivation of the right to purchase food or receive parcels for a month; efforts

are also being made to provide adequate access to legal literature to persons in remand centres, including explanations of certain constitutional legislative provisions.

39. The Act of Ukraine to amend the Criminal Code and the Code of Criminal Procedure (on making criminal sentences more humane) provides for reducing the penalty for minor offences and specific categories of persons.

40. This law will promote the effective implementation of State penal enforcement policies and bring the procedures and conditions for serving sentences into line with international standards, taking the European Prison Rules into account.

Paragraph 14

41. The position of Ukraine is that the State must defend freedom of opinion and freedom of expression, including the right to freedom of the press.

42. One of the objectives of the Ukrainian Government is to improve the legislation relating to information. In addition, efforts to that end are provided for in the action plan to fulfil the duties and obligations of Ukraine arising out of its membership in the Council of Europe.

43. As a matter of priority in the area of information, the action plan seeks to create an enabling environment for pluralism in media coverage of processes and events in Ukraine and abroad and to provide the necessary legal conditions for the exercise of the right to freedom of expression and access to information.

44. Accordingly, two bills have been introduced: one on access to public information and another on protection of the professional activities of journalists, which is intended to set out the main areas of professional activities of journalists, their rights and obligations, guidelines for investigative reporting, the procedure for accrediting journalists and liability for violating the law on protection of the professional activities of journalists.

45. On 8 February 2008 the Kyiv Court of Appeal announced that it had completed the investigation into the murder of the journalist Heorhiy Gongadze in November 2000 and begun oral hearings, which would be resumed on 21 February 2008.

46. The criminal case (inflicting serious bodily harm, premeditated murder) against Rybakov and others for the 2001 killing of Ihor Alesandrov, director of the Donetsk regional television station, and other crimes was tried on 6 July 2006 by Luhansk Province Court of Appeal. The accused were sentenced to various prison terms. The Supreme Court of Ukraine did not overturn the sentence in this case in its ruling of 23 January 2007.

47. The Procurator's Office of Zaporizhia province conducted an investigation into the death in December 2003 of Volodymyr Karachevtsev, head of the Melitopol independent journalists' union and deputy editor of the newspaper Kuryer, whose body was discovered on 14 December 2004 at his home in Melitopol. At the scene of the incident investigators found no damage to the front doors or locks to his apartment; he was hanged by his sweater collar from the refrigerator handle by force of body weight; his blood alcohol level was 2.8 grams per litre, indicating an advanced stage of inebriation; and there was no evidence of bodily harm aside from strangulation marks. As no one was implicated in the death of Karachevtsev, a decision was taken on 16 April 2004 against filing criminal proceedings in regard to his death under article 6, paragraph 2, of the Code of Criminal Procedure. The Procurator's Office concurred with this decision.

48. The Ministry of Internal Affairs is implementing the Act on State support for the mass media and the social protection of journalists and the Presidential Decree on additional measures to ensure freedom of the media and on further strengthening freedom of expression in Ukraine.

49. Last year the internal affairs bodies initiated criminal proceedings in 60 cases involving offences against media workers. They included 3 robberies, 16 thefts, 22 petty thefts, 8 cases of criminal mischief, 3 offences involving bodily harm, 2 cases of unlawful taking of vehicles, 2 cases of intentional destruction or damage to property, an offence against inviolability of the home and 3 offences under article 171 (obstruction of the lawful professional activities of journalists) of the Criminal Code. As a result of action taken, 41 crimes in this category were solved, including 2 robberies, 12 thefts, 9 petty thefts, a case of wilful infliction of moderate bodily harm and 5 acts of criminal mischief.

50. Statistical data show that 64 crimes were committed against media workers in 2000, 154 in 2001, 77 in 2002, 169 in 2003, 129 in 2004, 87 in 2005 and 68 in 2006. On average, 80.1 per cent of the offences registered each year by the internal affairs bodies between 2000 and 2007 were property offences, including petty theft, theft, robbery, fraud and extortion, property destruction or damage and unlawful taking of vehicles; 17.5 per cent were offences against the person, including infliction of bodily harm, criminal mischief and death threats; and 2.4 per cent came under other categories, including motor vehicle incidents, unlawful handling of weapons and explosives, coercion, offences against the inviolability of the home, desecration of graves and sale of counterfeit currency.

Paragraph 16

51. The Government has made tireless efforts to uphold the rights and freedoms of ethnic minorities, combat racism, xenophobia and anti-Semitism and ensure harmonious ethnic relations.

52. The Government is seriously concerned about the recent cases of xenophobia and racial violence and is resolved to prevent the use of racism for political purposes. The country condemns racial intolerance and racially based crimes. Nevertheless, it should be noted that such cases do not represent a systematic occurrence.

53. Articles 24 and 35 of the Constitution specify that there must be no privileges or restrictions based on religious belief and that every citizen has the right to freedom to profess or not to profess any religion.

54. The Ethnic Minorities Act, Local Government Act, Print Media (Press) Act, Television and Radio Act, Information Act and other laws contain provisions guaranteeing equal rights of persons regardless of race or ethnicity.

55. Moreover, article 4 of the Civil Associations Act states that civil associations whose purpose is to advocate war, violence or cruelty, fascism or neo-fascism, to incite ethnic or religious hatred or to restrict universally recognized human rights are not entitled to legal registration and the activities of such associations which have been registered are prohibited by law.

56. Article 161 of the Criminal Code makes incitement to ethnic strife, offences against the honour and dignity of peoples and ethnically motivated restrictions on the rights of citizens a punishable offence.

57. Ukraine signed the Additional Protocol to the Convention on cybercrime, concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems in April 2005, in order to prevent the spread of xenophobia and racist and anti-Semitic information through computer systems.

58. The State Committee on Ethnic and Religious Affairs is responsible for developing and implementing State policy in the area of inter-ethnic relations and protection of the rights of ethnic minorities.

59. The Committee constantly monitors the content of publications on inter-ethnic relations with a potential impact on social, political and inter-ethnic stability in the country. If necessary, the Committee sends letters to law enforcement and judicial bodies.

60. In addition, extensive efforts have been made among various ethnic groups, including national and regional cultural and educational events, public statements and media advertisements, concerning equality of human and civil rights and freedoms irrespective of race, ethnicity, language, belief or affiliation with civil associations or groups.

61. Ukraine takes a clear position against acts of xenophobia, anti-Semitism and ethnic intolerance.

Activities of the Interregional Academy of Personnel Management

62. It should also be noted that the procuratorial authorities have received complaints of civil rights violations on the basis of ethnicity or belief by the President and other officials of the Interregional Academy of Personnel Management and its publications. Following investigations by the Procurator's Office in Kyiv they decided against instituting criminal proceedings on 12 occasions between 2002 and 2007 with the agreement of the Procurator General's Office.

63. The Ministry of Internal Affairs reviewed the complaint by the head of the oversight board of the Interregional Academy of Personnel Management, G.B. Shchekin, alleging that he had been attacked and that the President of the publishing house Stolichnye Novosti, V.Z. Rabinovich, had been involved in the offence in connection with the activities of the Academy. It was found that the Holiiv district division of the Kyiv Municipal Department of the Ministry of Internal Affairs is in charge of criminal proceedings, in relation to a beating inflicted on Shchekin on 10 October 2004.

64. In response to instructions of the Cabinet of Ministers of Ukraine and requests by State institutions, members of parliament and a number of civic organizations, the Ministry of Education and Science of Ukraine has examined aspects of the anti-Semitic incidents at the Academy and related publications in the media.

65. Eminent specialists from the National Academy of Sciences of Ukraine and institutions of higher education who took part in the review of the teaching, research and educational work of the Academy showed that inter-ethnic relations had been studied from various perspectives at the Academy in disciplines such as political science, sociology, philosophy, social policy, politics and religion, religious holidays and rites, religious studies and others.

66. These studies include specialized courses on ethnopolitology, ethnosociology and "ethno-State studies". The courses use officially approved materials, most of which bear the stamp of the Ministry of Education and Science.

67. The publications Personal and Personal Plus, the content of which is considered by several civil organizations to be anti-Semitic, are not mentioned in the list of recommended reading materials of the curriculum.

68. The Academy's charter, however, allows it, as a private corporation, to provide publishing services in addition to its educational activities, under a license from the State Committee on Information Policy, Television and Radio (Series KV No. 6048 and DK No. 8).

69. For the purpose of preventing potential outbreaks of ethnic strife, the administration of the Academy has been repeatedly advised not to publish anti-Semitic content in its publications and to ensure that an attitude of respect for all ethnic minorities living in Ukraine is maintained during discussions.

Investigations of acts of violence against Jews

70. The law enforcement agencies closely follow any incidents involving members of the Jewish and other ethnic communities or their property.

71. On 29 August 2005 the Pechersk district division of the Kyiv Department of the Ministry of Internal Affairs instituted criminal proceedings in the case of an attack on yeshiva students under article 229, paragraph 2, of the Criminal Code. The investigation resulted in the indictment of five persons and referral of the criminal case to the court. The case was remanded for further investigation on 31 October 2007 and taken over by the Pechersk district division of the Kyiv Municipal Department of the Ministry of Internal Affairs on 24 January 2008. The investigation is currently under way.

72. Concerning the attack on a rabbi and his son in Kyiv, on 11 September 2005 the Holosiiv district division of the Kyiv Municipal Department of the Ministry of Internal Affairs initiated criminal proceedings under article 196, paragraph 2, of the Criminal Code against Mr. R. and Mr. P., who were accused of criminal mischief resulting in the bodily harm of Israeli citizen M.Z. Menis and his son M.M. Menis. The indictment was filed with the court on 25 November 2005 and a conviction handed down on 29 December 2005.

73. Last year unidentified persons committed criminal mischief against the executive director of the Union of Jewish Religious Communities of Ukraine, Mr. Tamarin, who said that he and his wife had suffered bodily harm in Zhytomyr on 7 August. Criminal proceedings were instituted for violation of civil rights based on race, ethnicity or belief.

74. On 7 March 2007, Litovchenko, Bredencko and Melnik, local residents of Odessa, were arrested for conspiracy to commit vandalism on 18 February 2007, involving the desecration with swastikas of tombstones and monuments in the Third Jewish Cemetery, monuments to holocaust victims on Prokhorovskaya street and in the neighbourhood of the third stop on the Lustdorf road, as well as a memorial plaque at 44, Richelieu street in Odessa.

75. The Dnipro district division of the Kyiv Municipal Department of the Ministry of Internal Affairs received a report of damage to property of the Simcha Jewish school, at 22-B, Vatutin street, on 22 October 2007. It was found that three minors were detained by officers of the district division on charges of setting fire to mattresses and breaking school windows. In this case, a decision against initiating criminal proceedings was handed down on grounds of lack of evidence of a crime.

76. The Ministry of Internal Affairs is taking the necessary steps to prevent ethnically or racially motivated offences. It constantly monitors the activities of members of informal radical

groups. A plan providing for appropriate action and preventive measures has been adopted and is being implemented under the supervision of senior officials of the Ministry of Internal Affairs.

77. The Ministry of Internal Affairs has developed the following organizational and practical measures to combat the unlawful activities of pro-Nazi radical youth groups in the context of an increase in crimes against foreign nationals:

- A special division to prevent and detect crimes committed by and against foreigners has been established in the Criminal Investigation Department of the Ministry of Internal Affairs
- The Ministry of Internal Affairs has instructed the heads of the criminal investigation units of the Main Directorate of the Ministry and its departments in the Autonomous Republic of Crimea, the provinces, Kyiv and Sevastopol, as well as the transport units, to meet personally with representatives of diplomatic and consular missions and expatriate and foreign community leaders in order to provide them with objective information on incidents involving foreign nationals, the circumstances of crimes committed against them and measures taken to solve these crimes
- Cooperative relations have been established with the media to provide full and accurate coverage of incidents involving foreigners and members of ethnic minorities
- Consideration is being given to the question of redeploying militia patrol and guard units for community policing so that they will be as close as possible to the largest concentrations of foreign nationals (educational institutions, dormitories, places of recreation and other locations)
- A range of preventive measures are systematically carried out to identify conflict situations involving foreign nationals and potential perpetrators of offences against foreigners, including racially-based crimes

78. On 16 October 2007 the Main Directorate of the Ministry of Internal Affairs and its departments were instructed to step up their preventive action against members of radical youth groups and to solve crimes against foreign nationals.

79. Senior officials of the Ministry constantly monitor progress in implementing the measures it has set out.

80. It must be emphasized that 153 Jewish cultural organizations are now registered in Ukraine. They have launched the International Tolerance Centre in Kyiv, which conducts annual surveys on the prevention of all forms of racial discrimination in Ukraine.

81. The “Sources of Tolerance” summer camps held each year for children and young persons and the regional tolerance clubs have become an effective means of promoting tolerance among young persons belonging to different ethnic groups.

82. In January 2008 representatives of State authorities and civil society took part in the International Day of Commemoration in Memory of the Victims of the Holocaust. The participants in the event described the holocaust in no uncertain terms as a terrible historical tragedy and a singular warning about the perils of persecution on the grounds of race, ethnicity, religion or political beliefs.

83. The President and Government of Ukraine closely monitor issues relating to social stability. An important development in inter-ethnic relations was a meeting held by President V.A. Yushchenko with representatives of Jewish civil organizations and leading

Ukrainian intellectuals to discuss the promotion of the rights of the Jewish community and general opposition to all forms of xenophobia in Ukraine.

84. In addition, on the instruction of the President of Ukraine a subdivision for the detection and suppression of acts intended to incite racial or ethnic strife has been established within the Security Service of Ukraine, and consideration is being given to setting up an expert advisory body on xenophobia, racial discrimination and intolerance. The expert conclusions of such a body would form the basis for instituting criminal proceedings for violations of civil rights based on race, ethnicity or belief, under article 161 of the Criminal Code.

85. The position of ambassador-at-large to combat racism, xenophobia and discrimination has been introduced in the Ministry of Foreign Affairs.

Issues relating to the resettlement of the Crimean Tatar population

86. The establishment of the necessary conditions for the return, resettlement, social rehabilitation and integration of Crimean Tatars who were previously deported, as well as Bulgarians, Armenians, Greeks and Germans is a major government policy priority.

87. As at 1 January 2008, there were 250,000 formerly deported Crimean Tatars and members of other ethnic groups living in the Autonomous Republic of Crimea.

88. Government programmes and the relevant laws and regulations have been adopted to address the complex social and economic problems of former deportees. Particularly noteworthy is the programme for the resettlement of formerly deported Crimean Tatars and persons of other ethnic origin who have returned to take up residence in the Autonomous Republic of Crimea and for their rehabilitation and integration in Ukrainian society for the period up to 2010, which was approved by the Cabinet of Ministers in 2006.

89. It should be noted that Ukraine is dealing alone with the independent financial and economic implications of the return, resettlement, social rehabilitation and integration of former deportees. Starting in 1991, State budget funds have been set aside for the resettlement of returnees, including the construction of housing, utilities and community and cultural facilities.

90. More than 950 million hryvnias have thus been spent on major construction work in the past 17 years for the resettlement of returnees, enabling the construction of 440,000 square metres of housing and seven schools for 2,024 children, the installation of 853 kilometres of plumbing, 1,170 kilometres of power lines, 110 kilometres of roads and 292 kilometres of gas pipelines and the commissioning of community and cultural facilities.

91. However, not all problems have been resolved with regard to the resettlement, rehabilitation and social integration of former deportees, especially in the areas of housing and employment. Ukraine is making every effort within its financial means to address these problems and issues. The State budget for 2008 will allocate 71,428,000 hryvnias for measures relating to the resettlement of former deportees.

92. In addition to political, legal, social and economic problems, it is crucial to address the issue of returnees' rehabilitation and integration in Ukrainian society.

93. The Government has regarded the development of ethnic education and teaching children in their mother tongue as an important aspect of social and cultural rehabilitation. There are 15 schools in the Autonomous Republic of Crimea at which Crimean Tatar is the language of instruction.

94. The Government of Ukraine has taken several steps to publish textbooks and other study materials to meet the needs of Crimean Tatars. Under a State quota, higher education institutions in the Autonomous Republic of Crimea train teachers for general education schools providing instruction in Crimean Tatar.

95. Newspapers are published in Crimean Tatar, and the State-run television and radio broadcasting company Krym has a staff of Crimean Tatars.
