



International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
17 August 2016

Original: English

Committee on the Elimination of Racial Discrimination Ninetieth session

Summary record of the 2464th meeting

Held at the Palais Wilson, Geneva, on Thursday, 11 August 2016, at 3 p.m.

Chair: Ms. Crickley

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The meeting was called to order at 3.05 p.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention *(continued)*

Combined twenty-second and twenty-third periodic reports of Ukraine (CERD/C/UKR/22-23 and CERD/C/UKR/Q/22-23)

1. *At the invitation of the Chair, the delegation of Ukraine took places at the Committee table.*
2. **Ms. Mazur** (Ukraine), introducing the State party's combined twenty-second and twenty-third periodic reports (CERD/C/UKR/22-23), said that the reports had been prepared by the Ministry of Culture in close cooperation with other relevant ministries and civil society organizations. Ukraine had reached a critical stage in reforms pertaining to the human rights sphere and attached the highest priority to the effective implementation of legislation intended to combat racial discrimination and intolerance.
3. The temporary occupation of Crimea and aggression in other regions of Ukraine by the Russian Federation had led to a deterioration in the protection of the rights of Crimean Tatars, ethnic Ukrainians and others. Since the beginning of that occupation, the Russian Federation had mistreated those minority communities in a manner which could be characterized as racial discrimination. That discrimination had been well documented and publicized in reports prepared by, inter alia, the United Nations, other international organizations and NGOs.
4. **Ms. Strashnenko** (Ukraine) said that the Act on the Principles of Preventing and Combating Discrimination, which had entered into force on 4 October 2012 and had been subsequently strengthened, contained an open-ended list of prohibited grounds of discrimination, including race, colour, religious or other beliefs, language and ethnicity. The Act also contained a general definition of discrimination, as well as specific definitions of its main forms. It should be noted that, in Ukraine, the term "nationality" usually referred to a characteristic feature of a group of people based on descent and a common ethnic origin.
5. In late 2015, Ukraine had adopted its National Strategy for Human Rights and an action plan for implementation covering the period up until 2020. The action plan, in addition to defining the responsibilities of State bodies in respect of the implementation of the National Strategy, served as a catalogue of the recommendations made to the State party by international organizations. The action plan had been formulated by a working group composed of civil society representatives, various international organizations, the parliamentary Human Rights Commissioner, international human rights experts, members of the parliament and judges, and contained separate sections devoted to preventing and combating discrimination and guaranteeing the rights of indigenous peoples and national minorities.
6. The Office of the Government Commissioner for Ethno-National Policy and the Inter-Ethnic Harmony Council had been set up in 2014. In 2016, the functions performed by the Government Commissioner had been transferred to the Department for Religions and Nationalities under the Ministry of Culture to strengthen institutional capacity in that area. The Government was also searching for ways to increase the effectiveness of the Inter-Ethnic Harmony Council and, to that end, was exploring the possibility of renaming it the Council of Nationalities of Ukraine, placing it under the direct authority of the Ministry of Culture and making it the sole body responsible for implementing the State's ethno-national policy.

7. The post of the Commissioner of the President of Ukraine for the Affairs of Crimean Tatars had been created to ensure that proper effect was given to the constitutional rights of the Crimean Tatar people. Mr. Mustafa Dzhemilev had been appointed to that post by a presidential decree issued on 20 August 2014.

8. A department for human rights had been set up within the National Police of Ukraine in November 2015. Subsequently, in May 2016, a unit composed of senior police officials responsible for mainstreaming human rights in police activities had been created within that department. The newly appointed officials had been provided with training on human rights protection, which included a compulsory course on tolerance and non-discrimination. Pursuant to Organization for Security and Cooperation in Europe (OSCE) Ministerial Council Decision No. 9/09 on combating hate crimes, the post of national focal point for combating hate crimes had been created within the main investigation department of the National Police. The duties of the national focal point included cooperating with the OSCE Office for Democratic Institutions and Human Rights and collecting relevant statistical data. Moreover, a specialized unit for combating radical groups and criminal organizations had been created within the criminal investigations department of the National Police for the purpose of countering intolerance and racial discrimination. The National Police endeavoured to pre-empt the activities of radical youth organizations by approaching their leaders and members before a given event was due to take place to explain to them the applicable provisions of the law and their criminal liability. It was a requirement for senior police officials to review all crimes motivated by extremism, xenophobia, anti-Semitism or racial and religious intolerance; and permanent investigative teams had been set up within regional police units to ensure full and prompt reporting of such crimes. The Government had amended the instructions on the procedure for taking statements and preparing reports following the commission of a crime to ensure that crimes related to intolerance were recorded more efficiently. Furthermore, a bill to expand the classification system for citizen complaints to include discrimination had been drafted to facilitate the introduction of a system for processing complaints related to discrimination at both the central and local levels. However, in their statistical reports, the courts did not include separate data on the discriminatory elements of a given case, unless the discrimination constituted an offence in its own right.

9. The action plan for the implementation of the National Strategy for Human Rights included as one of its strategic goals the processing of statistical data on violations of anti-discrimination legislation and on the number of perpetrators brought to justice. In 2016, the measures taken to achieve that goal had included the introduction of a separate heading for discrimination in the statistical reports prepared by the courts, the adoption of statistical indicators and forms to measure compliance with the principles of equality and non-discrimination, the introduction of mandatory data collection and reporting on intolerance-related crimes and the adoption of the bill intended to facilitate the introduction of a system for processing complaints related to discrimination at both the central and local levels.

10. A joint action plan of the National Police and the Ministry of Justice to prevent violations of the rights of criminal suspects and to guarantee free legal assistance had also been devised. Free legal support services were provided at the national, regional and local levels by a network of dedicated centres.

11. Within the framework of the action plan for the implementation of the National Strategy for Human Rights, the National Police and a civil society organization had designed posters to raise awareness of the different forms of discrimination, the penalties that they carried and the legal protection available to victims.

12. As part of its strategy to prevent and combat racial discrimination for the period 2014-2017, Ukraine had taken steps to harmonize its domestic anti-discrimination legislation with European standards. A bill amending certain domestic laws to bring them

into line with those of the European Union had been drafted to that end. The Office of the Parliamentary Human Rights Commissioner systematically verified the compliance of domestic legislation with international anti-discrimination standards. The Office of the Commissioner had organized training seminars on preventing and combating discrimination for judges, lawyers, State officials and social activists. On the basis of the complaints that it had received, the Office had initiated legal proceedings in 81 cases over the period 2013-2015 and in 36 cases during the first six months of 2016. From 2010 to 2015, 17 cases concerning discrimination on the basis of race, ethnicity or religion had been brought before the local courts. Of those cases, 7 had been examined, 4 had been closed and 5 had been referred back to the prosecutor for further investigation.

13. Although Ukrainian law guaranteed the right to freedom of association, the establishment of organizations or political parties whose purpose was to incite ethnic, racial or religious hatred was prohibited.

14. Specialized units of the National Police constantly monitored Internet sites, television broadcasts and printed media for content which could stir up inter-ethnic tensions. The National Police cooperated with the State security service and national and local authorities in the exchange of information and in the adoption of preventive measures.

15. In recent years, significant improvements had been made to the country's legislation regulating the status of refugees. The expulsion or compulsory return of a refugee or a person in need of additional or temporary protection to his or her country of origin when his or her life or freedom would be at risk had been prohibited. The procedure for recognizing a person as a refugee or as a person in need of additional protection was conducted in accordance with the fundamental principle of non-refoulement. The Code of Criminal Procedure prohibited the extradition of a refugee, a person deemed to be in need of additional protection or a person who had been granted temporary protection to his or her country of origin or to a foreign country where his or her health, life or freedom would be at risk. Moreover, the decision to extradite could not be taken if the person subject to the extradition order had applied for refugee status or additional protection or if he or she appealed the decision taken on their status before the final consideration of the appeal had taken place. No cases of compulsory return or expulsion of foreign nationals or stateless persons who had applied for protection had been recorded over the period 2014-2015.

16. The action plan for the integration of refugees and persons in need of additional protection into Ukrainian society for the period up until 2020 included a number of practical measures to guarantee those persons access to education, health care and employment. Under Ukrainian law, all persons, including refugees, were guaranteed equal access to health-care services. The cost of providing refugees and persons in need of additional protection with medical assistance was borne by the State.

17. The children of refugees and persons in need of additional protection were entitled to attend school on the same footing as Ukrainian children. Postgraduate institutes had designed education programmes tailored to the needs of those children with the aim of guaranteeing them a basic education and eliminating illiteracy. The charitable foundation Rokada had designed a set of Ukrainian language materials for refugees and asylum seekers. A Ukrainian language learning programme and courses on the country's history, culture, government, labour market and education, health-care and social security systems tailored to the requirements of refugees and persons in need of additional protection had also been developed. The recognition of qualifications of refugees and persons in need of additional protection was carried out in accordance with the applicable regulations of the Ministry of Education.

18. The State Employment Service provided foreign nationals and stateless persons who had been granted refugee status with comprehensive information and career guidance

services. Local job centres also played a role in familiarizing those persons with the employment services available to them, including information on job openings and job-hunting techniques.

19. There were currently four temporary accommodation centres for refugees in Ukraine. Stateless persons permanently resident in Ukraine, refugees and persons in need of additional protection were entitled to social assistance under the Ukrainian social security system.

20. The issue of Roma rights was of major concern to the parliamentary Human Rights Commissioner, who, along with Roma rights groups, had conducted monitoring visits to the parts of the country with the highest concentrations of Roma, which included the Transcarpathia, Odessa and Kirovograd regions. Those visits had revealed problems relating to access to education, employment and health-care services, housing shortages and a lack of basic sanitation. Furthermore, staff at local offices of the State Migration Service had been found to have introduced additional requirements for the issuance of passports to Roma. Following those visits, meetings had been held with State officials, and recommendations on how to remedy the violations detected and improve relations with the local Roma communities had been sent to regional governments.

21. The adoption of a road map for the integration of the Roma minority into Ukrainian society covering the period up until 2020 and the action plan for its implementation had led to an increase in the number of Roma attending nursery, primary, secondary and vocational schools alongside children of other ethnicities. In 2015, Roma language textbooks and teaching materials had been developed for Roma primary school children and primary school teachers who worked with Roma children. Postgraduate institutes had also designed training programmes for teachers working with Roma students.

22. The Government was aware of the need to encourage the cultural development of the Roma community and to acquaint the rest of the Ukrainian population with their traditions. At present, 57 Roma amateur art groups were running in the country and, in 2015, news items and television programmes on Roma issues had been broadcast by national and regional radio and television companies.

23. In an effort to resolve the issue of identity documents for the Roma community, over the previous two years the Government had issued passports to 4,400 Roma. Measures were also in place to facilitate the process of reissuing passports to Roma who had moved from the territories of Ukraine that were under temporary occupation and regions in which antiterrorism operations were taking place.

24. The State provided various kinds of social assistance as part of its endeavour to improve the situation of the Roma community. In 2016, a total of 18,800 Roma families had registered with social service centres and were receiving social assistance. The State Employment Service conducted information and career guidance events in the areas with the highest concentrations of Roma.

25. In 2015, the Roma community had been granted ownership of 241 plots of land covering over 84 hectares for family farming, and 86 plots of land covering over 30 hectares had been allocated to them for their use. A total of 573 plots of land covering over 85 hectares had been allocated to the community for the construction of homes and commercial buildings.

26. Special health-care units deployed in the areas with the highest concentration of Roma provided the Roma community with information on where to obtain proper treatment, how to avoid developing harmful habits and how to maintain personal and collective hygiene. A clinic had been opened in the Donetsk region in October 2015 and health-care

units were operational in nine Roma camps in the Transcarpathia region. Roma children regularly underwent comprehensive medical examinations.

27. Local authorities, secondary schools, regional justice departments, libraries and cultural institutions continued to raise awareness of the need to combat prejudice against the Roma community. The National Police had also received instructions on how to respond when confronted with reports of prejudiced behaviour against that community.

28. An inter-agency working group had been established in November 2015 to implement the measures giving effect to the national strategy for the protection and social integration of the Roma minority and a representative of the Roma community had been selected to serve as its Deputy Chair.

29. To enhance the rights and freedoms of Crimean Tatars in Ukraine, in 2014 the Government had adopted a resolution that guaranteed the preservation and development of that group's ethnic, cultural, linguistic and religious identity and recognized their status as an indigenous people and national minority. Actions taken to date in fulfilment of that resolution had included the decision to celebrate 18 May as an annual day of recognition of the rights of the Crimean Tatar people; the opening of the Crimean House, a State-managed political, cultural and information centre promoting the rights and freedoms of the ethnic minorities and indigenous peoples of Crimea; and the establishment of a dedicated ministry responsible for the temporarily occupied territory and for internally displaced persons. According to the President's Commissioner for Crimea, since the start of the Russian occupation as many as 20,000 Crimean Tatars had fled to mainland Ukraine. Most of them were finding their place in the country's political, economic and cultural life while at the same time preserving their ethnic identity, and a number of cultural and educational programmes had been established to support them.

30. The State party wished to draw the international community's attention to the discrimination to which the Crimean Tatars who remained in Crimea were exposed. Their rights, and those of ethnic Ukrainians in Crimea, had been further eroded in 2016 as the Russian Federation subjected them to ill-treatment in a manner that could be interpreted as racial discrimination. Early in the year, the Russian authorities had banned the Crimean Tatar Mejlis, a self-governing body of the Tatar people, declaring it to be an extremist organization, within the context of a wider ongoing campaign of both physical and psychological pressure against representatives of the Crimean Tatars in politics, business and the media. Independent observers from the international community had confirmed that analysis of the situation and the Government of Ukraine welcomed the opportunity to address the Committee on the subject.

31. **Mr. Yeung Sik Yuen** (Country Rapporteur) said that, although the periodic report had been submitted a year late, the delay was understandable in view of the upheaval that Ukraine had endured. He wished to commend the State party for honouring its reporting obligations during those difficult times. Since most of the information provided in the report predated the human rights crisis, he emphasized that the dialogue should also cover the more recent events in Ukraine detailed in the opening statement. The report itself, at 47 pages long, exceeded the permitted word limit despite having various omissions. For example, it did not provide adequate statistical data and made no reference to the 2001 census.

32. With regard to the legal and institutional developments described in the report, he noted that a number of important characteristics, including national origin and descent, had been omitted from the list of prohibited discriminatory grounds contained in the new Act on the Principles of Preventing and Combating Discrimination, even though the Act had apparently been amended to align it with international standards. He welcomed the State party's ratification of the two main United Nations conventions on statelessness but said

that more work was needed to ensure that all asylum seekers had access to fair, efficient procedures. Although, according to the report, the effects of the Act on the Principles of State Language Policy, passed in 2014, had been somewhat negative, prompting an increase in the use of Russian that had triggered protests in certain cities, he wished to point out that the content of the Act appeared to be consistent with the provisions of the Convention, which enshrined the right of minorities to use their respective languages. The confusion as to whether, and when, the Act would be repealed or amended suggested an unhealthy language divide in the State party that should be addressed.

33. He was disappointed that, notwithstanding the wide-ranging powers vested in the parliamentary Human Rights Commissioner and the efforts to enlist the support of stakeholders in addressing human rights violations, only a very small number of criminal cases involving racial or ethnic intolerance and xenophobia had been taken to court, according to paragraphs 219 to 222 of the report. He invited the delegation to comment on the perception that prosecution officials tended to file lesser charges, prosecuting hate-motivated offences as cases of hooliganism. He would also like its comments on the observation made by Equal Rights Trust, in its report on discrimination and inequality in Ukraine, that article 161 of the Criminal Code, which prohibited deliberate actions aimed at inciting ethnic, racial or religious hatred, was difficult to enforce. Since he personally found the text of the article in question to be relatively straightforward, he asked why the courts should be inclined to interpret it in a restrictive manner, if indeed they did; whether a formal court opinion had been issued to that effect; and whether any corrective measures were envisaged to ensure that hate crimes received appropriate penalties. Up-to-date statistics for the number of complaints of hate crime lodged, the number of convictions obtained and the sentences handed down would be useful in that connection.

34. Despite the State party's decision to raise the maximum sentences applicable to offences motivated by racial, ethnic or religious discrimination, it appeared that the same restrictive interpretation of the relevant provisions was likewise impeding their effective implementation, despite the frequency with which incidents of racial discrimination were reported. He had recently come across media reports of racial discrimination against persons of African descent and other dark-skinned persons, including one incident in which a young African woman and her child had been forcibly removed from a bus in the city of Uzhgorod and another in which students from India and Nigeria at that city's university had been denied entry to the local aqua park. He would like to know whether any administrative or criminal action had been taken against the park's high-profile owner, a former mayor and a deputy in the national parliament.

35. Black people were also reported to suffer harassment at the hands of the police, who tended to profile them as drug dealers. They were likewise discriminated against in access to rented housing. The Housing Code of Ukraine indirectly discriminated against Roma as well; proof of citizenship was a prerequisite for access to social housing and members of that community often lacked the personal documentation needed to prove their status. Although the authorities had apparently eliminated that impediment by allowing applicants to use the address of a social institution or centre for homeless persons for documentation and registration purposes, he would like to know more about what the authorities were doing to strengthen the situation of Roma, to protect them against racially motivated crime, to facilitate their access to education and to raise literacy rates.

36. According to paragraph 187 of the report, six possible avenues of redress were available to victims of discrimination. However, only one of those avenues — the parliamentary Human Rights Commissioner — was clearly identifiable; the other five options were identified in vague terms only, as "bodies", "authorities", "officials" and "courts". He would therefore like clarification of the precise institutions to which the report

was referring. In view of the various mechanisms available, he wondered whether any system was in place to prevent duplicate reporting and recording.

37. He would like to know details of the differences between the respective powers and duties of the procuratorial authorities and the internal affairs authorities; information about the outcome of the charges brought against the leaders of the Straight Road organization, which had distributed a pamphlet inciting religious enmity and hatred; and up-to-date statistics for the number of officials, including migration service officials, who had been disciplined for unprofessional or biased conduct and failure to respect the basic human rights of refugees and asylum seekers.

38. Details would be appreciated on the State party's efforts to support the national identity of the Crimean Tatar community by ensuring that appropriate facilities were available in Tatar settlements in mainland Ukraine, as that community had been cut off from its traditional cultural and educational systems following the annexation of Crimea; and the delegation should comment on reports that measures taken to tighten control over population movements across the administrative boundary with Crimea were discriminatory in their impact on non-nationals and stateless persons. He would also like the delegation's comments on reports of similar restrictions on freedom of movement in the conflict-stricken Donbas region and on allegations of arbitrary detention and terrorist activities perpetrated by police and security service officers in that area. As the peace negotiations continued, the Committee hoped that Ukraine would soon be free from armed conflict and could embark on a new period of development in which respect and fraternity prevailed.

39. **Mr. Murillo Martínez** asked whether the State party had considered using the Internet to ensure that its efforts to raise awareness of the provisions of the Convention and provide training in how to apply them benefited the widest possible audience; whether programmes had been developed to improve the situation of persons of African descent and protect them against discrimination; and whether there were any plans to commemorate the International Decade for People of African Descent. He said that it would be useful to know on how many occasions, in addition to the case of the Straight Road organization, the State party had taken action to combat and prevent the activities of political parties and organizations that propagated inter-ethnic and religious enmity, inter alia, and what form of penalties were imposed in such cases. He would also be interested to know whether any specific ethnic policy was adhered to within police units involved in investigating hate crimes. Supporting statistics showing the ethnic make-up of the police force, particularly at the senior level, would be very helpful.

40. **Mr. Kut** asked if the State party could explain why it had not sent an interim report on the steps taken to act upon the Committee's recommendations contained in paragraphs 5, 9, 13 and 15 of its 2011 concluding observations (CERD/C/UKR/CO/19-21) within one year of their adoption, as required under the follow-up procedure.

41. **Mr. Avtonomov**, referring to the incident in October 2015 when fans of the Dynamo Kyiv football team had attacked black fans, which the media had reported as being linked to far-right group activities, asked whether Ukraine was planning to commemorate the International Decade for People of African Descent as a way to address inter-ethnic relations, race-related attacks and xenophobia.

42. He said that he would like more information on the Rusyn people in Ukraine, including whether the Sunday schools mentioned in paragraph 394 of the periodic report were a private initiative or funded by the State; what the situation was with the unresolved issue of the 1991 referendum on autonomy; and why there was no mention of the Rusyn language in the periodic report, even though other regional languages were recognized by Ukraine and Rusyn was an official working language in some local councils.

43. He asked for more information on the outcome of exchanges of information between Poland and Ukraine concerning the mass murder of Poles in Volyn in 1943 and for clarification on the numbers of people killed. The genocide of people belonging to an ethnic group was the gravest form of racial discrimination and thus very much related to the Convention.
44. **Mr. Marugán** asked how much time had been made available for non-governmental organizations to review the periodic report, and how many and which of those organizations had been involved in its drafting.
45. He said that he would like to receive statistics on instances of incitement to racial, ethnic or religious hatred in the media, including when they had occurred, in which media sources they had appeared and what sanctions had been imposed. He would also like to receive information on employment- and sports-related racial discrimination and on implementation of the Advertising Act.
46. Statistics on school enrolment of Roma children and children from other ethnic groups should be provided. Was there a difference in the levels of enrolment of the various ethnic groups?
47. **Mr. Bossuyt** said that he was surprised at the statement in paragraph 7 of the periodic report that no ethnic, national or cultural conflicts had occurred in Ukraine since independence. He wondered how it could be possible for everything to be fine between the east and the west in Ukraine before the Russian aggression, only for the situation to change so dramatically afterwards.
48. He wished to know why English, French and German were not included in the list of languages offered in higher education. He noted that the measures adopted under the State language policy to acknowledge and guarantee the use of all languages in Ukraine, including regional and minority languages, only applied where users of a language accounted for at least 10 per cent of a region's population. Would the State party not agree that that threshold was rather high? He requested more information on the inadequacies mentioned in the periodic report of the Act on the Principles of State Language Policy and on what had been done to remedy its negative effects.
49. He asked whether the Crimean Tatar people considered themselves to be an indigenous people.
50. **Ms. Shepherd** said that, without current information on the size of the Roma population and on previous allocations of resources and benefits to that community, it was difficult to assess whether the situation of the Roma people was improving or worsening in Ukraine.
51. Around 40 per cent of students at Kharkiv National Medical University were from African countries, and some 2,000 Asian students also attended the medical school. There were reports from inside Ukraine of verbal discrimination and generally harsh attitudes towards those students. What action was being taken to address that situation?
52. She was interested in hearing about the impact of the introduction of a human rights course in Ukrainian schools in 1996, including whether it had helped reduce the number of extremist organizations, inter-ethnic conflicts, hate crimes, xenophobia and anti-Semitism, as referred to in paragraph 11 of the Committee's previous concluding observations. What effective actions had been taken against hate crimes and racial incidents at football matches?
53. As the European Commission against Racism and Intolerance had recommended that Ukraine should extend the scope of article 161 of its Criminal Code, which prohibited wilful actions inciting national, racial or religious enmity and hatred, to include all persons

under Ukrainian jurisdiction and not just citizens, she asked whether the State party was considering amending the article to that effect.

54. **Mr. Calí Tzay** asked for details of the procedure for asylum seekers to obtain refugee status or status as persons in need of special protection, how many asylum seekers were currently seeking refugee status, and from where the stateless persons in Ukraine originated. He said that the Committee had received reports of discrimination against non-citizens and stateless persons, particularly in employment and in access to positions in the government and judiciary. What were the reasons for creating such obstacles?

55. He asked whether the strategy for the protection and social integration of the Roma ethnic minority had improved the situation of the Roma people and whether any statistics were available to show progress made in access to education, health-care services and employment. He wished to know whether any criticism or suggestions for improving the strategy had been received from civil society and, if so, what steps the Government had taken to act on those suggestions. Could the State party comment on reports received by the Committee that the Roma people continued to be subject to discrimination, not only by private individuals but also by government institutions responsible for enforcing legislation? There had also been reports that the police failed to carry out investigations when members of the Roma community were targeted or attacked and that racial profiling was being used to conduct identity checks. What effective measures would be put in place under the new strategy to prevent, address and eliminate discrimination against the Roma community, and how did the State party intend to deal with the rise in hate crimes and violence against ethnic minorities, foreigners and the Roma people?

56. **Mr. Yeung Sik Yuen** asked the delegation to provide disaggregated data on the ethnic composition of the population of Ukraine, including internally displaced persons, refugees, asylum seekers, Roma communities and other minorities. He said that it would be useful to learn what measures were being taken to address the lack of investigations into and follow-up on violence against Roma and other minorities, as well as the measures to protect them from discrimination. He noted that crossing procedures at checkpoints along the administrative border with Crimea and between Government-controlled and non-Government-controlled areas in Ukraine were highly restrictive, especially for foreigners and stateless persons, and often resulted in lengthy queues and family separations. Such checkpoints had also been the target of shelling. He therefore wished to know what action the State party was taking to address those issues.

57. **Mr. Avtonomov** enquired whether the cultural diversity of the Roma communities in Ukraine was being taken into account in order to meet their needs in terms of cultural and linguistic development. With regard to religious relations in the country, which often took on an ethnic and political dimension, he asked what steps the State party was taking to put an end to violent seizures of churches and attacks against members of the clergy.

58. **The Chair** asked what the distribution of responsibility had been between the Ministry of Justice and the Ministry of Culture in the preparation of the reports, as frequently the Ministry of Justice of a State party was responsible for reporting under the International Convention on the Elimination of All Forms of Racial Discrimination, while the Ministry of Culture would be entrusted with that task under conventions such as the Framework Convention for the Protection of National Minorities.

The meeting was suspended at 5.15 p.m. and resumed at 5.30 p.m.

59. **Ms. Mazur** (Ukraine) said that, historically, issues pertaining to minorities, religion and culture had been under the purview of the Ministry of Culture in Ukraine and, accordingly, it was that ministry that held responsibility for discrimination-related matters, collected and published information from other ministries and monitored all matters relating to national and ethnic minorities in the country.

60. **Ms. Onyshchenko** (Ukraine) said that issues related to political parties came under the purview of the Ministry of Justice. There had been no recent cases in which the activities of a political party had been prohibited or in which the registration request of a political party had been rejected on the grounds of violation of anti-discrimination legislation. The registration process involved an analysis of the charter and statutes of a proposed political party to ascertain whether they contained any discriminatory provisions, followed by the approval or rejection of the request by the Ministry of Justice.

61. **Mr. Yurash** (Ukraine) said that, over the past two years, the Ministry of Culture had been actively engaged in the formulation of a strategy for the country's Roma population, including through the creation of an interministerial group. Data were being collected and a general report was being prepared on the issue. Representatives from 15 ministries and 25 regional administrations were involved in the group's activities, and a special secretariat comprising several representatives of the Roma population was being established. Work was under way to coordinate the 130 Roma organizations in the country, and a coalition had already been formed uniting 30 Roma organizations. Furthermore, the Ministry was working closely with the Ad hoc Committee of Experts on Roma and Traveller Issues to prepare for a special visit to Ukraine by European experts in 2017; that visit would focus on the issuing of documents to Roma people and their access to social benefits.

62. The different cultural aspects of Roma groups, in particular their language, would be taken into account in the strategy that was being prepared. Although official data indicated a Roma population of approximately 40,000 in Ukraine, Roma organizations had reported a figure on the order of 400,000. In view of that discrepancy, the Ministry of Culture was working with the International Renaissance Foundation to organize a series of seminars around the country in 2017 with a view to obtaining accurate information on the size of the Roma community. The seminars would involve representatives of Roma organizations, international independent experts and local administrations. According to data from the Foundation, 90 per cent of the Roma population had already been issued with identity documents. Recently, there had been a slight decrease in the number of documents issued, as the process was reaching completion. Regarding school enrolment, data from the Ministry of Education and Science indicated that almost 2,000 Roma children were enrolled in preschools in Ukraine and 12,000 in secondary schools.

63. Referring to the matter of religious relations, he said that there had been 140 instances of change of religious identity across the country. Under the Ukrainian Constitution, all religious communities had the right to freely demonstrate and change their religious identity. In around 30 cases, such changes had involved violence, due to small groups of opposition within the communities. When the process had started in 2014, an interministerial working group had been created with a view to minimizing religious conflicts, and four meetings had been held. However, owing to the non-objective position of the Ukrainian Orthodox Church-Moscow Patriarchate, the group had been unable to continue its activities. Sociological data showed that the number of persons belonging to the Ukrainian Orthodox Church-Kyiv Patriarchate was double that of the Moscow Patriarchate. However, the number of religious communities belonging to the Moscow Patriarchate was twice as high as that of the Kyiv Patriarchate. On the question regarding clergy members, he said that representatives of the Moscow Patriarchate sometimes openly participated in political activities and, as a consequence, met with strong opposition from the majority of the community.

64. **Mr. Tarasenko** (Ukraine) said that persons entering the police force were not required to be ethnic Ukrainians and that all references to ethnicity had been removed from application forms for positions in the police. Ethnic minorities, such as Georgians and Armenians, were represented at the highest levels of the police, and there were no legal restrictions as to who could join the police. The statistics compiled by the National Police

on crimes relating to racial, ethnic and religious discrimination showed that investigations had been conducted into 55 such crimes in 2014, 80 in 2015 and 42 in 2016. For crimes relating to the dissemination of materials propagating racial or ethnic discrimination, 52 individuals had been prosecuted in 2014, 60 in 2015 and 31 in 2016. The Criminal Code established that agreements could be reached between parties with regard to such crimes, and the cases closed. On the issue of legislative reforms, an agreement had been reached with the Ministry of Justice and the parliamentary Human Rights Commissioner to decriminalize acts under article 161 of the Criminal Code and introduce administrative responsibility. A draft bill had already been submitted to the parliament.

65. A completely new police force had been established under the Ministry of Internal Affairs, and all new members were obliged to take training on tolerance and non-discrimination and pass a special examination in order to serve in the force. In coordination with international and non-governmental organizations, a network of trainers was being set up to provide training in human rights and tolerance to members of the police force.

The meeting rose at 6 p.m.