



International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
28 July 2011

Original: English

Committee on the Elimination of Racial Discrimination

Seventy-ninth session

8 August – 2 September 2011

Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination

List of themes to be taken up in connection with the consideration of the nineteenth to twenty-first periodic reports of Ukraine (CERD/C/UKR/19-21)*

The following is a list of themes identified by the Country Rapporteur in connection with the consideration of the nineteenth to twenty-first periodic reports of Ukraine. The list is meant to guide the dialogue between the State party delegation and the Committee and *does not require written replies*. This is not an exhaustive list as other issues will be raised in the course of the dialogue.

1. The Convention in domestic law and the legislative and policy measures for its implementation (arts. 1, 2, 3, 4, 5 and 7):

(a) Update on the status of preparation of the draft Anti-Discrimination Bill to cover both direct and indirect discrimination, in accordance with article 1 of the Convention, and of the envisaged institutional mechanisms to combat all forms of discrimination and xenophobia (CERD/C/UKR/19-21, para. 459, and CERD/C/UKR/CO/18, para. 7);

(b) Update on the sentences imposed in response to incitement to racial, ethnic and religious hatred and information on remedies to victims thereof (CERD/C/UKR/19-21, paras. 483 and 485, and CERD/C/UKR/CO/18, para. 9);

(c) Update on the measures to raise the effectiveness of the Office of the Parliamentary Commissioner for Human Rights, including information on the number of complaints dealt by the Commissioner concerning minority rights (CERD/C/UKR/19-21, paras. 299-300 and 455-458, and CERD/C/UKR/CO/18, para. 6);

* Late submission.

(d) Information on the specific legal and policy measures to prohibit and condemn racial segregation and apartheid in accordance with Article 3 of the Convention, and general recommendation No. 19 of the Committee (CERD/C/UKR/19-21, para. 48).

2. Integration, condemnation of racial discrimination, combating racial prejudice and the situation of non-citizens (arts. 2, 5, 6 and 7):

(a) Update on the situation of Roma and members of other ethnic groups identified as not having relevant identification documents or birth certificates, who have by now obtained such documents (CERD/C/UKR/19-21, para. 497, CERD/C/UKR/CO/18, paras. 11 and 23, and CERD/C/UKR/CO/18/Add.1, para. 26);

(b) Update on the safeguards taken against the ethnic and racial profiling carried out by the police and directed at members of minorities and non-citizens, and the mechanisms of independent investigation thereof (CERD/C/UKR/19-21, para. 500, and CERD/C/UKR/CO/18, paras. 12 and 23);

(c) Update on the draft revision of the Refugee Law announced through the State party's report with the standardized refugee determination criteria (CERD/C/UKR/19-21, para. 502, and CERD/C/UKR/CO/18, para. 13);

(d) Impact of the activities by the Inter-departmental Working Group on Combating Xenophobia and Ethnic and Racial Intolerance described by the State party, its monitoring of incidents of intolerance and hatred, and the forms of cooperation with civil society organizations therein (CERD/C/UKR/19-21, paras. 35-40 and 46-47);

(e) Measures taken by the State party to increase the quality and number of social centres assisting refugees and asylum-seekers in finding housing and employment and in legal and social protection (CERD/C/UKR/19-21, paras. 530-532, and CERD/C/UKR/CO/18, para. 17).

3. Discrimination against ethnic minorities including Crimean Tatars, the Karaites, the Roma and the Krymchaks (arts. 2, 3, 5 and 7):

(a) Information on progress of the State programme to provide effective remedies to enable formerly deported persons, in particular Crimean Tatars, to claim the restitution of their formerly confiscated property, or adequate compensation, and to ensure that formerly deported persons can obtain suitable plots of land, to the extent possible in areas which were traditionally inhabited by them (CERD/C/UKR/19-21, paras. 514-523, CERD/C/UKR/CO/18, paras. 15 and 23, and CERD/C/UKR/CO/18/Add.1, paras. 72-82);

(b) Further information on the provision of textbooks for schoolchildren in minority languages, including the languages of Roma and Crimean Tatars (CERD/C/UKR/19-21, paras. 325-326 and 349-350, and CERD/C/UKR/CO/18, para. 16);

(c) Information on training to combat prejudice and cultural stereotypes amongst civil servants towards members of ethnic minorities, including awareness-raising campaigns and on institutional recruitment of members of ethnic minorities (CERD/C/UKR/19-21, paras. 258-259 and 301-311, and CERD/C/UKR/CO/18, para. 19).

4. Access to justice (art. 6):

(a) Information on the measures to facilitate the full use of legal remedies pursuant to articles 6 and 7 of the Code of Administrative Procedure, to increase the effectiveness of protection against discrimination on grounds of national and ethnic origin, or other status (CERD/C/UKR/19-21, paras. 285-286 and 291);

(b) Statistics on crimes allegedly motivated by racial, ethnic and religious hatred denounced to police, procurators or courts pursuant to article 49 of the Code of Criminal Procedure, and of the alleged acts of discrimination presented to courts in accordance with article 3 of the Code of Civil Procedure (CERD/C/UKR/19-21, paras. 292 and 294).
