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Summary record of the 3820th meeting*

Held at the Palais des Nations, Geneva, on Monday, 25 October 2021, at 3 p.m.

Chair: Ms. Pazartzis

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* No summary record was issued for the 3819th meeting.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 40 of the Covenant
(continued)

Eighth periodic report of Ukraine (CCPR/C/UKR/8; CCPR/C/UKR/Q/8; CCPR/C/UKR/RQ/8)

1. *At the invitation of the Chair, the delegation of Ukraine joined the meeting.*
2. **Ms. Kolomiets** (Ukraine), introducing the eighth periodic report of Ukraine, said that her Government continued to take steps to strengthen human rights protection mechanisms. The President was currently considering a bill to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention). The parliament of Ukraine had passed a law on the implementation of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Ukraine had joined several international initiatives aimed at ensuring equal rights and opportunities for women and men, including the Biarritz Partnership for Gender Equality and the Equal Pay International Coalition. In 2021, parliament had adopted a law incorporating international criminal and humanitarian law provisions on genocide, aggression, crimes against humanity and war crimes in national legislation.
3. In 2020, the Electoral Code, which established the requirement for political parties and their local organizations to adhere to a gender quota in electoral lists, had entered into force. Voters were no longer required to document their place of residence, so that it was easier for them – and especially for internally displaced persons – to change their electoral address.
4. The National Human Rights Strategy had been updated and an action plan for its implementation adopted for the period 2021–2023. The National Strategy for Promoting Civil Society Development, which had been developed in close cooperation with civil society, had been renewed for the period 2021–2026. Amendments to the law on access to public information had been introduced in 2020, narrowing the scope of restricted information and reducing the period for the publication of draft regulations and decisions by local self-government bodies from 20 to 10 days. Parliament had also adopted a law on public consultations and a law on administrative procedure; the latter was intended to limit bureaucracy, combat corruption and increase government efficiency. In 2021, it had introduced amendments to the law on the civil service, extending the age limit for civil-service employment from 65 to 70 years. It had also introduced legislative amendments that would ensure the exercise of the right to private ownership of agricultural land and was considering a bill on personal data protection.
5. On 1 July 2020, amendments to the Criminal Code that strengthened criminal liability for discrimination based on race, nationality, religion, belief, disability or other grounds had entered into force. Parliament was considering further amendments to the Criminal Code, and to the Code of Administrative Offences, to combat discrimination.
6. During the coronavirus disease (COVID-19) pandemic, the Government had issued a decree providing for the allocation, recalculation and payment of various types of State social assistance without the need for individuals to apply in person to the social protection bodies.
7. Since 2019, Ukraine had made progress in preventing and combating domestic violence. Parliament had introduced legislative amendments that provided for the detention and restriction of liberty of perpetrators who failed to comply with restraining orders or to attend a programme for offenders. The Code of Administrative Offences had been amended to expand liability for domestic and gender-based violence. A national programme to prevent domestic and gender-based violence, which envisaged the provision of specialized support services for victims, had been adopted for the period 2021–2026.
8. A coordination committee on equal rights and opportunities for women and men had been established. The Government had prohibited gender discrimination in advertising and had approved a list of data indicators to monitor gender equality. The second national action plan on the implementation of Security Council resolution 1325 (2000) on women and peace and security had been adopted for the period up to 2025. The Government was endeavouring

to raise awareness of the objectives of its gender policy, including tackling gender stereotypes, combating sexism and gender-based violence and promoting equality between women and men.

9. Legislation had recently been enacted to ensure that parents had equal opportunities in the area of childcare. As a result, paid leave upon the birth of a child could be taken by the child's mother, father or another relative. The Municipal Nanny programme, launched in 2019, covered some childcare costs for the parents of children under 3 years of age. Parents of newborns could sign up for the comprehensive eBaby service, which allowed them to receive 10 different government services by submitting a single application. In 2018, the Criminal Code had been amended to increase children's protection from sexual abuse and exploitation and set the age of sexual maturity at 16 years. Parliament was considering further amendments that would establish the criminal liability of those who involved minors in the creation of works promoting violence or racial, national or religious intolerance or discrimination, or in the sale or distribution of pornography.

10. The Council on Freedom of Speech and Protection of Journalists had been formed in 2019. Its main tasks were to formulate proposals for defending the information security of Ukraine, to ensure the exercise of the right to freedom of speech and the right to have objective, reliable information, and to guarantee the exercise of legitimate professional activities by journalists.

11. In 2020, the State Service for Ethnic Policy and Freedom of Conscience had commenced its task of implementing State policy on inter-ethnic relations, religion and the protection of national minorities. The law on indigenous peoples of Ukraine, adopted in July 2021, enshrined the cultural rights of indigenous peoples, including the right to establish their own educational institutions and to study their own language, history and culture; it also defined the Crimean Tatars, Karaites and Krymchaks as indigenous peoples of Ukraine on the territory of the Crimean Peninsula. The National Public Broadcasting Company of Ukraine had established a coordination centre for national minority broadcasting, and television and radio programmes were broadcast in several minority languages. A strategy to promote the rights and opportunities of Roma had been developed and approved with the participation of Roma activists and non-governmental organizations. Parliament was considering legislation to abolish the collection of court fees, which, among other things, would make it easier for Roma to obtain identity documents. Ukrainian law defined and prohibited antisemitism.

12. The Criminal Code contained a definition of trafficking in human beings that was in conformity with the United Nations Convention against Transnational Organized Crime and the Protocols thereto and established that liability for such crimes arose regardless of whether the victim had consented to be exploited if he or she had been unduly influenced. Aggravating circumstances applied in cases where the offence had been committed by parents, adoptive parents or guardians, or by criminal organizations, and where the victim had been kidnapped. The procedure for identifying trafficking victims and the mechanism for providing them with assistance had been improved.

13. Judicial reforms, including the establishment of a new Supreme Court and a High Anti-Corruption Court, had improved citizens' access to justice and strengthened the independence of the judiciary. The Government had adopted a strategy for the development of the justice system and constitutional justice for 2021–2023. The legal basis for conducting court hearings by videoconference had been broadened to allow remote participation in proceedings. The right of detainees and convicts to receive legal assistance had been expanded, as had the list of persons entitled to receive free secondary legal aid, consisting in legal services to defend them, represent their interests before the courts and other State bodies, and prepare procedural documents. Children, victims of domestic or gender-based violence, applicants for recognition as stateless persons and whistleblowers were all entitled to free legal aid. Parliament was considering a bill to grant trafficking victims the right to free legal aid and to simplify the mechanism whereby it was provided.

14. In 2019, the provisions of the Code of Criminal Procedure prohibiting the granting of alternatives to detention to persons suspected or accused of committing crimes against national security or public safety had been declared unconstitutional and repealed. The law

on pretrial detention had been amended to ensure the unimpeded access of representatives of the International Committee of the Red Cross to detainees.

15. Parliament was studying a bill on granting protection to foreigners and stateless persons, which would establish an accelerated procedure for granting protection, eliminate gaps in the legislation in respect of repeat applications, and strengthen social guarantees and the right to health care of persons seeking protection. Parliament was also considering amendments to the Criminal Code to bring the definition of torture into line with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to ensure that State officials or foreign State representatives who committed acts of torture would not be released from liability owing to the expiry of a statute of limitations. In 2019, the State Bureau of Investigation had begun investigating crimes of torture committed by law enforcement officers and, in 2021, the Prosecutor General's Office had expanded its department for combating human rights violations by law enforcement agencies. A pilot project had been launched that allowed detainees to pay for improved living conditions and food, with the proceeds being invested in the renovation of pretrial detention centres.

16. The Russian Federation continued to violate human rights in the temporarily occupied territories of Ukraine. The Russian authorities had restricted freedom of speech by closing Ukrainian media and blocking Ukrainian broadcasts. Independent media activities in the territories had practically ceased, and journalists, Crimean Tatars and members of the Crimean Solidarity movement had been detained. Several religious organizations had been arbitrarily recognized as extremist organizations and members of the Orthodox Church of Ukraine were being systematically persecuted. It was no longer possible to receive an education in the Ukrainian or Crimean Tatar languages. Ukrainian citizens were being subjected to a campaign of forcible "passportization", education was being militarized and a Russian military-patriotic youth movement, the "Young Army", had been set up. Moreover, military personnel and civilians from the territory of the occupying State had been resettled in the territory of the Crimea, in violation of the Fourth Geneva Convention. Checkpoints on the demarcation line in Donetsk and Luhansk oblasts had been blocked.

17. Ukraine continued to abide by its commitments to protect the human rights of persons living in the temporarily occupied territories. In November 2019, the Government had notified the Secretary-General of the United Nations of the narrowing of the scope of its derogation from the Covenant. In September 2021, the Government had approved an action plan to implement its strategy for the de-occupation and reintegration of the temporarily occupied territory of the Crimea and the city of Sevastopol.

18. Citizens of Ukraine living in the temporarily occupied territories and on the demarcation line were entitled to a State-provided education in other regions of the country. The number of persons applying to avail themselves of that right had doubled between 2016 and 2020. Preparatory courses for 15 higher education institutions, with scholarships for students from the temporarily occupied territories and the demarcation line, had been launched in 2021.

19. Pursuant to legislative amendments made in 2021, residents of the temporarily occupied territories were exempt from administrative fines for attempting to enter government-controlled territory through the Russian Federation when checkpoints controlled by the occupying authorities were closed. Since 2019, children under the age of 16 who did not have a Ukrainian passport had been able to cross the demarcation line upon presentation of a birth certificate.

20. An electronic version of the registration certificate for internally displaced persons had been introduced. The right to financial compensation for destroyed housing had been extended to include internally displaced persons. The rules on the payment of targeted assistance to internally displaced persons had been amended to increase the amount paid to older persons and families with a member with a disability. Social protection measures for internally displaced persons who were unemployed during the period of COVID-19-related restrictions had also been strengthened.

21. A bill had been submitted to parliament that would remove the requirement for persons displaced as a result of the armed conflict to provide hard-copy documents to prove

their entitlement to a pension. Internally displaced children and those affected by hostilities and armed conflict had been given priority for enrolment in preschools. The State benefits paid to children with disabilities caused by explosive remnants of war had been increased.

22. **Ms. Sancin** said that she would be interested to hear about any further legislative or practical measures taken to ensure respect for the Covenant rights of all persons residing in the temporarily occupied territories, including non-citizens of Ukraine. Noting that internally displaced persons risked losing legal protection if they were absent from their place of residence for more than 60 days, she said she would like to know how and when the State party intended to resolve that problem, bearing in mind that no formal recognition was required for protection under the Guiding Principles on Internal Displacement or the Covenant.

23. She would like to know how and when the State party intended to facilitate the birth registration procedure for citizens in the temporarily occupied territories, for example by lifting the requirement for a court decision. She would also like to know what measures would be taken to strengthen the ceasefire, in view of reports that violations of the ceasefire had recently increased. She would be interested to know how the State party intended to address the concerns raised by various stakeholders, including the European Commission for Democracy through Law, about the bill on State policy for the transition period, particularly the concerns related to a broader definition of “transitional period” and “transitional justice” and the bill’s compliance with the Covenant and international law.

24. She wondered how and when the State party intended to establish mechanisms and procedures that would enable victims to seek full implementation of the Committee’s Views. Given the withdrawal of bill No. 2907, she would like to know when the process of establishing an adequate legal framework in that regard would resume. Noting the concerns expressed that, in several cases, the Committee’s Views had not been considered in good faith or fully implemented, she asked if the State party had any plans to strengthen cooperation with the Committee in monitoring the implementation of its Views.

25. She would like to have some concrete examples of how the measures taken to prevent and eradicate violence against women worked in practice. She wished to know how the State party intended to encourage the reporting of domestic violence, provide better information about legal aid for victims, strengthen the victim referral mechanism, increase the operational capacity of law enforcement services and the criminal justice system, ensure the effective application of urgent protective orders and restraining orders, investigate complaints and punish perpetrators, provide up-to-date statistics and offer timely, sufficient and adequate support services for victims throughout the country. She would like to hear about any plans to tackle gender-based violence in conflict areas, particularly by addressing social attitudes that condoned such violence, combating the stigmatization of victims, establishing gender-sensitive procedures and familiarizing law enforcement officials with the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict.

26. She would like to know what action the State party would be taking to bring the perpetrators of conflict-related human rights violations to justice, particularly in view of the allegations of arbitrary and incommunicado detention, torture and ill-treatment in the Kharkiv regional office of the Security Service of Ukraine. She wished to hear the delegation’s comments on reports that Security Service officials continued to violate international standards of detention and commit acts of torture and ill-treatment, including at penal colony No. 25 in Kharkiv. She wished to know what measures would be taken to prevent such unlawful practices and how the State party would ensure that future legislation on reform of the Security Service was informed by the Covenant and international standards.

27. She would like to know what the State party intended to do about the practice of abduction and arbitrary detention in the context of conscription into the armed forces, particularly in Kharkiv. She would like to hear about any measures taken to facilitate the voluntary transfer of pre-conflict prisoners from temporarily occupied territory to government-controlled territory. What steps had been taken to enable the courts to conduct criminal proceedings involving pre-conflict prisoners, taking into account periods of detention served in temporarily occupied territory? Lastly, she would like to hear about any

measures intended to address the issue of prolonged pretrial detention, particularly when it involved a minor.

28. **Mr. Zyberi** said he would appreciate confirmation that, notwithstanding the state of emergency and the derogation from certain Covenant obligations, the State party was fulfilling its obligations to provide an effective remedy for anyone whose Covenant rights had been violated and to guarantee the right to a fair trial. He would also appreciate confirmation that no one could be held in preventive detention for more than 72 hours without being brought before a judge. Given that the inter-agency coordinating commission on derogations had not met since May 2019, he wondered how the State party was complying with its obligation to regularly review such measures. He was interested in the impact of measures taken in response to the COVID-19 pandemic on Covenant rights, especially freedom of movement, peaceful assembly, privacy and freedom of speech. Had the implementation of such measures led to any derogations from Covenant rights or any restrictions beyond those provided for in the Covenant?

29. He would appreciate information on the main results achieved under the programme to ensure equal rights and opportunities for women and men in the period up to 2021. Was there to be a follow-up programme or would gender equality objectives be incorporated in a new general strategy on human rights? He would like to hear about the specific measures being taken to increase women's representation in local and national government from the current low levels. He asked if public spending was to be increased to help the country meet its national and international commitments to achieving gender equality and what had been done to enforce the existing gender quota of 30 per cent of women candidates on electoral lists. Would there be some mechanism to enforce the quota of 40 per cent that would be applicable from 2023?

30. While acknowledging that the overwhelming number of civilian casualties in the ongoing hostilities had occurred outside government-controlled territory, he would nevertheless like to know what measures had been taken to prevent civilian casualties, to enhance the protection of the civilian population in the conflict zone against shelling, landmines and explosive remnants of war, and to ensure accountability for conflict-related civilian deaths and injuries. He would appreciate a response to reports that the Government was appealing against court decisions to award reparations to families of civilians killed as a result of the conflict. He also wondered whether the right to reparation in such cases might not be better upheld through the introduction of a simplified administrative procedure. Lastly, he would like to know when approval of the National Strategy for the Protection of Civilians in Armed Conflicts for the period up to 2030 was expected.

31. **Mr. Ben Achour** said that he would like to know why sexual orientation and gender identity had not been explicitly included as prohibited grounds for discrimination in the anti-discrimination law adopted in 2012, given the prevalence of discrimination against sexual minorities in Ukraine. He would like to know whether those grounds were included in bill No. 0931 on the harmonization of national anti-discrimination legislation with European Union law, and would appreciate an update on the status of the bill.

32. He wished to know whether racial discrimination on the basis of national origin or descent was recognized in the State party's legislation. He would be particularly interested to hear about any measures to protect internally displaced persons from discrimination.

33. He would appreciate clarification on the legal definition of "attempts to destabilize the social-political situation" in relation to prosecutions under article 161 of the Criminal Code for assaults on Roma persons committed in 2018 and 2019, and he would like to know if the relevant provision established specific protection for ethnic minorities, including the Roma. He also wished to understand the legal basis on which prosecutions for criminal offences under article 161 of the Code could be resolved through conciliation; what parties were involved in the conciliation process?

34. He would like to know what measures had been taken to protect Jehovah's Witnesses and Crimean Tatars from attacks by extremist groups. He wondered whether measures had been taken to implement the Committee's previous recommendations that the Government should run awareness-raising campaigns on tolerance for diversity, ensure that the perpetrators of hate crimes were prosecuted under article 161 of the Criminal Code – in other

words, for incitement of ethnic, racial or religious animosity and hatred, rather than for hooliganism – and ensure that victims were adequately compensated.

35. He would like to know what measures had been taken to implement the Cabinet of Ministers order of 11 September 2013 requiring State bodies to assist Roma in obtaining identity documents. He would be interested to hear more about the strategy to promote the rights of the Roma minority.

36. He wished to have an update on the status of proceedings against the former head of the Khmelnytsky branch of the Security Service of Ukraine for allegedly ordering the use of deadly force on protesters in 2014, against the officer who had fired the fatal shot and against the officials accused of negligence with respect to the fire at Trade Union House in Odessa in 2014 which had caused the deaths of 42 persons. Lastly, it would be helpful to have information about the 2014 law on immunity in relation to the Maidan events, which was reportedly preventing the effective investigation of 13 murders.

37. **Mr. Gómez Martínez** said that he would like to know whether any convictions had been secured for offences committed against lesbian, gay, bisexual, transgender and intersex persons since 2019. If no conviction had been secured, he would be interested to hear the delegation's views on the reasons why. He wondered whether training had been provided for police officers, prosecutors and judges on how to address violence motivated by sexual orientation or gender identity. He would like to know whether sexual orientation and gender identity were understood to be covered by the "other grounds" on which discrimination was prohibited under the newly amended article 161 of the Criminal Code, given that criminal provisions were not subject to reasoning by analogy. He would also like to know whether a motivation of hatred based on sexual orientation constituted an aggravating circumstance for all offences.

38. **Mr. Yigezu** said that he would appreciate clarification on the scope of the law on the legal status of missing persons. Some of its provisions appeared to apply not to all missing persons but only to those missing due to "special circumstances"; if the law did not apply to all missing persons, he would like to know on what grounds some had been excluded and which entities were responsible for dealing with their cases. He would also like to know if the Commission on Persons Missing due to Special Circumstances had started to carry out its core functions and whether it had been allocated adequate human and financial resources. He would appreciate more detailed information on the status of the Unified Register of Persons Missing due to Special Circumstances. Was the Register already in use? If so, it would be useful to have statistics on missing or disappeared persons and to know if the Register recorded the circumstances of their disappearance.

39. He asked what steps the State party would be taking to ensure that the penalties for enforced disappearance were commensurate with the severity of the crime, in view of the fact that the relevant provision of the Criminal Code, article 146-1, provided for only 3 to 5 years' imprisonment. He would like to know why some cases of enforced disappearance were classified under articles of the Criminal Code other than article 146-1.

40. He would appreciate information on the steps that would be taken to put in place adequate safeguards to prevent the torture and ill-treatment of persons deprived of their liberty and to ensure the prompt, thorough and independent investigation of allegations of torture and ill-treatment.

41. He would like to know more about the content of the proposed amendment of the criminal provision on torture. When was the amendment expected to be approved by parliament? Would penalties for torture be increased to make them commensurate with the gravity of the crime? He would also like to know how many of the 6,000 proceedings for offences related to torture and ill-treatment had been initiated under article 127 of the Criminal Code, which dealt specifically with torture, and the grounds for classification under other provisions. He wondered whether the low number of perpetrators of torture who had been sentenced to prison terms was a consequence of the inadequate definition of torture in the Criminal Code. Lastly, he wished to know whether remedies and adequate compensation had been provided to the victims of torture.

The meeting was suspended at 4.45 p.m. and resumed at 5 p.m.

42. **Mr. Yaremenko** (Ukraine) said that the recently adopted law on indigenous peoples had entered into force. The bill on State policy for the transition period, submitted by the Cabinet of Ministers in August 2021, had been prepared by the Ministry of Reintegration following extensive consultations with State and non-State actors. The European Commission for Democracy through Law had made recommendations on the bill, the majority of which were likely to be incorporated. The bill was intended to become a framework law; it would be followed by further laws to set out reintegration policy in more detail.

43. The Government's action plan to implement the strategy of de-occupation and reintegration of the temporarily occupied territories set out concrete measures to be implemented over a four-year period. If necessary, the plan would be reviewed every two years or immediately following the de-occupation of Crimea. The Government had also adopted a strategy for economic development of the Donetsk and Luhansk regions for the period up to 2030 and extended the targeted programme for restoration and peacebuilding in the eastern regions of Ukraine until 2023.

44. The Government was aware of the problems with birth registration faced by persons in the temporarily occupied territories and was currently working on possible solutions.

45. The Government was making every effort to strengthen the ceasefire and had raised the issue of violations many times in the Trilateral Contact Group under the Minsk agreements. Violations of the ceasefire were being committed by the Russian Federation and the forces under its control.

46. The Ministry of Reintegration had published various books aimed at children of different ages to promote safe practices in the presence of landmines. It had produced a video on the subject which was being shown on the State-owned television channel and, in collaboration with Ukrainian Railways, on trains. The Ministry was cooperating with the International Committee of the Red Cross to organize train-the-trainer courses on the dangers of landmines and explosive remnants of war in the Donetsk and Luhansk regions. The Ministry had also initiated the formation of special coordination groups for action on landmines. In the Donetsk and Luhansk regions, there were currently 14 such groups, who, in addition to their coordination work, collected information and shared it with the Ministry.

47. **Ms. Kudin** (Ukraine) said that the registration of internally displaced persons was problematic, since the law on pensions mandated payment according to the place of registration. To mitigate the problem, the 60-day limit on absence from the place of permanent residence had been lifted during the COVID-19-related lockdown and did not apply until 30 days after the end of lockdown. The Government had adopted a number of measures to improve the registration process, including the introduction of a mobile application.

48. **Ms. Revuk** (Ukraine) said that the measures adopted under the national programme to combat domestic violence included the launch of awareness-raising campaigns and the creation of a support service for victims of domestic violence. The Government planned to establish a further 30 shelters and day-care centres for victims and an additional 40 mobile teams providing services to victims by the end of 2021. The domestic violence hotline offered various forms of assistance, including information on the rights of victims and advice on how to obtain free legal aid. Some 20,000 calls had been made to the hotline since it had been set up. The number of calls to the hotline had increased in recent months; however, that trend did not reflect a rise in the number of cases of domestic violence but rather increased awareness of the fact that the hotline existed.

49. Awareness-raising campaigns to combat domestic violence were carried out at the local and national levels, both online and offline, in cooperation with international bodies and religious organizations. A day of action against such violence, during which people were informed of their rights and the assistance available to them, was organized annually. The national programme on combating domestic violence, which covered the period up to 2025, provided for the establishment of a register of cases of domestic violence. A technical unit tasked with creating the register would be set up in 2022.

50. The national programme on gender equality had helped to reduce the gender wage gap to 20 per cent and to increase the participation of women in decision-making. The proportion of women members of parliament had increased from 12 to 20 per cent as compared with the previous parliament, while the percentage of women members of local assemblies had risen from 20 to 28 per cent. The network of leadership schools for women candidates for local elections had been expanded. A system for the exchange of experiences between women members of parliament had been set up and a similar initiative was being undertaken at the local level. A results-focused strategy on gender equality for the period up to 2030 was being developed. Under that strategy, the Government would implement a series of action plans that covered periods of two or three years. The impact of each action plan would be evaluated and the results would feed into the next action plan.

51. **Ms. Kolomiets** (Ukraine) said that, between 2018 and January 2021, legal aid centres had adopted more than 2,000 decisions on the provision of free secondary legal aid to victims of domestic or gender-based violence.

52. **Mr. Hladchuk** (Ukraine) said that all the available statistics showed that the Government's zero-tolerance approach to domestic violence was proving to be very effective. The Ministry of the Interior and the police were developing a standard operating procedure for responding to complaints of domestic violence. There was a mobile application that could be used to report domestic violence to the police and other relevant bodies.

53. **Ms. Bohdan** (Ukraine) said that the strategy on promoting the rights of Roma, adopted in July 2021, set out eight objectives in areas such as health, education and employment. It would be implemented at the national and regional levels through a series of short-term action plans, the first of which was being finalized following extensive public consultations.

54. According to the State Migration Service, 3,446 passports had been issued to Roma in 2020, compared with 2,143 in 2015. In 2020, the region in which the largest number of passports had been issued to Roma had been Zakarpattia, followed by Odessa. Steps were being taken to improve access to birth certificates for Roma. For example, in 2020, 34 birth registration offices had been set up in maternity hospitals in the Odessa region.

55. Within the territory controlled by the State of Ukraine, the State Service of Ukraine for Ethnopolitics and Freedom of Conscience had no difficulty in protecting the rights of Jehovah's Witnesses and the Crimean Tatar people. It provided administrative services to Jehovah's Witnesses and was in regular contact with the Mejlis of the Crimean Tatar People. However, those groups faced problems in the temporarily occupied territories. The protection of their rights was therefore dependent on the occupation coming to an end.

56. **Mr. Hladchuk** (Ukraine) said that the police had investigated over 500 cases under article 161 of the Criminal Code, on discrimination, between 2018 and 2021. A bill that would criminalize public incitement to violence motivated by intolerance and other deliberate acts of hatred had been submitted to parliament in May 2021. There were also plans to amend article 161 of the Criminal Code in order to establish aggravating circumstances, and to amend the law on combating discrimination in order to clarify the definition of intolerance. It had been proposed that intolerance should be defined as the expression of an openly negative attitude towards a person on the basis of factors such as race, sex, social background and sexual orientation.

57. **Ms. Rohozianska** (Ukraine) said that an interministerial commission was responsible for reviewing the measures derogating from the provisions of the Covenant. The last meeting of that commission had been held in 2019. Since then, there had been no need for the commission to meet, because there had been no changes to the territorial scope of the measures or to the legislation governing their application. The measures were still necessary, because the Russian Federation continued to commit a crime of aggression against Ukraine.

58. The preventive detention for more than 72 hours of persons involved in terrorist activities had been permitted in the framework of the counter-terrorism operation that had now ended. However, according to the law enforcement authorities, between 2015 and 2019, there had been no cases in which that measure had been used. Under the legislation governing the joint forces operation launched in 2018, the measure was no longer permitted.

59. The steps taken by the Government in response to the COVID-19 pandemic had included restrictions on the number of people who could take part in mass events and requirements relating to self-isolation and the use of personal protective equipment. The restrictions imposed were compatible with the Covenant, as they were provided for by law and necessary in a democratic society to protect public health. Measures had also been taken to minimize the impact of the pandemic on prisoners, based on the recommendations issued by the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

60. Under the law of Ukraine, judgments of the national courts that had taken effect could be reviewed in light of a ruling handed down by an international court. However, in December 2018, the Supreme Court had ruled that the Human Rights Committee was not an international court and was not empowered to make legally binding decisions. Parliament had rejected a bill that would have provided for the Views of the Committee to be recognized as grounds for the review of national judgments. There were no other such bills under consideration at the present time.

The meeting rose at 6 p.m.