



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

Distr.: General  
14 June 2016

Original: English  
English, French, Russian and  
Spanish only

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## Committee on the Elimination of Racial Discrimination

Ninetieth session

2-26 August 2016

Item 4 of the provisional agenda

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

### List of themes in relation to the twenty-second and twenty-third periodic reports of Ukraine

#### Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (see A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

#### Legal and institutional framework for implementation of the Convention (arts. 1-4, 6 and 7)

2. The absence of "national origin" and "descent" as grounds for racial discrimination in article 1 (2) (2) of the Act on the Principles of Preventing and Combating Discrimination adopted on 6 September 2012 (CERD/C/UKR/CO/19-21, para. 5; CERD/C/UKR/22-23, para. 185).

3. An update on the creation of the inter-ethnic harmony board and the office of the government commissioner for ethnic and nationality policy, and information on the composition, mandate, resources and activities of those bodies (CERD/C/UKR/CO/19-21, para. 4; CERD/C/UKR/22-23, paras. 173-179).

4. Updates on the results achieved by the strategy for preventing and combating racial discrimination 2014-2017 established by the parliamentary Human Rights Commissioner in 2013 (CERD/C/UKR/CO/19-21, para. 6; CERD/C/UKR/22-23, paras. 194-198) and on the outcome of communications received by the parliamentary Human Rights Commissioner between 2013 and 2015 on matters involving equality and non-discrimination (CERD/C/UKR/22-23, paras. 199-200).

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5. The results of cases involving acts of racial discrimination that have been brought before domestic courts, with details of decisions, sanctions for perpetrators and reparation provided to victims, including in civil and administrative matters (CERD/C/UKR/CO/19-21, paras. 7 and 22; CERD/C/UKR/22-23, paras. 205-222).

6. Information on measures taken to counter racially based violence and acts committed by extremist organizations, on investigations into reported hate crimes in the State party (CERD/C/UKR/CO/19-21, paras. 10 and 11) and on the results of initiatives and training on combating racial discrimination, including racial profiling of visible minorities and foreigners by security forces (CERD/C/UKR/CO/19-21, paras. 10 and 11; CERD/C/UKR/22-23, paras. 230-247).

7. The measures taken to prohibit or ban associations and organizations under the provisions of articles 4 and 28 (1) of the Voluntary Associations Act of 2012 (CERD/C/UKR/22-23, paras. 249-258; CERD/C/UKR/CO/19-21, para. 11) and to prevent racist hate speech and propaganda, particularly against minorities, in the media, including on the Internet (CERD/C/UKR/CO/19-21, para. 12).

#### **Discrimination against national minorities and indigenous peoples (arts. 2-7)**

8. An update on the implementation of and the results achieved by the plans and programmes aimed at enhancing Roma children's education and promoting the Roma language and culture (CERD/C/UKR/CO/19-21, para. 14; CERD/C/UKR/22-23, paras. 268-295) and on the additional measures that have been taken to provide the Roma population with birth certificates and identity documents, including statistical data on the results of those measures (CERD/C/UKR/CO/19-21, para. 15).

9. The additional measures taken to address the poor living conditions and the marginalization of the Roma community in terms of employment, social security, health care, housing and education (A/HRC/28/64/Add.1, para. 67) and measures taken to prevent hate crimes and attacks against the Roma, to protect the Roma from such acts and to investigate the attacks against the Roma that reportedly took place in March, April and May 2014, including those in Cherkassy, Slovyansk, Donetsk and Luhansk (A/HRC/28/64/Add.1, paras. 64-66).

10. The results of the monitoring of the rights of the Roma ethnic minority that the parliamentary Human Rights Commissioner carried out in Zakarpattia, Odesa and Kirovohrad in April, June and September 2013 (CERD/C/UKR/22-23, para. 201).

11. An update on the implementation of the Verkhovna Rada (parliament) resolution No. 1140-VII of 20 March 2014 concerning the establishment of mechanisms between the Government of Ukraine and the Mejlis (parliament) of the Crimean Tatar people (CERD/C/UKR/CO/19-21, para. 16; CERD/C/UKR/22-23, paras. 308-315) and on measures to combat discrimination against Crimean Tatars in terms of their access to employment, housing, health care, social services and education (CERD/C/UKR/22-23, paras. 308-315).

12. The measures taken to enhance the participation of minorities in public and political affairs (A/HRC/28/64/Add.1, paras. 86-88).

#### **Situation of non-citizens, including migrants, refugees and asylum seekers (arts. 5 and 7)**

13. The measures taken to protect asylum seekers from refoulement (CERD/C/UKR/CO/19-21, para. 20) and to raise awareness about birth registration among refugees, asylum seekers and stateless persons, including statistical data on the number of

birth certificates provided to children born in Ukraine to those groups of persons (CERD/C/UKR/22-23, paras. 396-416).

14. An update on the implementation of the plan to integrate refugees and persons in need of subsidiary protection into Ukrainian society for the period to 2020 (CERD/C/UKR/22-23, para. 421).

15. The measures taken to facilitate migrants' access to employment, housing, health care and education.

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