

General questions:

1. ISHR @ISHRglobal Sep 11

What will the #HRC candidate States do to promote human rights? #HRCpledging #HRC #ISHR

Within the Council and the United Nations system Ukraine will:

- strive to promote objectivity and non-selectivity in the functioning of the Council;
- engage in a constructive and transparent human rights dialogue with all states and NGOs;
- continue to support the Office of the High Commissioner for Human Rights;
- further contribute to developing modalities of the Universal Periodic Review and to strengthening the institutional make-up of the Council;
- cooperate constructively with the UN Member States in reforming the UN treaty body system;
- further promote, in cooperation with the core group, the initiative on the role of prevention in the promotion and protection of human rights ;
- seek to increase support to initiatives and resolutions aimed at protecting children's rights;
- further support activities that combat violence against women and the international trafficking in human beings.
- actively cooperate with all states – regardless of their membership in the Council – in order to reflect their views with regard to the ongoing deliberations within the Council;
- contribute to facilitating the interaction between the Council and individual countries;
- ensure that the Council provides advisory services, technical assistance, and capacity-building in consultation with, and with the consent of states concerned.

Domestically, Ukraine will:

- continue to strengthen a close engagement and partnership between the Government and civil society in promoting and protecting human rights;
- encourage efforts by civil society and the media in promoting and protecting human rights;
- ensure effective protection and promotion of the rights of national minorities and indigenous peoples;
- further strengthen activities that protect children's rights and advance women and gender equality;
- timely submit national periodic reports on the implementation of the International Covenant on Civil and Political Rights (26.07.2018), Convention on the Rights of the Child (26.09.2018), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (28.11.2018) and further on.

2. ISHR @ISHRglobal Sep 11

#Germany asks: how would you make use of your membership to deepen the relationship between human rights and peace & security? #HRCpledging

Ukraine has consistently promoted the Human Rights Council resolution on the role of prevention in ensuring and protecting human rights. While the Human Rights Council is a designated UN venue for discussions on human rights issues, its ability to take practical and action-oriented decisions on matters relating to peace and security is obviously constrained.

The human rights violations have significant implications for peace and security, and the innate connection between protection of human rights and maintaining peace and security appeared to be unquestionably understood and defended.

The human rights component should be an integral part of UNSC's consideration of conflict resolution and management.

3. ISHR @ISHRglobal Sep 11

#US asks whether participation in this forum should be mandatory #HRCpledging

The UNGA resolution 60/251 "Human Rights Council" foresees no HRC pledging events organized by NGOs. It just "decides that the membership in the Council shall be open to all States Members of the United Nations; when electing members of the Council, Member States shall take into account the contribution of candidates to the promotion and protection of human rights and their voluntary pledges and commitments made thereto" However every year more and more States and NGOs take part in this event organized by the International Service for Human Rights.

4. John Fisher @JohnFisher_hr Sep 11

#HRC has mandate to address "gross & systematic human rights violations". What will candidates do to fulfil this mandate? #HRCpledging

See answer to Q. 1.

5. John Fisher @JohnFisher_hr Sep 11

Will candidates commit to applying objective criteria for addressing country sitns, in accord with Irish-led joint statement? #HRCpledging

Ukraine joined this statement

6. CHRI @CHRI_INT Sep 11

How do member states reconcile their political affiliations to ideological blocs with the responsibility towards the Council? #HRCpledging

Human Rights are universal and above any ideology

7. GlobalJusticeCenter @GlobalJusticeC Sep 11

#HRCpledging: How are candidates implementing the #WomenPeaceSecurity agenda? @ngowgwps @ISHRglobal

The Government of Ukraine launched its first National Action Plan (NAP) on February 24, 2016. The NAP was created to establish a framework as well as strategies and actions for coordinated implementation of UNSCR 1325. The NAP aims at

contributing towards the elimination of cultural barriers that hinder the full participation of women in all aspects of negotiations and resolution of conflicts and/or matters of peace and security at the national level. The Action Plan includes six pillars of action: Peacekeeping and peace-protecting activities; Women's participation in peace-building; Prevention of conflicts and violence; Protection of women and girls affected by conflicts; Provision of assistance and rehabilitation of people affected by conflicts; and Monitoring of the National Action Plan for implementation of UNSCR 1325 on Women, Peace and Security until 2020. The National Action Plan has both internal and external elements. It aims at eliminating cultural barriers that prevent women from participating in all societal spheres.

8. **John Fisher @JohnFisher_hr** Sep 11

At #HRC35, 48 States joined Dutch-led statement pledging to enhance HRC participation. Will candidates support these pledges? #HRCpledging

Ukraine joined this statement

9. **Luc Dockendorf @LucDockendorf** Sep 11

Who's ready to consider the @UNHumanRights High Commissioner's proposal to exclude egregious #HumanRights violators from HRC? #HRCpledging

Fifth, I encourage the President, and Member States, to develop a stronger, more unified voice in world affairs on behalf of human rights. I also suggest consideration be given to the need to exclude from this body States involved in the most egregious violations of human rights.

Ukraine supported the UNGA resolution 60/251 "Human Rights Council". Its operative paragraph 8 states, in particular: "the General Assembly, by a two-thirds majority of the members present and voting, may suspend the rights of membership in the Council of a member of the Council that commits gross and systematic violations of human rights".

10. **Matt Jones @mattbjones** Sep 11

What measures is Ukraine taking to ensure no discrimination against residents of Crimea, incl. those who move to the mainland? #HRCpledging

According to the UN Charter, international community's absolute priority is to ensure fundamental human rights and freedoms. Despite the occupation of the Russian Federation and forced imposition of its legal framework, residents of Crimea remain Ukrainian citizens. Therefore, the Government of Ukraine is committed to provide all possible means of protection of fundamental rights and freedoms of the citizens of Ukraine on the temporarily occupied territory of Crimea.

On the 71th and 72nd sessions of the UNGA Ukraine initiated resolution "Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine" (adopted last year by UNGA on December 19, 2016, this year by the Third Committee on November 14, 2017). This resolution is a diplomatic, political and legal mechanism by which Ukraine ensures implementation of its obligations as a state using the tools of international law and international organizations.

Domestically Ukraine created the Ministry on the temporary occupied territories and IDPs by merging the State Agency of Ukraine for restoration of Donbass and the State Service of Ukraine on the Autonomous Republic of Crimea and Sevastopol. The task of this Ministry is to formulate and implement appropriate public policies for the proper response to the challenges and threats, and provide an opportunity to take appropriate measures to neutralize them.

11. [Amnesty Ukraine @Amnesty_UA](#) Sep 11

How will #Ukraine ensure the protection of HRDs at national and international level as an HRC member? #HRCpledging

Ukraine is a traditional cosponsor of the resolution “Human rights defenders” in the HRC and the Third Committee of the General Assembly and does its utmost to implement this resolution.

12. [Amnesty Ukraine @Amnesty_UA](#) Sep 11

#HRCpledging How will #Ukraine provide safety, housing and access to employment for more than 1.6 million IDP`s?

Ukraine has been facing enormous humanitarian challenges. Russia’s over three-year-long hybrid aggression has led, in particular, to more than 1.6 million IDPs in Ukraine from the conflict-affected areas of Donetsk and Luhansk regions and from temporarily occupied Crimea. Among them – about 70% are women and more than 60% are elderly persons. By the number of IDPs, Ukraine ranks first among European countries and is at the global tops.

An estimated 3.8 million people in Eastern Ukraine, 70% of whom are elderly, women and children, are in need of humanitarian assistance. 2.6 million people of Ukraine have been targeted by the UN Humanitarian Response Plan for Ukraine for 2017. They still need protection, shelter, water, sanitation and hygiene, health care, food, livelihoods, psychosocial support and education. Unfortunately, with only 28 % of the humanitarian funding requirements met, UN \$204-million Humanitarian Response Plan for Ukraine for the current year remains critically underfunded.

Under such challenging circumstances, the Government of Ukraine does its utmost to provide all necessary assistance, further undertaking all possible institutional and legislative efforts to increase social and security guarantees of displaced persons and ensure their human rights.

As of October 5, 2017, 1 599 171 IDPs are registered in Ukraine, the majority are registered in Donetsk oblast– 520 471, in Lugansk oblast– 298 739, in Kharkiv oblast – 196 422, in Kyiv-city – 176 134.

There is an urgent need to implement a set of measures aimed at restoring the socio-economic infrastructure of the eastern regions and building peace through the provision of socio-economic development of communities, increasing their ability to respond quickly to severe crisis situations and minimizing potential risks. Among them:

- creation of host communities' ability to integrate a large number of displaced persons and to reduce tension between IDP and local communities due to increased pressure on a limited infrastructure by strengthening the capacity of host communities and supporting socio-economic development initiatives;

- creation of mechanisms for the social inclusion of IDPs in the host communities' life in terms of economic, social, cultural and informational dimensions;

- solving the problem of compensation for damaged or destroyed housing as a result of hostilities.

A number of different programs to meet these goals already exist.

Ukrainian citizens who resettled from the temporarily occupied territory of Ukraine and the areas of the Antiterrorist operation may purchase housing for special conditions including the loan for up to 30 years

There are regional programs supporting individual housing construction "Vlasny Dim" ('My Own House'), which provides developers with long-term preferential loans. The negotiating process with the "Credit Institution for Reconstruction" banking group (KfW) on the terms of the project of international technical assistance "Housing for Internally Displaced Persons in Ukraine" continues.

In addition, the Law of Ukraine "On Amendments to Article 4 of the Law of Ukraine" On Preventing the Impact of the Global Financial Crisis on the Development of the Construction Industry and Housing "(in relation to the implementation of state housing programs) (hereinafter referred to as the Law) adopted on March 16, 2017 by the Verkhovna Rada of Ukraine. It provides state support for the construction (purchase) of affordable housing and/or preferential mortgage housing loan, which is provided, in particular, to internally displaced persons covered by the Law of Ukraine "On ensuring the rights and freedoms of the internally displaced persons "

Ukraine is open for the cooperation with our partners to improve the situation of those in need. We truly appreciate continued vital humanitarian and technical support to strengthen national laws and policies on internal displacement, provided by a number of international organizations, including the UNHCR, and individual partner-states.

Working group on the preparation of draft laws and regulations on the improvement of the national legislation of Ukraine regarding the protection of the human rights of internally displaced persons elaborated a draft Law of Ukraine "On Protection of Residential rights of internally displaced persons and other victims".

13. [Amnesty Ukraine @Amnesty_UA](#) Sep 11

As an HRC member, will #Ukraine ensure that rights of NGOs are not violated amid the draft law on extra financial reporting? #HRCpledging

How exactly may the transparency of the organization's financing process and the receipt of additional revenue from it may violate the rights of an honest person or organization?

14. [Amnesty Ukraine @Amnesty_UA](#) Sep 11

#HRCpledging How will #Ukraine ensure effective functioning of Ombudsman amid recent controversies around election?

On April 14, 1998, the Parliament of Ukraine elected the first Commissioner for Human Rights. The powers and activities of the Ombudsman of Ukraine are fully in line with the Paris Principles on the Status of National Institutions for the Promotion and Protection of Human Rights, approved by the United Nations General Assembly Resolution 48/134. First of all, it is about independence, transparency and impartiality in its activity.

Therefore, on March 2009, according to the decision of the UN Bureau of the International Coordinating Committee for National Human Rights Institutions, the

Ombudsman of Ukraine was granted the highest accreditation status "A", which entitles, in particular, to attend meetings of the UN Human Rights Council and to participate in discussion.

According to the Article 17 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment an effective National Preventive Mechanism (NPM) was established in 2012 using the model "Ombudsman-Plus". Respectively, the Office of the Ombudsman provides technical and organizational support to the independent monitors, proposed and trained by the National Expert Council.

15. **Amnesty Ukraine @Amnesty_UA Sep 11**

As an HRC member, what steps would #Ukraine take to fight impunity for hate crimes, incl. those against LGBTIQ and Roma people? #HRCpledging

The Law of Ukraine on Principles of Prevention and Combating Discrimination in Ukraine was adopted in 2012 as a general framework for anti-discrimination policies. It was amended in May 2014 to include specific forms of discrimination (direct discrimination, indirect discrimination, aiding and abetting discrimination). The amendment also gave more powers to the Ombudsman and prohibited discrimination by private persons and companies. The law also introduced a mandatory anti-discrimination review of draft legal acts.

Draft law No. 3501, now awaiting the second reading in Parliament, further defines the following terms: «discrimination by association», «multiple discrimination» and «victimization». It also clarifies the competence of the Ombudsman concerning preventing and combating discrimination.

The Labour Code of Ukraine was amended in 2015 to specifically prohibit discrimination based on sexual orientation and gender identity in employment and occupation.

In 2016, the Ministry of Health abolished its Order No. 60, which foresaw an extensive psychiatric observation of transgender people before undergoing gender reassignment surgery. Instead, the new Order No. 1041 foresees a procedure, in which the extent of the surgical operation is defined by the transgender person.

Art. 161 of the Criminal Code (CC) establishes criminal responsibility for violations of equality of citizens on the grounds of their race, national identity, political, religious and other beliefs, sex, ethnic or social origin, property status, residence, language or other grounds.

As of mid-2017, under art. 161 of the CC, 34 criminal investigations were initiated, which is a significant increase from the previous years (41 in 2016 and 40 in 2015). In accordance with the results of pre-trial investigations, three criminal proceedings were referred to court in 2015 and four in 2016. Four criminal cases were considered by the courts in 2015 and two criminal cases in 2016, respectively.

In 2015, the National Contact Point for Hate Crimes was established within the National Police. According to information provided by that office, as of mid-2017, 76 pre-trial investigations were initiated, compared to 144 in 2016 and 157 in 2015. Based on the results of pre-trial investigations, three criminal cases have so far been submitted to the courts in 2017. In 2016, the number was sixteen and twelve in 2015. The Government continues to promote information campaigns in order to raise awareness of citizens and encourage hate crime reporting.

In 2016, the official crime report form was amended to include a section on whether the crime was committed on the grounds of intolerance.