

Working Session 5  
Tolerance and Non-Discrimination  
Wednesday 30 September 2009

**Activities on Combating against Racism, Xenophobia and Discrimination  
in Ukrainian Society**

**Contribution of the Delegation of Ukraine to the Human Dimension  
Implementation Meeting 2009 (Warsaw, 28 September to 9 October 2009)**

The Ukrainian state guarantees to all citizens of Ukraine, the representatives of different nationalities living on its territory, equal political, economical, social and cultural rights.

The implementation of the State Ethnic Policy of Ukraine is based on the Constitution of Ukraine, international legal standards, protection of national interests and guarantees of constitutional human and citizen rights.

The national legislation and practice of regulation of ethnic processes in Ukraine are developed in accordance with the international standards and recommendations of the Universal Declaration of Human Rights, European Convention on Human Rights and Fundamental Freedoms, the Framework Convention for the Protection of National Minorities, the European Charter for Regional or Minority Languages, Hague Recommendations on the educational rights of national minorities and other legal documents.

In accordance with Article 1 of the Declaration on the Rights of National Minorities in Ukraine discrimination based on nationality is forbidden and punishable by law.

Article 24 of the Constitution of Ukraine stipulates that “Citizens have equal constitutional rights, freedoms and equal protection before the law. There will be no privileges or restrictions based on race, colour of skin, political, religious and other beliefs, sex, ethnic and social origin, property status, place of residence, linguistic or other characteristics”.

Paragraph 2 of Article 3 of the Law of Ukraine “On local self-government in Ukraine” stipulates that “any infringements of Ukrainian citizens’ rights to participate in local self-government on the grounds of race, colour of skin, political, religious and other beliefs, sex, ethnic and social origin, property status, and place of residence, linguistic or other characteristics are prohibited”.

According to Article 4 of the Law of Ukraine “On Association of citizens” and Article 37 of the Constitution of Ukraine the activity of political parties and public associations if their programme goals or actions are aimed at the propaganda of war and violence, the incitement of inter-ethnic, racial, or religious enmity, and infringement of human rights and freedoms is prohibited.

According to Article 161 of the Criminal Code of Ukraine the criminal liability is provided for the violation of equality of citizens based on their race, nationality, or religion.

Article 4 of the Law of Ukraine “On Freedom of conscience and religious organisations” says the incitement of hostility and hatred on the grounds of religion and offence of religious feeling of citizens results in liability determined by the law.

Article 3 of the Law of Ukraine “On printed mass media (the press) in Ukraine”, Article 2 of the Law of Ukraine “On television and radio broadcasting” and Article 46 of the Law of Ukraine “On information” define it inadmissible to use mass media to incite racial, ethnic and religious hatred.

In accordance with Article 24 of the Constitution of Ukraine all citizens of the state have equal constitutional rights, freedoms and equal protection before the law. Foreigners and stateless persons who are in Ukraine on legal grounds exercise the same rights, freedoms and have the same obligations as the Ukrainian citizens with the exception of cases determined by the Constitution of Ukraine (Article 26), laws and international treaties.

The issue of combating racism and xenophobia is under personal control of the President of Ukraine, Ukrainian Government and respective central executive authorities. In line with the Presidential Order the following subdivisions have been set up within the central executive authorities: Division on developments and implementation of strategy on fighting against ethnic crimes in the Ministry of Internal Affairs of Ukraine; Division on revelation and suspension of deeds aimed at inciting racial or national hatred in State Security Service; position of Special Ambassador on fighting against racism, xenophobia and discrimination in the Ministry of Foreign Affairs of Ukraine.

The SCNR, within its authority, carries out preventive measures on combating any manifestation of intolerance or prejudicial treatment based on ethnic identity. On purpose to prepare the complex document on fighting against racism and xenophobia in the Ukrainian society, SCNR initiated the creation of Interagency Working Group on combating xenophobia, inter-ethnic and racial intolerance with members from respective central executive authorities and scientists. The main objective of its activity is the elaboration of complex mechanisms on preventing any manifestations of intolerance and prejudicial treatment based on national identity.

The Interagency Working Group has elaborated Action Plan 2008-2009 on eliminating manifestations of xenophobia, racial and ethnic discrimination in Ukrainian society. The Ukrainian Government has charged responsible authorities with the implementation of this Action Plan and constantly monitors its realization.

During its last session (June, 2009) the Interagency Working Group on combating xenophobia, interethnic and racial intolerance made the additions to the Action Plan 2008-2009 and began to elaborate the Action Plan 2010-2012.

In the course of all-Ukrainian and regional cultural-educational events, speeches and publications in mass media, SCNR carries out various explanatory work with representatives of different nationalities on equality of human rights and freedoms irrespective of race, nationality, language, religion and belonging to any public organizations or groups.