

Statement on behalf of the Anti-discrimination Coalition Ukraine.

We take this opportunity to compliment Ukraine on its recent work on developing and adopting much needed amendments to the antidiscrimination legislation in May 2014 and development of several positive steps in regards to Minority rights, Especially adoption of Roma Protection and Integration Strategy and Action Plan for it.

At the same time, we regret to recognise complete lack of any effective measures to address other important challenges, such as hate crimes and hate speech. Especially now, in terms of on-going conflict when many people become target of hate speech merely based on their ethnic origin or place of former residence. Unfortunately civil society organisations receive reports on hate manifestations towards IPDs almost daily and state response and policy could be an adequate measure to combat it.

But right now, apart from many other legislative developments needed to ensure rights of all minorities in Ukraine, such as complex and effective policy on national and religious minorities, law on IDPs and action plan on their integration, we, civil society, would like to draw attention of the Ukrainian authorities and state members to the need to intensify and improve its work on combating extreme forms of discrimination, namely hate crimes.

Unfortunately above mentioned positive legal developments did not cover any changes in legislation or practice that are desperately needed to make investigation of hate crimes effective in Ukraine. We urge Ukrainian authorities to kindly return to fulfilment of its obligations under the Memorandum with ODIRH/OSCE and conduct review of the legislation and education for police officers to enable them effectively monitor and investigate all reported crimes. It is specially important now, when several member states accuse Ukraine because of so called "rise of fascism".

At the other side, apart from the information on hate crime incidents coming from South, Central and Western Ukraine, alarming number of cases is exported from Crimea, territory occupied and controlled by Russian Federation and East of Ukraine. We urge Russian Federation authorities to adhere to its human rights obligations, as they obviously know how to judging from their reports here at HDIM, and investigate all hate crimes reported by Crimea Tatars and other minority and indigenous groups at the occupied territory.

Anti-discrimination Coalition has a number of recommendations for Ukraine and urges member-states to continue monitoring Ukraine's progress in implementation of the following:

1. Reform relevant legislation and implementation mechanisms to ensure access to redress for victims of all kinds of discrimination including hate crimes.
2. The State must ensure access to the fair justice in courts, as well as for free legal assistance, for all victims of discrimination.
3. Provide human rights trainings for the police, prosecutors, border guards, staff of temporary detention facilities and judiciary, as well as facilitate the reporting of cases when Roma people are abused due to their ethnicity, as well as when it happens to other persons of different ethnic origin, or LGBT persons: effectively investigate complaints and bring those found guilty of such acts to justice.
4. Develop dialogue with the civil society organizations aimed at improvement of reporting and investigation practices, as well as at building cooperation mechanisms for better provision of services.
5. Take measures to effectively identify and ban illegal profiling practices within law enforcement authorities and establish independent mechanism of complaints on human rights abuses committed by police.

