

*Written contribution by the Delegation of Ukraine*

**2008 OSCE Human Dimension Implementation Meeting  
Working session 10: Tolerance and non-discrimination II**

**Measures undertaken in Ukraine  
for combating racism, xenophobia and discrimination**

The Ukrainian state guarantees all citizens of Ukraine, representatives of various nationalities who live within its territory, full and equal enjoyment of human rights and fundamental freedoms and equality before law.

Article 24 of the Constitution of Ukraine guarantees citizens the right not to be discriminated against 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. Under Article 26 of the Constitution foreigners and stateless persons who are in Ukraine on legal grounds enjoy the same rights and freedoms as citizens of Ukraine.

The Declaration on the Rights of Nationalities adopted in 1991 stressed that discrimination based on nationality is prohibited and punishable by law.

Inadmissibility of using mass media with the aim of incitement of religious, racial and ethnic hatred is addressed in the relevant articles of the Laws of Ukraine “On Printed Mass Media”, “On Television and Radio Broadcasting”, “On Information”.

Article 161 of the Criminal Code provides for criminal responsibility for deliberate actions whose aim is inciting ethnic, racial or religious animosity as well as hatred aimed at humiliating the national honour and dignity of a person or offending citizens’ feelings based on their religious views.

Ukraine is party to a number of international human rights instruments, including to the International Convention on the Elimination of All Forms of Racial Discrimination.

The issues of combating racism and xenophobia receive special attention from the President and Government of Ukraine as well as from the relevant central executive authorities.

In line with the President’s order the following structures have been set up within the central executive authorities: the division on the detection and prevention of acts aimed at inciting racial or ethnic hatred in the Security Service of Ukraine; the position of Special Envoy in the Ministry of Foreign Affairs of Ukraine for combating racism, xenophobia and discrimination as well as the division tasked with the development and implementation of the strategy on combating ethnically-motivated crimes in the Ministry of Internal Affairs of Ukraine. The latter developed the Action Plan against Racism until 2009 that

includes analysis of the existing legislation in order to suggest improvements, education to promote tolerance, awareness raising campaigns with NGOs.

In April 2008 the President of Ukraine tasked the Prosecutor General Office and the Ministry of Internal Affairs of Ukraine to intensify the effectiveness of fight against xenophobia and racial intolerance and to work out the efficient programme on combating any manifestations of xenophobia and prosecuting perpetrators of these crimes.

The State Committee of Ukraine on Nationalities and Religions, while developing and implementing the state policy in the areas of interethnic relations and protection of the rights of persons belonging to national minorities, consistently takes preventive measures aimed at preserving social stability and inter-ethnic harmony in the Ukrainian society, combating any manifestation of intolerance and prejudiced treatment of persons on the basis of their ethnicity.

In accordance with the decision of the Government of Ukraine the Interagency Working Group on combating xenophobia, interethnic and racial intolerance has been established consisting of the representatives of relevant central executive bodies and academic circles. The main objective of its work is the development of a comprehensive document on combating xenophobia and racism in the Ukrainian society and elaboration of mechanisms aimed at preventing any manifestations of intolerance and prejudiced treatment on ethnic grounds. This Programme is preventive in nature and is focused on education and awareness raising.

At their first meeting in April 2008 the members of the Interagency Working Group on combating xenophobia discussed the taskings for the principals of high schools to carry out activities in this field, to monitor the level of tolerance among high school students, to hold tolerance lessons at the beginning of the academic year. They also considered the European best practices in combating xenophobia and racism, which include raising public awareness and giving special attention to the education of young people, especially human rights education, use of mass media for social advertising. The importance of improving preventive outreach activities with the youth organizations, conducting mass media monitoring; encouraging churches and religious organizations to promote tolerance among the believers was also underlined.

At its second meeting in June 2008 the Interagency Working Group decided to elaborate a draft Action Plan on eliminating any manifestations of xenophobia, racial and ethnic discrimination in the Ukrainian society.

The State Committee of Ukraine on Nationalities and Religions, which is the main executive body responsible for the implementation of interethnic policy, takes consistent preventive measures to combat intolerance or prejudiced treatment on ethnic grounds, which include the outreach activities aimed at fighting stereotypes and raising awareness among the general population of the importance of tolerance and respect for diversity. The State Committee, together with its structural subdivisions in the regions, conducts constant monitoring of manifestations of intolerance and racial hatred, and refers relevant cases to law enforcement and judicial authorities. In addition, it monitors the media with a view

to detecting biased content, which could negatively impact social and inter-ethnic stability of the society.