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Universal Periodic Review of Ukraine – 14th session

Statement by Australia

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Australia is concerned by a worsening environment in Ukraine, since 2011, for protection of freedom of assembly, freedom of expression and fair judicial process.

Australia is concerned by reports of attacks on journalists and the deteriorating situation for media freedom in Ukraine. We welcome, as a reflection of Ukraine's commitment to maintain such freedoms, the withdrawal on 2 October 2012 of draft legislation that would have re-criminalised defamation and restricted freedom of expression.

However, Australia is deeply concerned that the Ukrainian Parliament has passed the first reading of draft legislation outlawing the 'promotion of homosexuality,' with punishment of up to five years gaol. Beyond infringing the rights of Ukraine's lesbian, gay, bisexual, transsexual and intersex community, this draft legislation also represents a worrying restriction on freedom of expression, and a disregard for Ukraine's international obligations under, inter alia, Article 19 of the International Covenant on Civil and Political Rights and Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms. **Australia recommends that Ukraine withdraw its draft legislation criminalising the promotion of homosexuality, and refrain from adopting any other legislation that restricts freedom of expression.**

Australia is also concerned about the selective and politically motivated judicial processes applied against opposition figures, including former Prime Minister Yulia Tymoshenko. Australia is equally concerned about the credible reports of mistreatment of Ms Tymoshenko and others in Ukrainian gaols. **We recommend that Ukraine ensures that all citizens, including opposition figures such as former Prime Minister Yulia Tymoshenko, enjoy their right to fair, transparent and impartial treatment in the judicial system.**