

14<sup>th</sup> Session of the Working Group of the UPR  
UPR of Ukraine  
**Statement by Austria**

Austria welcomes H.E. ... and the delegation of Ukraine to the UPR and thanks for the submission of the national report.

Austria wants to express its deep concern about the perceived lack of judicial independence and persecution of political opponents in Ukraine.

We are furthermore worried about recurring reports by local NGOs and lawyers about cases of torture and ill-treatment and other human rights violations by law enforcement officials.

At Ukraine's first review in May 2008, during which you have thankfully accepted all of Austria's recommendations, we have urged Ukraine to establish a separate juvenile justice system in line with European and international standards as soon as possible. We do welcome the outline plan for the development of a juvenile justice system which was approved in 2011, but the pace of reform is slow. In this context we are also worried about the high percentage of juveniles sentenced to imprisonment and the poor level of services and support for their social reintegration.

Austria is also concerned about draft law 8711 which criminalizes references to homosexuality in the media or public domain and could result in fines or prison sentences of up to five years. This discriminatory law could run counter to Ukraine's international commitments to ensure freedom of expression and information.

Austria would therefore like to offer the following recommendations:

- to provide the legal and operational framework for an independent judiciary, inter alia by establishing fair procedures and criteria regarding the appointment and dismissal of judges;
- to strengthen and advance its efforts for establishing a juvenile justice system and promote alternative measures to deprivation of liberty for juvenile offenders;
- create an enabling environment for journalists and media professionals and ensure fully transparent and impartial investigations and prosecutions in all cases of attacks against them;
- to take urgent measures to prevent cases of ill-treatment and torture by police officers and ensure their accountability for any criminal acts;
- to ratify the Rome Statute of the International Criminal Court (ICC)

Thank you

Michael PFEIFER