

KIM D'AVRILA-VAZIRA

**UPR Intervention for Ukraine, 14<sup>th</sup> Session October 24, 2012  
(as drafted and read)**

The United States warmly welcomes Nazar Kulchytskyi (Nah-zar Kool-chit-ski) and the Ukrainian delegation.

We commend Ukraine for meeting with civil society and human rights groups to prepare for the second UPR review. We note, however, that despite some advancement, Ukraine has not implemented many of the recommendations it accepted in the first round. We are concerned over the deterioration of fundamental freedoms and the rule of law, and widening corruption.

We view as a positive development the passage of the Criminal Procedure Code to improve administration of justice and the rule of law, the law on Public Associations regulating the formation of NGOs, and a law on Combating Trafficking in Persons.

We remain concerned over politically motivated trials and the imprisonment of former opposition government officials, including former Prime Minister Tymoshenko, who have been deprived of their opportunity to participate in public and political life. This is the main threat to Ukraine's democratic development: the abuse of state power to neutralize political opponents and to intimidate prospective opponents.

We are also concerned by government measures to limit freedom of peaceful assembly and freedom of expression, including increased pressure on independent media. In addition, we remain seriously concerned about police abuse, beatings and torture of detainees and prisoners, violence against women, trafficking in persons, legislation to restrict the rights of LGBT persons, and a weak asylum system that does not adequately implement its obligations under the 1967 Protocol relating to the Status of Refugees.

The United States makes the following recommendations:

1. End politically motivated prosecutions.
2. Fully implement the new Criminal Procedure Code, including necessary constitutional and statutory reforms needed to limit the powers of the Prosecutor General's office; and establish an impartial and independent criminal justice system, in line with Ukraine's obligations under the ICCPR.

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3. Implement a law on Freedom of Assembly that complies with applicable standards under article 21 of the ICCPR.