



**Permanent Mission of  
Ukraine  
to the International  
Organizations in Vienna**

№2870

Vienna, 07 September 2015

Excellencies,

On 25 August 2015 President of Ukraine H.E. Petro Poroshenko issued the Decree №501/2015 "On Approval of the National Human Rights Strategy of Ukraine" to further enhance the mechanisms of protection and promotion of human rights and fundamental freedoms in Ukraine (translation by UN OHCHR in Ukraine is enclosed).

The adoption of the Strategy in extremely difficult circumstances of Russian military aggression against Ukraine and temporary occupation of parts of the territory of our state convincingly demonstrates Ukraine's strong commitment to the values of democracy, human rights and the rule of law.

The Cabinet of Ministers of Ukraine is to elaborate, within three months, the Action Plan to Implement the National Human Rights Strategy of Ukraine by 2020.

According to the Decree, the implementation of the Strategy is provided through the joint action of state authorities, civil society institutions, the Ukrainian Parliament Commissioner for Human Rights, with the support of the United Nations, the Organization for Security and Co-operation in Europe, the Council of Europe, and other international organizations at all stages of development, implementation, monitoring and control of the Action Plan.

Given the OSCE Institutions' recognized expertise in the areas covered by the Human Rights Strategy of Ukraine, we look forward to drawing on your expert assistance in elaboration of the Action Plan and implementation of the Strategy.

Please accept, Excellencies, the assurances of my highest consideration.

Enclosure: as stated, on 18 pages.

Sincerely yours,

Ihor Prokopchuk

Ambassador,

Permanent Representative of Ukraine to the  
International Organizations in Vienna

H.E. Ms. Astrid Thors, the OSCE High Commissioner on National Minorities  
H.E. Ms. Dunja Mijatović, the OSCE Representative on Freedom of the Media  
H.E. Mr. Michael Georg Link, Director of the OSCE Office for Democratic Institutions and Human Rights

**DECREE OF THE PRESIDENT OF UKRAINE # 501/2015**  
**On Approval of the National Human Rights Strategy of Ukraine**

In order to improve the observance and enforcement of human and citizen's rights and freedoms in Ukraine and pursuant to part two of article 102 of the Constitution of Ukraine I **decree** thereby:

1. To approve the National Human Rights Strategy of Ukraine (attached)
2. The Cabinet of Ministers of Ukraine shall:
  - 1) In cooperation with the representatives of state authorities, local self-government bodies, civil society institutions, leading national researchers and international experts to develop and adopt within three months the Action Plan to Implement the National Human Rights Strategy of Ukraine by 2020 (hereinafter – the Action Plan);
  - 2) Ensure annually:
    - Development and publication of the Report on implementation of the Action Plan during the current year – by 1 November;
    - Public discussion of the Report of on implementation of the Action Plan during the current year with engaging the representatives of state authorities, local self-government bodies, civil society institutions and international organizations, and refining the Action Plan upon such discussion – by 10 December;
  - 3) Allocate funds for financing the implementation of the Action Plan in the draft laws on the State Budget of Ukraine for the respective year.
3. This Decree shall enter into force on the day of its publication.

**President of Ukraine**

**P.Poroshenko**

## **NATIONAL HUMAN RIGHTS STRATEGY**

### **1. General provisions**

The need for approval of the National Human Rights Strategy (hereinafter – the Strategy) was determined by the necessity to improve state activities on observance and enforcement of human rights and freedoms, establishing an efficient mechanism of protecting human rights and freedoms in Ukraine and settling systemic issues in this realm.

Developments of the Revolution of Dignity (November 2013 – February 2014) proved irreversible commitment of Ukrainian people towards shaping a true constitutional and democratic state, where rights and freedoms of each and every person are respected.

The problem of protecting human rights and freedoms is aggravated by the temporary occupation of the part of Ukrainian territory and the military aggression of the Russian Federation in certain areas of Donetsk and Luhansk regions. Along the top-priority objectives related to strengthening national security, overcoming economic crisis, reforming public administration, etc., observing human rights remains the main commitment of the state, and it should direct the state activities in all efforts that it undertakes. The risks of restrictions of human rights and freedoms grow disproportionately during the crisis and require a particular control on the side of civil society.

The Strategy aims at uniting the society around understanding the value of human rights and freedoms that shall be protected equally and without discrimination.

The Strategy focuses on responding to the main systemic challenges in the area of protecting human rights and freedoms and new challenges that the society faces with, but it is not exhaustive in terms of the problems in this area. The system of protecting human rights and freedoms will be improved with due account of both domestic experience and frameworks and principles developed and piloted by the international community. In this regard, the Strategy will effectively build on the experience of Ukrainian Parliament Commissioner for Human Rights, Ukrainian human rights defendants, the United Nations, the Council of Europe, the Organization for Security and Cooperation in Europe, other international organizations, and the jurisprudence of the European Court of Human Rights.

In cooperation with other states, Ukraine will apply a human rights based approach and develop bilateral relations based on respect for international commitments in this area.

### **2. Goal and expected outcomes of the Strategy**

The goal of the Strategy is to ensure the priority of human rights and freedoms as a pivotal driver of the state policy that guides state authorities and local governments in a decision-making process.

The implementation of the Strategy will result in introducing systemic approach to fulfilling the objectives and ensuring cohesive actions of the state authorities and local self-government bodies in the area of human rights and freedoms, establishing the efficient (accessible, understandable, predictable) mechanism of observing human rights and freedoms in Ukraine.

### **3. Principles of the Strategy**

The Strategy is based on the following principles:

- openness and transparency of implementation of the Strategy with the aim to maximize the involvement of all stakeholders to implementation and monitoring;
- equality and non-discrimination in observing equal rights and freedoms;
- specificity and feasibility of strategic goals and measurability of the expected results of the Strategy;
- integrity at interpretation and implementation of the Strategy;
- allocation of financial and other resources necessary to achieve the strategic goals;
- addressing the new challenges in time.

### **4. Strategic Areas**

#### **Ensuring the right to life**

Human life is the highest value of society. The state's duty to protect human life is of particular significance, with regard to current circumstances, in particular:

- Violation of the right to life due to illegal actions of the terrorist organizations "Donetsk people's republic" and "Luhansk people's republic", fighters, mercenaries, as well as due to the aggression of the Russian Federation;
- Increased illegal arms trafficking;
- Disproportional use of force and special equipment by law enforcement officials;
- Inadequate health care of the citizens of Ukraine;
- Inefficient investigations of death;
- Lack of efficient system of immediate population warning on the treats or emergencies.

#### *Strategic goal:*

To ensure adequate protection of the right to life and the availability of remedies and mechanisms for effective investigation of violations of the right to life.

#### *Expected outcomes:*

- an efficient system aimed at ensuring combating criminal acts against life, their prevention, suppression and punishment for such acts an remedies of the families of victims is established;

- rules of the international law are observed for the protection of life of peaceful population on the temporarily occupied territory of Ukraine;
- the conditions of detention and treating persons in the detention facilities where they are detained upon the court or administrative decision pursuant to the law are in line with international standards;
- pre-conditions are created for minimizing the increased risks to life and health.

### **Combating torture and cruel, inhuman or degrading treatment or punishment**

The torture, cruel, inhuman or degrading treatment or punishment remains a systemic problem in Ukraine.

Lack of efficient investigation of crimes and inefficient system of prevention and protection from tortures create an atmosphere of impunity and provoke the spread of it.

Developments related to the aggression of the Russian Federation aggravated the problem of improper treatment and made society more tolerant to it.

#### *Strategic goal:*

- To create an efficient system of prevention of the torture, cruel, inhuman or degrading treatment or punishment;
- To shape conditions for prevention of improper treatment;
- To promote zero tolerance to all manifestations of improper treatment in society.

#### *Expected outcomes*

- an efficient system of investigating crimes related to torture, cruel, inhuman or degrading treatment or punishment, including enforced disappearances, is established;
- efficiency of legal protection from the improper treatment is ensured;
- an efficient remedy and rehabilitation of victims of crimes related to torture, cruel, inhuman or degrading treatment or punishment is provided to the victims, in accordance with the international standards;
- conditions of detention and treatment of detainees in all places of custody where they are detained upon the court or administrative decision pursuant to the law conform to international standards;
- efficient operation of the national preventive mechanism is secured;
- the principle of prohibition of expulsion of aliens and stateless persons to the state where they can suffer from improper treatment is observed.

### **Ensuring the right to freedom and personal inviolability**

Systemic problems in this area are particularly the practice of non-compliance with procedural law by law enforcement officers and judges, unconformity of the domestic human rights law to international standards leading to arbitrary deprivation of liberty (in particular, violation of human rights during admission to mental health hospitals, in temporary facilities for foreigners and stateless persons who stay in Ukraine illegally and in temporary facilities for refugees), enforced disappearances on the temporarily occupied territory of Ukraine and in the area of anti-terrorist operation in Donetsk and Luhansk regions.

*Strategic goal:*

To establish efficient system of protection of the right to freedom and personal inviolability and efficient investigation of crimes related to enforced disappearances.

*Expected outcomes:*

- existing legal frameworks on arrest and detention are brought in line with international standards, non-documented detentions are not practices anymore;
- periodic court verifications of the legality of detention or deprivation of liberty take place, while the right to liberty is guaranteed;
- higher efficiency of judicial control of the reasons for deprivation of liberty, in particular during the enforced admission to mental health hospitals;
- efficient investigations take place in order to bring to liability offenders who committed kidnapping on the temporarily occupied territory of Ukraine and in the area of anti-terrorist operation in Donetsk and Luhansk regions, including with the use of international legal mechanisms;
- the arbitrary and undocumented arrest and detention without a court decision is made impossible;
- detention of aliens and stateless persons for the expulsion outside Ukraine is used only as the well-reasoned measure of last resort for ensuring enforced expulsion, alternatives to the enforced expulsion are introduced;
- the protection of human rights of the detainees for an administrative offense established at the level not worse than provided in the criminal procedural law, efficient guarantees are not limited;
- support is provided to victims of enforced disappearances and their families.

**Ensuring the right to a fair trial**

The right to independent, impartial and unbiased trial is not ensured in a proper way. In particular, it is proved by the facts that judges are dependent from executive and legislative authorities; the judiciary is appointed in non-transparent way; procedural instruments to protect the rights and interests of persons are imperfect; system of legal aid does not include new categories of people who need it; systematic failure of court decisions; insufficient unity and consistency of jurisprudence; justice legislation and its application do not comply with international standards.

*Strategic goal:*

- To ensure the right to independent and fair trial in reasonable timeframe;
- To create an accessible and effective system of legal proceedings that will conform to European values and standards of the protection of human rights.

*Expected outcomes:*

- access to justice is provided to everyone;
- appointing of the judiciary and bringing judges to liability is not dependent on political background and meets international standards;

- independence, impartiality, efficiency and institutional capacity of judicial system is ensured;
- transparency of the activities of judges and level of their responsibility is increased;
- the gaps of procedural legislation are eliminated, providing for effective proceedings within reasonable timeframes and consistent jurisprudence;
- the efficient system of enforcement is in place, court judgments and other decisions are enforced within a reasonable timeframe, in particular through the introduction of an private enforcement of judgments;
- the judicial system is simplified and its institutional capacity is built;
- processes of forming judiciary and bringing judges to liability are depoliticized and made in conformity with international standards;
- professional qualifications of judges are improved;
- the system of self-government in the judiciary is ensured;
- safeguards for professional activity of lawyers are ensured;
- quality standards of the free legal aid are improved, their observance is guaranteed;
- possibilities for providing primary and secondary free legal aid in civil and administrative cases are extended;
- high-quality and accessible legal aid is provided through the bar and efficient system of free legal aid;
- distribution of cases between the judges is carried out by the automated system only;
- the constitutional complaint procedure is introduced;
- access to justice is provided to children, disabled persons, legally incapable adults and persons whose legal capability is limited in line with European standards.

### **Ensuring the freedom of thought and speech, of expression, access to information and free development of personality**

Government intervention with professional activities of journalists has been decreased, regulations have been provided for the establishment of Public television and radio broadcasting of Ukraine and basic standards of transparency of ownership of mass media, new standards of the higher education are based on the autonomy of higher educational establishment and academic liberty of all stakeholders. At the same time, an array of problems still has to be addressed. The most urgent of them are excessive state regulation of information relations; improper protection of the journalists; state propaganda and restrictions of public speeches on certain issues; influence of owners of mass media on editorial policy; improper implementation of legislation in the area of access to information, including public information; no guarantee of access of everyone to information resources, in particular to the Internet.

#### *Strategic goal:*

To ensure free information exchange and the freedom of expression.

#### *Expected outcomes:*

- proper functioning of public broadcasting;

- principles of pluralism are observed, the information policy for protection and combatting cyberwar and eliminating the hate speech is implemented;
- the free activities of mass media are guaranteed, including in particular the freedom of editorial policy, transparent information about the ownership and sources of funding of mass media, and protection of professional activities and security of journalists;
- printed state and community media outlets are reformed, state regulation of the mass media is minimized;
- distinctions are made between the activities of official printed media outlets of state authorities, local self-government bodies and other mass media;
- the right to freedom of thought and speech and free expression is guaranteed, this right may be only subject to such restrictions as are prescribed by law and are necessary in a democratic society in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, protecting the health of the population, the reputation or rights of others, preventing the disclosure of information received in confidence or for maintaining the authority and impartiality of the judiciary;
- measures are taken to provide information to the disabled persons in the form best suitable for them;
- conditions are shaped for free development of a personality, in particular, by reforming the education system in Ukraine;
- efficient access to information, including to public information, is provided;
- system of safeguards for public access to informational resources, including to the Internet, is provided.

### **Ensuring the freedom of peaceful assembly and association**

Systemic problems in this area are, namely, the lack of high-quality legislation on peaceful assembly, exhaustive procedures to register the establishment and termination of non-governmental organizations, unequal access of non-governmental organizations to budget funding.

#### *Strategic goal:*

To ensure the exercise of the right to freedom of peaceful assembly and association.

#### *Expected outcomes:*

- positive commitments of the state with regard to the freedom of peaceful assembly, in particular to providing their security, are determined and observed;
- government intervention in the statutory activities of non-governmental organizations is prohibited, government intervention in the establishment, operation and termination of non-governmental organizations through registration procedures is minimized;
- equal and transparent access of non-governmental organizations to budget funding is secured;
- the procedures of state registration of religious organizations and endorsement of peaceful assemblies of religious organizations are improved;

- unreasoned and disproportional limitation of the right to peaceful assembly is made impossible.

### **Ensuring the right to participate in public administration and vote in elections**

Barriers for the citizens to take part in public administration are inter alia non-transparent election procedures (funding and spending electoral funds, changing the borders of electoral districts, establishing election commissions, etc.) that do not provide for the voting rights of constituents and transparency of appointing servants of state authorities and local self-government bodies through the elections.

The mechanisms of direct democracy need improvement. So do the mechanisms of interaction between the civil society and state authorities and local self-government bodies in decision-making, including when addressing local issues.

#### *Strategic goal:*

- To ensure the enforcement of the rights of citizens to freely take part in public administration and be appointed to the state authorities and local self-government bodies through the elections;
- To ensure efficient cooperation between civil society organizations, state authorities and local self-government bodies, in particular by improving the modality of involving civil society organizations to the development and adoption of decisions of state authorities and local self-government bodies.

#### *Expected outcomes:*

- the voting rights of citizens and transparency of appointing servants of state authorities and local self-government bodies through the elections are secured, consistency and sustainability of the national legislation on elections is ensured;
- conditions are shaped for the observance of voting rights of the disabled persons;
- the legislation on the national referendum is improved and the legislative framework for organization of local referenda is provided;
- conditions for introducing e-democracy are set;
- transparency and openness of the activities of state authorities and local self-government bodies are ensured, in particular through the access to public information;
- an efficient modality of cooperation between civil society organizations and state authorities and local self-government bodies is developed.

### **Preventing and combating discrimination**

Preventing and combatting discrimination is complicated because of the lack of consistent activities of state authorities and local self-government bodies in this area, inefficient legal mechanisms of bringing to liability for committing discrimination, lack of awareness raising for overcoming stereotypes, biases and intolerance prevalent in society.

#### *Strategic goal:*

To establish efficient system of preventing and combatting discrimination.

#### *Expected outcomes:*

- a comprehensive and consistent legislation in the area of preventing and combatting discrimination is adopted;
- awareness raising programmes for citizens are delivered in order to prevent and combat discrimination;
- everyone is provided with unrestricted access to efficient legal protection from discrimination;
- non-discrimination and respect for diversity are observed and implemented, measures are taken to overcome social stereotypes leading to discrimination;
- appropriate and timely positive actions are taken at the national and local levels for the prevention and combatting discrimination, efficient and timely responses to new challenges are provided;
- responsibility is increased for the refusal to reasonably adjust infrastructure to the needs of disabled persons;
- crimes committed for reasons of racial, national, religious and other intolerance are efficiently investigated, while perpetrators are brought to liability;
- the procedure of anti-discrimination expert assessment of draft legal acts by executive authorities is improved;
- statistical data on violations of the law on preventing and combatting discrimination and on bringing perpetrators to liability are gathered and processed.

### **Ensuring equal rights for women and men**

Despite a progress made, a problem of unequal access of men and men to exercising their rights is observed in Ukraine. Existing inequality stresses the need to provide systemic and comprehensive solution to the problem of discrimination of women in order to ensure full gender equality.

#### *Strategic goal:*

To ensure equal rights and opportunities for women and men in all areas of public life.

#### *Expected outcomes:*

- international standards of gender equality are implemented, including at the legislative level;
- the mechanisms for ensuring equal rights and opportunities for women and men are improved;
- conditions are provided for balanced participation of women and men in the political processes and public decision-making;
- comprehensive measures are implemented to combat gender discrimination, including gender stereotypes;
- equal access to justice is provided.

### **Combating gender-based violence, human trafficking and slavery**

The legal regulatory framework in the area of combatting gender-based violence requires improvement and shall be brought in line with international standards.

Other urgent problems are exploitation of children, illegal use of labour in the detention facilities where persons are detained upon the court or administrative decision pursuant to the law, inefficient investigation of crimes related to human trafficking and other illegal agreements subject of which is a human person.

*Strategic goal:*

To establish an efficient system for combating all forms of gender-based violence, human trafficking and slavery, to provide high-quality care to survivors.

*Expected outcomes:*

- conditions necessary for the prevention and combating all forms of gender-based violence and human trafficking are in place;
- a system of care to survivors of human trafficking crimes is improved;
- legal regulatory framework in the area of combatting gender-based violence is brought in line with international standards;
- crimes related to human trafficking, including those committed on the temporarily occupied territory of Ukraine and in the area of anti-terrorist operation in Donetsk and Luhansk regions, are effectively investigated;
- the principles of equality are observed while determining the working conditions, remuneration, mandatory state social insurance of persons detained in the detention facilities upon the court or administrative decision pursuant to the law;
- criminal liability is established for illegal use of labour of persons detained in the detention facilities upon the court or administrative decision pursuant to the law;
- legal framework is provided to the issues of labour therapy, in particular, the requirements are set with regard to organization of labour therapy in accordance with rehabilitation plan of a patient, regular assessment of efficiency of labour therapy by a doctor;
- strengthened control – including civic control – over the working conditions of persons detained in the detention facilities upon the court or administrative decision pursuant to the law.

### **Combatting domestic violence**

Domestic violence is of latent nature, which complicated efficient and timely measures taken by the authorized bodies to prevent and stop it.

*Strategic goal:*

To establish efficient system of prevention and combatting domestic violence, improve quality of care to victims of domestic violence.

*Expected outcomes:*

- efficient system to prevent and combat domestic violence is established, in particular, measures are taken to ensure that the authorized bodies are notified about domestic violence cases;

- the procedure of providing care to victims of domestic violence is improved, and the trainings for perpetrators on non-violent behaviour in inter-personal relations are implemented;
- awareness raising events for the population on problems and ways to combat domestic violence and the care available to victims of domestic violence are carried out;
- local measures are taken to prevent domestic violence.

### **Ensuring the rights of national minorities and indigenous peoples**

Legislation on national minorities needs improvement and conforming to international standards. There is a need to provide legal framework to the status of indigenous peoples.

#### *Strategic goal:*

To establish an effective system of promoting and protection of rights of national minorities and indigenous peoples, to support and develop tolerant inter-ethnic relations in Ukrainian society.

#### *Expected outcomes:*

- an effective mechanism to ensure and protect the rights of national minorities and indigenous peoples is established;
- comprehensive measures to meet the demands of citizens of Ukraine belonging to national minorities and indigenous peoples for social and other services are taken;
- an efficient mechanism is established for participation of representatives of national minorities and indigenous peoples in decision-making of state authorities and local self-government bodies on issues that concern the rights of national minorities and indigenous peoples;
- a policy of inter-ethnic tolerance is implemented.

### **Ensuring the right to work and social security**

The state does not fully ensure the citizens' right to work and social security. The current system of social security is poorly efficient, and it puts a significant financial burden on the budget. Special needs of certain groups of citizens are not taken into account to sufficient extent while ensuring their right to social security. In addition, economic situation in a country further aggravates the social protection and employment of population.

#### *Strategic goal:*

To create conditions for decent living standards and appropriate social security of citizens.

#### *Expected outcomes:*

- an effective system of social security that meets the capabilities of the state is established;
- funding sources of social security system alternative to the state are available;
- safe and healthy working environment is provided;
- protection of labour rights, including the right of citizens to establish trade unions, is guaranteed;

- social responsibility of business is strengthened, conditions for corporate social responsibility of economic entities are shaped;
- workplaces are reasonably adjusted for the disabled employees, they are provided with support at their workplaces;
- an efficient system of social service, including social case management and assisted living for the disabled, is in place.

### **Ensuring the right to health care**

Ensuring the right of citizens to health care and shaping conditions for efficient and accessible health care requires immediate action.

*Strategic goal:*

- To ensure equal access to high-quality health care,
- Prevention, early detection and efficient treatment of diseases and conditions.

*Expected outcomes:*

- compatibility of health care infrastructure with needs of local communities is provided;
- a guaranteed amount of health care provided at the expense of budget is ensured;
- rights of patients are protected;
- vulnerable populations are provided with access to health care;
- criteria for determining disability and providing the disabled persons with rehabilitation equipment and services are brought in line with the International Classification of Functioning, Disability and Health;
- equal access to high-quality health and social care of drug addicts, people living with HIV/AIDS, tuberculosis and other socially dangerous diseases is provided;
- measures are taken to prevent mental and intellectual disorders, the respective care is provided.

### **Creating conditions for the freedom of entrepreneurship**

Promotion of entrepreneurship is one of the key state policy priorities given the countering of the risks of economic depression.

*Strategic goal:*

To ensure freedom of entrepreneurship, to create conditions for self-employment of population.

*Expected outcomes:*

- a system of taxation that promotes the development of small and medium enterprises is established;
- the property rights are efficiently protected;
- government intervention in the legal entrepreneurial activity is eliminated;
- government control over the entrepreneurial activity is minimized: in particular, strict regulations for the reasons and procedure of such control are provided by law;

- the right to start economic activities just by declaring it is provided.

### **Ensuring the right to education**

The pressing problems are ensuring adequate access to education, quality and competitiveness of education in new economic, social and cultural circumstances.

#### *Strategic goal:*

To ensure guaranteed access to high-quality and competitive education, to establish an effective system for comprehensive human development according to individual educational needs and abilities.

#### *Expected outcomes:*

- a network of pre-school, secondary, and extra-curricular educational institutions meets the needs of local communities;
- educational curricula encompass the issues of human rights education, including children rights and gender equality;
- inclusive education is implemented to enable the disabled persons to fulfil their right to education;
- equal rights to education are provided without privileges or discrimination on any grounds, including on the grounds of ethnic and social origin, economic status, place of residence and other grounds.
- lifelong learning opportunities are provided.

### **Ensuring the right to privacy**

Despite the adoption of progressive legislation on the protection of personal data, a number of problems are there is the area if ensuring the right to privacy. In particular, there is no effective protection of the right to privacy, prevention and termination of infringements of legislation during the processing of personal data. No effective institutional mechanism of independent control over the protection of right to personal data is in place. Another issue to be addressed is excessive government databases of personal data owned or administered by state authorities. The rights to private and family life of individuals detained in detention facilities where they are detained upon the court or administrative decision pursuant to the law continue to be violated.

#### *Strategic goal:*

To establish the standards for protection of the right to privacy.

#### *Expected outcomes:*

- efficient institutional mechanism for observing the right to privacy is established;
- efficient system of independent control over the protection of right to personal data in the activities of law enforcement authorities is introduced;
- cases of government intervention with the right to privacy are minimized and clearly regulated;

- the right to privacy is ensured for persons detained in detention facilities where they are detained upon the court or administrative decision pursuant to the law, in particular, when mandatory mental care is provided;
- standards of the protection of privacy right are observed with regard to videotaping;
- a system preventing the creation of excessive government databases and illegal intervention into privacy is established.

### **Ensuring the rights of the child**

An urgent problem is the lack of unified system for observance and protection of the rights of the child in Ukraine. The best interests and opinion of a child are not adequately taken into account when making decisions related to this child.

#### *Strategic goal:*

- To create a favourable environment for the upbringing, education and development of a child and set up an efficient system to ensure the rights of the child;
- To improve state mechanism of observing the rights of the child.

#### *Expected outcomes:*

- efficient system for the protection of childhood is established;
- conditions for self-expression and development of a child are created;
- social orphanage and institutional care of children is prevented;
- every decision made about child is based on the best interests of the child and takes into account the child's views, appropriate with the child's age and maturity;
- conditions for the development and upbringing of children in families or in the closest to family environment are created; the reform of boarding schools (institutions) is implemented, they are gradually eliminated;
- the child-friendly services – especially medical, social, and legal services – are introduced;
- all children have equal access to services necessary to them regardless of health, ethnic or social origin, religion, place of residence, citizenship and other grounds;
- the system of early intervention is introduced and functional in order to create favourable life conditions for children having development conditions, support is provided to families of these children, measures are taken to prevent the parents from refusing from their children having development conditions and incapacitation of children;
- an efficient system of juvenile justice is established in accordance with international standards;
- efficient measures aimed at the re-socialization and rehabilitation of minor convicts and former inmates are taken;
- children born on the temporarily occupied territory of Ukraine and in settlements where state authorities temporarily do not perform or partially perform their duties are duly registered;
- the legislation on refugees and persons in need of additional and temporary protection is strictly observed with regard to children, including children separated from their families;

- the number of child survivors of violence and all forms of exploitation, as well as the children in conflict with the law is decreased;
- conditions are created to prevent the involvement of children in the armed conflicts, all possible measures are taken to ensure the protection of rights of children in the area of military operations and armed conflicts;
- minimal standards of security and well-being of the child are set;
- child neglect, homelessness, vagrancy are eliminated.

### **Ensuring the rights of refugees, persons in need of additional protection, foreigners and stateless persons legally staying in Ukraine**

The provision of legal and social protection to refugees, persons in need of additional protection, foreigners and stateless persons needs improvement with account of international standards. The procedure of acknowledging a person a refugee or a person in need of additional protection should be promptly improved, another task is to develop an efficient mechanism for integrating refugees, persons in need of additional protection, foreigners and stateless persons into Ukrainian society, exercise of their rights to work, health care, education, other rights and freedoms. It is also necessary to regulate the problems of stay of foreigners and stateless persons in Ukraine.

#### *Strategic goal:*

- To provide legal and social protection to persons acknowledged as refugees, persons in need of additional protection in Ukraine;
- To provide regulation to the stay of foreigners and stateless persons in Ukraine.

#### *Expected outcomes:*

- the legislation on refugees and persons in need of additional protection is brought in line with the international standards;
- the measures for the integration of persons acknowledged as refugees or persons in need of additional protection in Ukraine, foreigners and stateless persons legally staying in Ukraine into Ukrainian society are implemented;
- appropriate conditions are provided for the person to apply for a status of a refugee or a person in need of additional protection, especially for children separated from their families;
- rights to work, health care, education of the persons acknowledged as refugees or persons in need of additional protection in Ukraine are observed;
- conditions are shaped for the integration into Ukrainian society of persons acknowledged as refugees or persons in need of additional protection in Ukraine and of foreigners and stateless persons that legally stay in Ukraine for a long time.

### **The rights of participants of anti-terrorist operation**

The main problems in this area are: the legislation does not regulate a number of issues related to anti-terrorist operation in Ukraine; the status of certain categories of anti-terrorist operation participants has not been determined; the level of material and technical support of persons taking part in the anti-terrorist operation is inadequate.

*Strategic goal:*

To create and ensure appropriate conditions for the exercise and protection of the rights of participants of anti-terrorist operation.

*Expected outcomes:*

- the legislative regulation of the status of certain categories of participants of anti-terrorist operation is provided;
- the adequate material and technical conditions for the participants of anti-terrorist operation for the period of this operation are provided;
- a system for social, medical, and psychological rehabilitation of the participants of anti-terrorist operation and their families is established for them to get back to normal life.

**Protection of the rights of internally displaced persons**

The conditions of social adaptation of internally displaced persons at a new place of residence need improvement. It is also necessary to take efforts for facilitating their return to former place of residence. Another urgent problem is the need to provide resources for infrastructure rehabilitation in Donetsk and Luhansk regions.

*Strategic goal:*

To ensure proper conditions for the exercise and protection of the rights and freedoms of internally displaced persons.

*Expected outcomes:*

- the basic livelihood needs of internally displaced persons are provided;
- comprehensive measures are taken to support and maintain social adaptation of citizens of Ukraine who moved from the temporarily occupied territory of Ukraine and the area of anti-terrorist operation to other regions of Ukraine
- social rights of internally displaced persons are observed and protected, their educational and other needs are met;
- conditions are created for voluntary return of internally displaced persons to their former permanent places of residence;
- efficient mechanisms for promoting the observance and restoration of rights and freedoms of internally displaced persons are introduced;
- international legal mechanisms for the protection of rights and freedoms of internally displaced persons are used.

**Implementation of all the necessary measures in order to protect the rights of persons living in the temporarily occupied territory**

In the temporarily occupied territory, there are numerous violations of human rights and freedoms of citizens of Ukraine, rights of indigenous peoples and national minorities. After the restoration of territorial integrity of Ukraine, observance of rights and freedoms of person and citizen will be provided in full.

*Strategic goal:*

To ensure the rights of citizens of Ukraine.

Expected outcomes:

- the measures aimed to protect the rights of citizens of Ukraine residing in the temporarily occupied territory are implemented, including through the available bilateral and multilateral international legal mechanisms.

**Ensuring the rights of persons living in the settlements of Donetsk and Luhansk regions where state authorities temporarily do not perform or partially perform their duties**

There is a constant threat to life and health of citizens of Ukraine living in the settlements of Donetsk and Luhansk regions where state authorities temporarily do not perform or partially perform their duties. There is no opportunity to adequately ensure economic, social and other rights of such citizens.

*Strategic goal:*

To ensure the exercise and protection of rights of citizens of Ukraine.

*Expected outcomes:*

- the basic livelihood needs of citizens of Ukraine living in the respective settlements of Donetsk and Luhansk regions are provided;
- the adequate conditions for paying social benefits to such citizens are created, measures are taken to observe their rights to health care and education;
- a safe environment for voluntary movement of such citizens to other regions of Ukraine is created;
- the access to justice for such citizens is restored and the crimes committed in the respective settlements of Donetsk and Luhansk regions are investigated.

**Release of hostages and restoration of their rights**

The main problems are the lack of an efficient system of measures for the liberation of hostages captured and/or detained on the territory of Donetsk and Luhansk regions and providing their rehabilitation.

*Strategic goal:*

To release the hostages and ensure their rehabilitation.

*Expected outcomes:*

- an effective system for the liberation of hostages is established;
- the rights of the released persons to primary medical and legal assistance are observed;
- the system of social – including psychological – rehabilitation of the released individuals and their families is put in operation;
- crimes on kidnapping people and taking hostages are effectively investigated.

## **Raising awareness of human rights**

The overall level of legal knowledge is not satisfactory due to a mismatch between the needs of the society and the existing national legal education programmes. Low awareness of individuals authorized to perform state functions of the international human rights standards leads to the disregard for human rights and, thus, to violations of the rule of law in their activities.

### *Strategic goal:*

To enable every person to have access to information and gain knowledge about the rights, freedoms and duties of a person and a citizen, the mechanisms of their exercise and protection.

### *Expected outcomes:*

- in cooperation with non-governmental and international organizations, a national programme of human rights education is developed and adopted, which includes a clear evaluation and implementation monitoring system;
- international standards of human rights are introduced in the curricula of the secondary, vocational and higher educational institutions;
- human rights standards are integrated to the requirements of professional competence of individuals engaged in law making and law enforcement;
- the awareness raising of human rights is regularly and systematically carried out in the society, including through alternative communication means and easy language in order to disseminate knowledge about human rights and freedoms.

## **Implementation, monitoring, and control over the implementation of the Strategy**

Implementation of the Strategy is provided through the joint action of state authorities, civil society institutions, the Ukrainian Parliament Commissioner for Human Rights, with the support of the United Nations, the Council of Europe, the Organization for Security and Cooperation in Europe and other international organizations at all stages of development, implementation, monitoring and control of the Action Plan.

In order to monitor the implementation of the Strategy by the President of Ukraine, the Cabinet of Ministers of Ukraine, the relevant subsidiary bodies may be established and include the representatives of state authorities, civil society institutions, representative bodies of the indigenous peoples, the Ukrainian Parliament Commissioner for Human Rights, international organizations, Members of Parliament of Ukraine, researchers and other experts (according to procedure stipulated by law).

The control over the implementation of the Strategy and Action plan is performed in accordance with available national and international mechanisms.

The evaluation of implementation of the Strategy shall be based on the results of the Action Plan, Ukraine's position in the international ratings, the results of monitoring of Ukraine by international organizations, social surveys, and opinion polls.

**Head of the Presidential Administration of Ukraine**

**B.Lozhkin**