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Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)

Honouring of obligations and commitments by Ukraine

Information note by the co-rapporteurs on their fact-finding visit to Kyiv (1-4 June 2010)¹

Co-rapporteurs: Mrs Renate WOHLWEND, Liechtenstein, Group of the European People's Party, and Mrs Mailis REPS, Estonia, Alliance of Liberals and Democrats for Europe

¹ This information note has been made public by decision of the Monitoring Committee dated 22 June 2010.

I. Introduction

1. In the framework of the monitoring procedure with respect of Ukraine, we conducted a fact-finding mission to the country from 1 to 4 June 2010. This was the first fact-finding mission since the Presidential elections, and resulting change of power, that took place on 17 January and 7 February 2010. The main aims of this visit were therefore:

- i.* to familiarise ourselves with the political developments in Ukraine since the Presidential elections at the beginning of this year;
- ii.* to familiarise ourselves with the priorities of the new administration with regard to honouring the commitments of Ukraine to the Council of Europe as well as with the direction and priorities for the reforms that are necessary to meet those commitments;
- iii.* to familiarise ourselves with the allegations made by a number of political forces as well as civil society representatives and journalists that political freedoms and liberties, including freedom of assembly and freedom of the media, have come under increased pressure lately to an extent which is affecting the democratic development and governance of the country;
- iv.* to discuss the establishment of a concrete roadmap for the implementation of legal reforms in the framework of the monitoring procedure, as initiated during the last visit of the co-rapporteurs to Kyiv in December 2009.²

2. During our visit, we met with the Speaker of the Parliament of Ukraine, the Prime Minister of Ukraine, the Ministers of Justice and Foreign Affairs, the President of the Supreme Court, the Prosecutor General, the Chairmen and members of the Verkhovna Rada Committees on the Judiciary and on Legal Affairs and the ad hoc Committee on Electoral Reform, the Chairman and members of the National delegation of Ukraine to the Parliamentary Assembly, the Head of the Presidential Administration, the leadership of the different factions in the Verkhovna Rada, members of the diplomatic community in Kyiv, as well as representatives of the media and civil society. The statement delivered at the end of our visit is attached to this note in Appendix 1.

3. We would like to thank the Verkhovna Rada and the Representative of the Secretary General of the Council of Europe in Kyiv and his staff for the excellent programme, we would also thank the Ambassador of Estonia for the hospitality given to our delegation.

4. The political landscape has changed dramatically since the last Presidential elections in Ukraine at the beginning of 2010. As a result of these elections, which were considered to have been overall democratic in nature and in line with international standards by international observers³ (including the Assembly), former President Viktor Yushchenko was replaced by Mr Viktor Yanukovich, who won these elections in the second round with 48.95% of the vote, while the former Prime Minister Yulia Timoshenko gained 45.47% of the votes.

5. Following his election, the new President and his administration moved swiftly to consolidate their power. Following the defection of a number of MPs from the former ruling coalition to the Party of Regions, a new governing coalition was formed around Mr Yanukovich's Party of Regions that replaced the government led by Ms Timoshenko. This new opposition seems by all accounts in disarray after its loss of power and splits can be observed within the factions that made up the former ruling coalition. This has undermined the possibility for the opposition to act as an effective counterweight against the government. All in all, the Party of Regions is therefore currently the dominant political force in the country.

6. A consolidation of power by a ruling majority is understandable and, in the context of the years of political infighting between the different branches of power in Ukraine, possibly even desirable. However, members of the opposition, as well as independent observers and some individual members of the governing coalition have expressed their concern that this consolidation of power has turned into a concentration, or even a monopolisation, of power in the hands of one political group. Potentially, this is a matter of concern.

7. The concerns of a number of our interlocutors seem to have been fuelled, by the controversy regarding the formation of the new governing coalition. Originally, the Law⁴ on the Rules of Procedure of the Verkhovna Rada (the Parliament), specified that a parliamentary majority was established on the basis of the numerical strength of the factions, not on the number of supporting individual MPs. However, when

² See AS/Mon(2009)39 rev, § 28

³ Doc. 12178 (2010), on "the Observation of the Presidential Election in Ukraine", second round (7 February 2010)

⁴ The Rules of procedure of the Verkhovna Rada take the form of a law, purportedly to make their changing for short term political gain more difficult.

support for the former government coalition started to crumble in the Parliament following the elections and MPs began defecting from the (then) governing coalition to the (then) opposition camp, the Law on the Rules of Procedure of the Verkhovna Rada was changed in this respect. It now stipulates that a parliamentary majority is established on the basis of the number of individual MPs that support such a coalition. On that basis, a new governing coalition centred around the Party of Regions was established. This new provision was decried by the opposition – as well as by some independent observers – as being in contradiction with the constitution. However, in a ruling on this issue, the Constitutional Court found that the new provisions were in line with constitutional requirements. We note that this ruling seems to mark new case law compared with previous rulings of the Court on similar questions. At the same time, we note that the notion that a parliamentary majority can only be formed by the factions (and by extension their leadership), over the wishes of the majority of individual members, seems to be closely related to the concept of an imperative mandate of the members of parliament, which runs counter to accepted European democratic standards.

8. The new government has engaged in an impressive range of initiatives and reforms. The government explains this activity by its wish to use the political momentum and the need for quick reforms to deal with the economic crisis after years of inactivity by the government as a result of the systemic political infighting between the different branches of power. We note that many newly elected governments wish to, and do use the political momentum of their first days in office to implement difficult reforms, and we concur that reforms are indeed urgently needed in Ukraine. However, we also note that the speed with which legislative packages are being prepared and adopted, at times without respect for the proper parliamentary procedure or deliberation, is seen by others as a sign of lack of commitment to democratic principles by the authorities. The manner in which the Black Sea agreement with Russia was signed and ratified with little debate or consultation and in chaotic conditions which were broadcast live on television is used as an example in this respect.

9. Regrettably, we note that the political atmosphere remains charged and polarised in the country, also as a result of the manner and the haste with which the reforms are being implemented. This is underscored by a number of allegations that the new administration is tempted to reduce democratic freedoms and liberties. We will discuss this issue in more detail below. In our view, overcoming this polarisation of the political climate is one of the main challenges for the authorities, as well as all other political forces in Ukraine

II. Reform agenda and roadmap

10. During his speech to the Parliamentary Assembly, President Yanukovich informed the members that one of the priorities of his administration would be to honour the remaining accession commitments of Ukraine to the Council of Europe. He mentioned his intention to finalise the necessary reforms and policies before his country would take over the chairmanship of the Committee of Ministers of the Council of Europe in May 2011.

11. During our visit to Kyiv, we were informed that, upon his return from Strasbourg, the President had circulated an outline of remaining accession commitments, as well as the reforms needed to comply with them, and had instructed his government and administration to provide him, before the end of summer, with concrete plans for the implementation of the necessary reforms. A translation of the instruction of the President is attached to this note as Appendix 2. We did not have the time to study this paper in detail and will therefore return to the contents of his instruction, as well as the reforms outlined in it, at a future occasion.

12. All members of the government and the ruling coalition underscored the clear intention of the President to comply with the remaining accession commitments without further delay. We strongly welcome the resolve and the sincerity of the President and his administration to implement these commitments and to co-operate within the monitoring procedure of the Assembly, and have pledged our full support and co-operation to his administration in meeting that objective.

13. In that context, we would like to stress that a number of commitments of Ukraine depend on the reform of its constitution, which has proven to be a politically sensitive issue in the past. We were informed that constitutional reform is currently not a priority on the agenda of the new administration, despite the fact that it is mentioned in the above-mentioned instruction of the President. We would like to stress that, in our view, it will be impossible to honour Ukraine's accession commitments, and thus finalise the monitoring procedure, without implementing such a constitutional reform. In addition, deficiencies and ambiguities in the constitution have been at the root of the systemic political crisis that has plagued Ukraine over the last years. The current relative stability is completely dependent on the dominance of the political environment by the main ruling party, and is, as such, fragile. We would therefore urge the authorities to avail themselves of the current

stability and their position of relative strength, to revive the constitutional reform process in line with recommendations of our Assembly.

14. In relation to the constitutional reform process, we note that a draft for a Unified Election Code for Ukraine, which has been a long-standing demand of the Assembly, has now been tabled by the ad hoc Committee on Electoral Reform of the Verkhovna Rada. We are concerned that most members of this cross-party group seem to doubt the willingness of the main political forces to seriously consider changing the electoral system and adopt a new unified election code.

15. As mentioned above, the authorities and ruling coalition are criticised for failing to respect proper democratic practice and dialogue with the opposition in the adoption and implementation of reforms, including those that are needed to meet the accession commitments. We would like to stress that far-reaching reforms are needed to meet the remaining accession commitments, which by their nature should be based on as wide as possible political consensus for them to be effective. We would therefore urge the authorities and political forces in the ruling coalition to fully respect parliamentary procedure, both the letter and spirit thereof. This implies ensuring that legislative packages are based on dialogue and consultation and that all political forces can take full part in the deliberations before legislative packages are adopted. In our view, while speed is required, this should not be at the cost of the quality of the reforms or the procedure by which they are adopted.

16. The same factors are also affecting the consultations with external partners including with the Council of Europe. The authorities have, time and again, stated, in public as well as in private, that all reforms will be implemented fully in line with European standards and in close consultation with the relevant Council of Europe departments, most notably the European Commission for Democracy through Law (Venice Commission). However, a number of laws have been adopted without the Venice Commission having been asked to give an opinion on the final version of the draft law before its adoption in a final reading. We consider that such opinions of the Venice Commission are essential. In view of the continuing polarised political environment, such opinions could dispel any possible questions about the democratic nature of a given legislative package. We therefore urged the authorities and leadership of the Verkhovna Rada to ensure that, as a rule, such opinions would be requested before laws are adopted in a final reading.

17. A good example of the aforementioned issues, and their complex interaction, is the current debate surrounding the Draft Law on the Judicial System and the Status of Judges. This law was originally adopted by the Committee on the Judiciary of the Verkhovna Rada in June 2008. After several rounds of consultations, it was sent to the Venice Commission for opinion. The Venice Commission and the Directorate General of Human Rights and Legal Affairs of the Council of Europe adopted a joint opinion on this draft law in March 2010, in which a number of important changes were recommended. However, this draft law was rather suddenly tabled on 14 May, and adopted in a first reading, reportedly without much deliberation, by the Verkhovna Rada on 2 June 2010. This law, which is a key piece of legislation which is necessary to meet Ukraine's commitments to the Council of Europe, will reportedly be adopted in a final reading at the beginning of July 2010. The speed with which this draft law was introduced and processed is raising some questions and doubts, especially as it contains a number of potentially politically charged provisions. One of the new provisions changes the mandate of the Supreme Court and reduces its role. The fact that the chairman is widely considered to be close to former Prime Minister Yulia Tymoshenko has immediately given rise to allegations that political power games are in play. In addition, this draft law highlights the need for constitutional reform, as a number of issues raised in the opinion of the Venice Commission can only be addressed properly through Constitutional amendments.

18. During our visit, the Chairman of the Committee on the Judiciary of the Verkhovna, Mr Kivalov, assured us that all Venice Commission recommendations had been addressed in the draft law that was tabled by his Committee on 14 May. However, the Venice Commission informed us that, at the time of writing this information note, no request has been received by the Venice Commission for an opinion on the law as tabled and adopted in a first reading. Mr Kivalov had given us the clear impression that he would welcome a fresh opinion of the Venice Commission. Therefore, given the importance of this law, and the need to build public trust in its provisions, we suggest that the Monitoring Committee refers this law to the Venice Commission for opinion, as is its prerogative.

19. We welcome the fact that the different political factions and the Verkhovna Rada leadership agree with the Assembly on the establishment of a roadmap for the implementation of the reforms requested by our Assembly. During our meeting, the Speaker of the Rada informed us that he had also raised this issue with President Yanukovich. The latter, in line with his policy on fulfilling the remaining commitments before May 2011, had proposed that such a roadmap also include the executive in order to ensure a holistic approach in

implementing the necessary reforms. We welcomed this idea and the Speaker of the Verkhovna Rada informed us that he would provide us with a concrete proposal for such a roadmap in the near future.

III. Allegations of reduced democratic freedoms and liberty

20. For the Assembly, the establishment of clear respect for, and protection of, democratic freedoms and liberties has been one of the main achievements of Ukraine over the last years and is one of the welcome legacies of the Orange Revolution. We note that, in the view of many election observers, it was precisely the entrenchment of the respect for such fundamental freedoms that ensured the democratic nature of the last presidential elections, despite its severely flawed legal framework.

21. Therefore, we are concerned about the increasing numbers of allegations that the authorities are reducing these freedoms and that democracy is receding in the country. The allegations have mostly centred on the freedom of the media, freedom of assembly and increased pressure from the law enforcement agencies for political purposes.

22. In our meetings with representatives of the media, a number of journalists from TV stations informed us that there was increased interference by owners on the editorial lines of their news programmes. As a result, self-censorship was on the rise. However, they also informed us that, until now, there had been no instances of direct censorship or pressure by the authorities themselves. In May this year, a number of journalists published a statement alleging that taboo subjects and censorship had returned to at least two TV stations. In addition, on 23 April, the organisation Reporters Without Borders sent an open letter to the President, expressing its concern about the erosion of the right to information in Ukraine. An aggravating factor is the alleged role of the Head of the State Security Services, Mr. Khoroshkovsky – who is a close ally of Mr Yanukovich and owner of TV Inter, in these issues. Managers from TV Inter have reportedly been appointed to key managing positions in the main state owned TV channel.

23. It should be noted that the authorities, on several occasions, have underlined their attachment to freedom of expression and freedom of media. Following the open letters by the journalists, President Yanukovich publicly pledged to protect the freedom and pluralism of the media in Ukraine and warned that any infringement by members of his government and state officials would have serious consequences for the perpetrators.

24. The role of the State Security Service, and especially its Head, Mr Khoroshkovskyyi, is of concern. Recently, a complaint was filed by the rector of the Catholic University that a member of the State Security Service had requested him, in a manner reminiscent of the Soviet era, to provide information about any political activities of his students. Moreover, President Yanukovich has recently appointed Mr Khoroshkovskyyi to the High Council of Justice, despite potential conflicts of interest as it is the State Security Service that is responsible for investigating any allegations against judges in Ukraine. The President and members of his administration have publicly and privately expressed their dismay at the Lvyiv incident and an official investigation has been opened. However, this condemnation is somewhat undermined by the political role played by Mr Khoroshkovskyyi in this administration and his recent appointment to the High Council of Justice, which is of concern to us.

25. A number of NGOs have complained to us that protest actions had been broken up, and their activists harassed by the police and other state law enforcement agencies, which, if corroborated, would be of concern. Moreover, just before the start of our visit, a youth had died in police custody, allegedly as a result of police brutality. Police brutality is indeed a problem in Ukraine, and of serious concern to us as rapporteurs, but this is not a new phenomenon under the current administration.

26. While we are not in a position to judge on the merits of the allegations, their increasing number in recent months is of concern to us. This is also because some interlocutors told us that these allegations, combined with some of the more controversial decisions of the new administration, have negatively affected the East-West divide in the country. We therefore stressed that any regression in respecting and protecting these rights would be unacceptable for the Assembly. In that respect, we also welcomed the statement of the President that there would be zero tolerance for such behaviour, and that all allegations would be fully investigated, and the perpetrators punished.

IV. Conclusions

27. The political landscape has changed considerably in Ukraine since the last elections, which resulted in a new and stable government that has pledged the country's integration in Europe. We welcome the new

stability in the governance of the country but wish to warn that consolidation of power should not lead to concentration or even monopolisation of power.

28. We strongly welcome the priority given by the new administration to fulfill the remaining accession commitments of Ukraine to the Council of Europe in the very near future. The fulfillment of these commitments entails the implementation of an ambitious programme of far-reaching reforms. We strongly support this policy and urge the Assembly to assist the development of these reforms. Given the tight timetable indicated by the Ukrainian authorities, we would therefore propose that the Monitoring Committee request that an item on the functioning of democratic institutions be added to the agenda for the autumn 2010 part-session. This would offer the Assembly a chance to outline its views and recommendations for this ambitious reform programme at an early stage.

29. In the meantime, given the importance of judicial reform, we propose that the Committee request the opinion of the Venice Commission on the Draft Law on the Judicial System and the Status of Judges of Ukraine, as adopted in a first reading on 2 June 2010, as well as the law amending the legislation concerning the High Council of Justice contained in the Law no 2181-VI.

30. With regard to legislative reforms, we call upon the Speaker and leadership of the Verkhovna Rada to ensure that the Council of Europe is consulted on the different reforms and, most notably, that the Venice Commission is asked for an opinion on the final versions of the draft laws before they are adopted in a final reading. We note with concern that, in its eagerness to implement the reforms within a short time span, the authorities may not sufficiently respect democratic procedure and give time for proper consultation and reflection. Given the importance that the reforms are supported by the largest possible majority, we call on the authorities to ensure that all political forces are involved in the reform process and that proper time be given for deliberation and public consultation.

31. A clear and unwavering respect for democratic freedoms and rights has been one of the main achievements in Ukraine's democratic development in recent years. We are therefore concerned about the increasing number of allegations that democratic freedoms, such as freedom of assembly, freedom of expression and freedom of the media have come under pressure in recent months. Any regression in the respect for and protection of these rights would be unacceptable for the Assembly.

32. We intend to visit the country again in early autumn for follow-up discussions with a view to preparing a full report on the honouring of commitments and obligations by Ukraine in the summer of 2011. During that visit, we intend to focus on a number of human rights issues.

APPENDIX 1

PACE co-rapporteurs welcome Ukrainian authorities' pledge to honour remaining Council of Europe commitments

Strasbourg, 04.06.2010 – Renate Wohlwend (Liechtenstein, EPP/CD) and Mailis Reps (Estonia, ALDE), co-rapporteurs of the Parliamentary Assembly of the Council of Europe (PACE) for the monitoring of Ukraine, have welcomed the clearly-stated objective of Ukraine's authorities and ruling coalition to implement remaining commitments to the Council of Europe in the near future. "The request of the President of Ukraine to his government and the Verkhovna Rada to adopt a reform package that would honour the country's remaining commitments to the Council of Europe is an ambitious project that deserves the support of the Council of Europe and its Assembly," said the co-rapporteurs at the end of a fact-finding visit to the country.

However, they also noted that several interlocutors from the opposition, but also from the ruling coalition, had indicated that the eagerness of the authorities to implement these reforms with the shortest possible delay had limited the possibility for proper reflection and consultation between all political forces. "The reforms needed to meet the remaining commitments, due to their importance, should necessarily be based on a consensus between the different political forces that is as wide as possible," stressed the co-rapporteurs. "We therefore urge the relevant authorities to ensure that parliamentary procedures are fully respected, that the Venice Commission is properly consulted before legislation is adopted, and that the elaboration and adoption of any legislative reforms are made in an open and inclusive manner."

In addition, they underscored that a number of reforms depended on a long-overdue reform of the Constitution, but that the President's plans did not yet include such a constitutional reform project, which was much needed.

The co-rapporteurs noted with concern the increasing number of allegations that democratic freedoms such as freedom of assembly, freedom of expression and freedom of the media had come under stress in recent months. "A clear and unwavering respect for democratic freedoms and rights has been one of the main achievements in Ukraine's democratic development in recent years. Any regress in respecting and protecting these rights would be unacceptable for the Assembly," the co-rapporteurs said. They therefore noted with satisfaction that the President had stressed there would be zero tolerance for such behaviour, and that all allegations would be fully investigated, and perpetrators punished.

"Ukraine's European orientation was highlighted over and again by all the interlocutors we spoke to. The road to European integration goes through the Council of Europe and the fulfilment of Ukraine's commitments to it. We pledge to spare no effort to help the country in doing so," concluded Ms Wohlwend and Ms Reps.

APPENDIX 2

Instructions of the President of Ukraine

(original Ukrainian version ; unofficial translation by the Council of Europe)

For the implementation of agreements concluded during the working visit of the President of Ukraine to France to participate in the second session of the Parliamentary Assembly of the Council of Europe and as a result of meetings with senior Council of Europe officials on 27 April 2010:

Addressed to: **M. Ya. AZAROV**
O. V. LAVRYNOVYCH

1. Taking into account the conclusions of the Venice Commission and the Resolutions of the Parliamentary Assembly of the Council of Europe, prepare and submit for consideration by the Verkhovna Rada of Ukraine a draft Law of Ukraine "On Amendments to the Constitution of Ukraine".

Completion: January 2011

2. With the aim of bringing the electoral law of Ukraine into line with European standards and taking into account the conclusions of the Venice Commission, prepare and submit for consideration by the President of Ukraine proposals concerning the introduction of necessary amendments to the relevant Laws of Ukraine and the expediency of their codification.

Completion: September 2010

Addressed to: **O. V. LAVRYNOVYCH**

3. Ensure that account will be taken of the conclusions of the Venice Commission when preparing draft laws relating to the reform of the judicial system. Present the relevant draft laws to the President of Ukraine for submission, in accordance with established procedures, to the Verkhovna Rada of Ukraine for consideration.

Completion: June 2010

Addressed to: **M. Ya. AZAROV**
O. V. LAVRYNOVYCH
Yu. O. PLAKSIUK

4. Finalise and submit for consideration by the Verkhovna Rada of Ukraine the draft laws "On Reforming State and Local Government Printed Mass Media", "On the Protection of the Professional Activities of Journalists" and "On Amendments to the Law of Ukraine 'On Information'".

Completion: June 2010

Addressed to: **M. Ya. AZAROV**
O. V. LAVRYNOVYCH
O. I. MEDVEDKO

5. Prepare in the light of the conclusions of the Venice Commission and the recommendations of the PACE a new version of the Law of Ukraine "On the Public Prosecutor's Office" and submit it, in accordance with established procedures, to the Verkhovna Rada of Ukraine for consideration.

Completion: June 2010

Addressed to: **M. Ya. AZAROV**
O. V. LAVRYNOVYCH

6. Finalise and present for consideration by the Verkhovna Rada of Ukraine the draft Code of Criminal Procedure of Ukraine.
7. Develop and present for consideration by the Verkhovna Rada of Ukraine a draft Law of Ukraine "On Amendments to Penal Enforcement Legislation of Ukraine" relating to the transfer of the state penal enforcement service to the judiciary, the creation of a probation system and ensuring respect for the rights of convicted prisoners and detainees, in accordance with the European Prison Rules.

Completion: June 2010

Addressed to: **M. Ya. AZAROV**
K. I. HRYSHCHENKO
O. V. LAVRYNOVYCH

8. Finalise and submit to the President of Ukraine, in accordance with established procedures, the draft Laws of Ukraine "On the Ratification of the European Convention on the Compensation of Victims of Violent Crimes of 1983", "On the Compensation of Victims of Violent Crimes" and "On the Ratification of the Council of Europe Convention on Action against Trafficking in Human Beings".

Completion: 1 August 2010

Addressed to: **M. Ya. AZAROV**
O. V. LAVRYNOVYCH
V. H. YATSUBA
T. V. MOTRENKO

9. Prepare and adopt an Action Plan concerning the reform of the system of state administration.

Completion: 1 August 2010

Addressed to: **M. Ya. AZAROV**
Yu. O. PLAKSIUK
O. V. LAVRYNOVYCH

10. Prepare and submit for consideration by the Verkhovna Rada of Ukraine a new version of the Law of Ukraine "On Amendments to the Law of Ukraine 'On the System of Public Television and Radio Broadcasting'".

Completion: September 2010

Addressed to: **M. Ya. AZAROV**
O. V. LAVRYNOVYCH

11. Finalise and submit for consideration by the Verkhovna Rada of Ukraine the draft Laws of Ukraine "On Ministries and other Central Executive Bodies" and "On Amendments to the Code of Ukraine on Administrative Infringements and the Customs Code of Ukraine (relating to appeals against decisions on administrative infringements)".

Completion: September 2010

Addressed to: **O. V. LAVRYNOVYCH**

12. Within the framework of the working group of the Committee for Legal Policy of the Verkhovna Rada of Ukraine, support the further development of the draft Law of Ukraine "On Advocates" (new version) and secure its passage through the Verkhovna Rada of Ukraine.
13. Secure the passage through the Verkhovna Rada of Ukraine of the draft Laws of Ukraine "On Amendments to Certain Laws of Ukraine on Ensuring Transparency of Ownership Relations with Regard to the Mass Media", "On the Security Services of Ukraine" and "On Free Legal Aid".

Completion: date of adoption of the laws

Addressed to: **T. V. MOTRENKO**
O. V. LAVRYNOVYCH

14. Finalise and submit for consideration by the Verkhovna Rada of Ukraine a new version of the Law of Ukraine "On the Civil Service".

Completion: 1 September 2010

Addressed to: **F. O. YAROSHENKO
A. V. MOHYLIOV
O. V. LAVRYNOVYCH
K. I. HRYSHCHENKO**

15. Secure the passage through the Verkhovna Rada of Ukraine of the draft Laws of Ukraine “On Amendments to the Law of Ukraine ‘On Preventing and Counteracting the Legalisation (Laundering) of Proceeds of Crime’” and “On the Ratification of the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism”.

Completion: date of adoption of the laws

Addressed to: **M. Ya. AZAROV
O. V. LAVRYNOVYCH
T. V. MOTRENKO**

16. Submit proposals for the enhancement of state policy and legislation on the adoption of a gender-based approach to the system of state and social administration.

Completion: 1 July 2010

Addressed to: **O. V. LAVRYNOVYCH
Yu. Ye. ZAITSEV
K. I. HRYSHCHENKO**

17. Take measures to ensure the rigorous and expeditious execution of judgments of the European Court of Human Rights finding violations by Ukraine.
Keep the Head of State constantly informed of the outcomes.

Addressed to: **O. V. LAVRYNOVYCH
A. V. MOHYLIOV
V. I. KHOROSHKOVSKIY
V. P. TSUSHKO
F. O. YAROSHENKO
O. V. LISITSKOV**

18. Finalise and submit for consideration by the Verkhovna Rada of Ukraine the draft Law of Ukraine “On the National Committee of Ukraine for the Prevention of Torture”.

Completion: 1 September 2010

Addressed to: **V. I. KHOROSHKOVSKIY
K. O. YEFYMENKO**

19. Finalise and submit for consideration by the Verkhovna Rada of Ukraine the draft Law of Ukraine “On the Interception of Telecommunications”.

Completion: 1 September 2010

Addressed to: **Yu. Ye. RESHETNIKOV
O. V. LAVRYNOVYCH**

20. Finalise and submit for consideration by the Verkhovna Rada of Ukraine a new version of the Law of Ukraine “On Freedom of Conscience and Religious Organisations” and the draft Law of Ukraine “On the Restitution to Religious Organisations of Property Intended for Worship”.

Completion: 1 December 2010

Addressed to: **M. Ya. AZAROV
O. V. LAVRYNOVYCH
Yu. Ye. RESHETNIKOV
Yu. O. PLAKSIUK**

**K. I. HRYSHCHENKO
V. P. TSUSHKO
F. O. YAROSHENKO
V. I. KHOROSHKOVSKYI
O. P. HINZBURH**

21. Finalise, taking into account the recommendations of the Parliamentary Assembly of the Council of Europe, and submit for consideration by the Verkhovna Rada of Ukraine a draft Law of Ukraine "On Access to Information".

Completion: 1 October 2010

Addressed to:

**M. Ya. AZAROV
Yu. Ye. RESHETNIKOV
O. V. LAVRYNOVYCH
M. A. KULYNIAK
D. V. TABACHNYK
V. I. KHOROSHKOVSKYI
F. O. YAROSHENKO
V. P. TSUSHKO
A. V. MOHYLIOV
K. I. HRYSHCHENKO**

22. Taking into account the conclusions of the Venice Commission, and in accordance with the Council of Europe Framework Convention for the Protection of National Minorities, prepare and submit for consideration by the Verkhovna Rada of Ukraine a draft Law of Ukraine "On the Concept of a State Ethno-National Policy of Ukraine" and a new version of the Law of Ukraine "On National Minorities in Ukraine".

Completion: 1 December 2010

Ref. № 1-1/806 dated 30.04.10

V. YANUKOVYCH