

other laws; the new relationship between church and state; the right to citizenship, spousal rights, the right to own property and inheritance rights; freedom of thought, conscience, religion, peaceful assembly, association; the right to free choice of labour, trade unions and workers' rights; health protection; and the work of the State Committee on Nationalities and Minorities.

The Committee's concluding observations and comments (CERD/C/304/Add.48) noted factors and difficulties hindering implementation of the Convention, including the deep political, economic and social reforms under way, and the large number of formerly deported people who are returning to their places of origin and seeking employment and shelter.

The Committee welcomed, *inter alia*: adoption of the Declaration of the Rights of National Minorities and the enactment of the Act on Ukrainian Citizenship, the Act on National Minorities in Ukraine, the Education Act and the Act on Freedom of Conscience and Religious Organizations; Ukraine's accession to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the ILO Discrimination (Employment and Occupation) Convention 1958 (No. 111), and the intention to ratify the European Framework Convention for the Protection of National Minorities as well as the European Charter on Regional and Minority Languages; creation of the post of Ombudsman as the independent human rights representative of the Supreme Council, and the establishment of an interdepartmental commission responsible for monitoring and taking preventive action in matters of racism and racial discrimination; and the government's aim to return, resettle and rehabilitate more than 250,000 Crimean Tatars, as well as persons of other nationalities, who were forcibly deported to different parts of the former Soviet Union.

The principal subjects of concern identified by the Committee included, *inter alia*: the lack of information on legislation enacted to implement the punitive provisions of article 4 of the Convention; lack of information on complaints and convictions for acts of racial discrimination, and the inadequacy of demographic data on the different ethnic groups living in Ukraine; reports of mistreatment by the police of members of the Roma population, especially those living in the Transcarpathian region; the difficulties experienced by members of minority groups in acquiring citizenship, including the Crimean Tatars, who were deported decades earlier and are now returning to resettle in Ukraine; the situation of certain other minority groups who do not realize all of their economic, social and cultural rights, notably the right to education; and, the insufficiency of information provided on the number of complaints of racial discrimination and available remedies, as well as the practice of the tribunals.

The Committee recommended that the government, *inter alia*:

- ♦ monitor all tensions which may give rise to racial segregation and work for the eradication of any negative consequences that ensue;
- ♦ take more comprehensive legislative measures to give effect to article 4 of the Convention;
- ♦ continue to take all necessary steps to restore fully the rights of repatriated members of minorities, including the Crimean Tatars, and afford them just and adequate reparation where appropriate;
- ♦ solve, as soon as possible and in a just manner, the issues relating to the citizenship of the repatriated members of minorities, including the Crimean Tatars, and consider the possibility of acceding to the international instruments on statelessness;
- ♦ review and improve the training of law enforcement officials to ensure that, in the performance of their duties they respect and protect human dignity and maintain and uphold the human rights of all without distinction as to race, colour, or national or ethnic origin;
- ♦ take steps to publicize widely the text of the Convention so that the judiciary, the legal profession, the relevant governmental agencies, and the general public, are made fully aware of its provisions and potential;
- ♦ provide, in the next report, detailed information on cases of complaints of racial discrimination brought before the courts and on remedies made available to victims of racism and xenophobia;
- ♦ provide, in the next report, information on cases filed by the Human Rights Ombudsman insofar as they relate to the scope of the Convention;
- ♦ undertake awareness-raising campaigns on the use of judicial remedies against racism, including the complaints procedure established under article 14 of the Convention; and
- ♦ take all appropriate measures to ensure education and teaching in the mother tongue of minorities wherever possible.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Disappearances, Working Group on enforced or involuntary: (E/CN.4/1998/43, paras. 13, 382–383)

For the first time three cases of alleged disappearance were sent to the government. The disappearances reportedly occurred in 1995 and concern two brothers and a friend who were said to have been arrested in Simpherolol, Crimea, by members of the security forces. The government informed the Working Group that the Procurator's Office of the Autonomous Republic of Crimea had undertaken an investigation into the subjects' whereabouts. Witnesses, close relatives, neigh-