

foreigners from more than 100 countries with one in every seven expelled from the country for crossing the border illegally.

Reference is made to the development of illicit businesses such as fake travel agencies, joint enterprises, commercial establishments and limited-liability companies such as a Ukrainian-Pakistani firm registered in Kiev which specialized in preparing false travel documents for foreigners and sending them to the West. The report also refers to an Israeli firm that transported illegal migrants whom it passed off as students at a Ukrainian educational institution. By 1994 the number of such businesses had risen to 78 and, in 1995, 91 were uncovered in the first six months alone. The working paper notes that in transporting foreigners across the border, the criminal groups show less concern for them than they would for a load of goods and refers to a case, in 1996, in which a refrigerator truck transporting Chinese nationals was stopped at the border between Ukraine and Slovakia. Out of the 40 people detained 10 were suffering from severe frostbite and needed resuscitation.

The working paper states that the right to freedom of movement is more than just the right to cross the border and includes the right to normal living conditions in the country of residence. Information from the Committee of Afghan Emigrants in the Ukraine is cited to illustrate this point.

Other Reports

Children and juveniles in detention, Report of the S-G to the CHR: (E/CN.4/1997/26, para. 2, Section I)

The report of the Secretary-General refers to information provided by the government citing a constitutional provision which establishes the creation of reception centres for minors and the creation of medical and social rehabilitation centres for minors. The government also stated that the courts consider the cases related to: minors who committed a criminal offence; minors aged 16 to 18 who committed an administrative offence; placing juvenile delinquents in centres for minors; parents' or tutors' administrative responsibility concerning the education and teaching of children; restriction or deprivation of parents' rights; restoration of parents' rights and settlement of disputes between parents concerning the place of residence of minors; and, issues concerning the personal and property rights of minors. The government referred to the Institute of Judicial Educators which was established by the court to execute the court's decision concerning minors and assigned the main tasks of: participation in the execution of the court's decisions; elimination of the reasons and conditions promoting the commission of illegal activities; education or re-education of minors; and, assisting parents in the re-education of minors. Additional information provided by the government related to the criminal liability of juveniles, coercive measures of a correctional nature, the conditions of juveniles in special educational institutions, educational labour colonies, which can be of general or tightened regime, conditional sentencing, probation and reprieve, and the prohibition on the death penalty for anyone who was less than 18 at the time the capital offence was committed.

Mass exoduses, Report of the HCHR to the CHR: (E/CN.4/1997/42, Section III.A, Section IV)

The report of the High Commissioner for Human Rights summarizes a response received from the government,

referring to the Regional Conference on the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States and neighbouring States (CIS Conference), which was held in Geneva in May 1996. The government emphasized the need for innovative approaches to address the complex and specific migratory flows that were taking place in the CIS States and highlighted the specific international standards that had been developed under the Programme of Action to address modern forms of involuntary and enforced migration, including forcibly displaced persons. The government noted its lack of resources to address migration problems on its own, including problems related to refugees and deported persons, and underscored the need to cooperate with international organizations, principally UNHCR and IOM. With regard to internal measures, the government cited the establishment of the Ukrainian Ministry of Nationality and Migration Affairs (now the Ukraine State Committee on Nationality and Migration Affairs), and of local agencies of the migration service, as well as preparations for the opening of a regional centre to provide temporary accommodation for refugees. The government expressed the view that the most important tasks in developing state migration policy were: elaboration of an outline of a state migration policy; accelerating the adoption of immigration legislation and the setting up of practical machinery for solving humanitarian and legal problems facing migrants; and coordinating the efforts of various state bodies and targeting their activities within the framework of a single state migration policy.

In the section dealing with early warning, emergency preparedness and response, the report notes the government's emphasis on the need to expand the efforts for preventive measures, in order to identify and forestall the main causes of mass exoduses and the emergence of new refugee and migrant populations, including through the establishment of efficient rapid response and early-warning mechanisms to deal with crisis situations.

Minimum humanitarian standards, Report of the S-G to the CHR: (E/CN.4/1997/77, para. 4, Section I)

The report of the Secretary-General refers to information provided by the government, stating that the problem of national minorities and their integration in society is of paramount importance for Ukraine's future development and for maintaining stability and a crises-free situation. The government referred to the advisability of considering a review of national legislation related to situations of public emergency with a view to ensuring that it meets the requirements of the rule of law and does not involve discrimination on the grounds of race, colour, sex, language, religion or social origin. The government expressed its willingness to draft new laws and noted initial work that had been undertaken to draft a law on the indigenous people of the Crimea, with the goal of harmonizing inter-ethnic relations.

Restitution, compensation and rehabilitation, Report of the S-G to the CHR: (E/CN.4/1997/29, para. 4)

The report of the Secretary-General refers to information provided by the government citing constitutional and legal provisions on: protection by the courts; appeal against decisions and acts (or inaction) of state bodies, civil servants and officials; the right of appeal to relevant international legal