



International Conference:

Implementing International Humanitarian Law Provisions to Ukrainian Legislation

July 13, 2016

15:00 – 18:00

Event Concept:

Human rights organizations have repeatedly pointed to the non-compliance of Section 20 of the Criminal Code of Ukraine "Crimes against peace, human safety and international law order "with international humanitarian law, notably the Rome Statute. Namely, the Code does not contain liability for crimes against humanity and provisions on the crime of aggression, war crimes and genocide do not fully reflect the requirements of today's international criminal law. This has a negative impact on effectiveness of investigations of the crimes against participants of the Euromaidan events (2013-2014), as well as events in Crimea and Donbas (2014-2016).

That is why, in accordance with National Human Rights Strategy dated August 25, 2015, the Government must analyze criminal legislation to identify loopholes and non-compliances with international humanitarian law. National Human Rights Strategy Action Plan dated November 23, 2015, reads that, upon completion of such analysis, authorities are to prepare a draft law to introduce amendments to Criminal Code of Ukraine (hereinafter - CCU) and other related legal acts.

PACE has also pointed to the urgency of solving this issue in its resolution 2112 (2016), according to which PACE calls Ukrainian authorities to bring Ukrainian legislation, including Criminal Code and Criminal Procedures, in line with international humanitarian law; notably, to add provisions on the status of captured person and define torture as serious crime.

Center for Civil Liberties has initiated preparation of the respective draft law, which is proposed to be discussed with representatives of the Ukrainian authorities, international experts and civil society (see text below).

Objective:

To assess CCU compliance with provisions of the international humanitarian law and the Rome Statute of the ICC and to discuss the following issues:

- a) harmonizing Ukrainian laws relating to the liability for main crimes under international law with the Rome Statute;
- b) relevant criminalization and penalization, in the legal system of Ukraine, of other crimes under international law (primarily - torture);
- c) associated legislative amendments on:
 - peculiar features of validity of the Law of Ukraine on Criminal Liability in time and space;
 - recognizing foreign states and international criminal courts' (tribunals) rulings;
 - regulating some criminal law consequences of committing a crime.

Invited Participants:

- 1) criminal law and international humanitarian law Ukrainian and foreign experts;
- 2) lawyers, human rights advocates, civil society representatives from Ukraine and abroad;
- 3) Ukrainian MP's, Members of other countries' parliaments, ICC representatives;
- 4) embassies' representatives, as well as of international and inter-governmental organizations;
- 5) representatives of the central Ukrainian state bodies (General Prosecutor's Office, War Prosecutor's Office, Justice Ministry, Home Affairs Ministry, Presidential Administration, Ombudsman's Office, Secret Services, Defense Ministry, Counsel of Judges, State Court Administration etc.).