

AIDE MEMOIRE
ON THE CANDIDATURE OF UKRAINE TO THE HUMAN RIGHTS COUNCIL

COMMITMENTS AND PLEDGES OF UKRAINE ON HUMAN RIGHTS

The Government of Ukraine decided to put forward the candidature of Ukraine to the UN Human Rights Council at the elections to be held during the 60th session of the UN General Assembly on 9 May 2006.

Ukraine has been the member of the UN Commission on Human Rights in 1947-1971, 1983-1985, 1989-1991, 1996-1998 and 2003-2005, in 2005 the representative of Ukraine served as the Vice-Chairperson of the Commission at its 61st session. Since the Orange Revolution of 2004 consolidation of democracy, the rule of law and respect for human rights and fundamental freedoms have been in the center of domestic and foreign policy of Ukraine. This has been clearly reaffirmed by the recent elections of 26 March 2006 to the Verkhovna Rada (Parliament) of Ukraine, which were recognized by the international community as free, fair and in compliance with democratic standards.

Proceeding from the need to improve the UN human rights mechanisms Ukraine from the very outset strongly supported the initiative of the Secretary General regarding the establishment of the UN Human Rights Council to replace the Commission on Human Rights. We consider the creation of the Council as one of the most important achievements of the 2005 World Summit and hope that the new organ would place the human rights issues to the higher level at the UN and ensure constructive international dialog and cooperation aimed at promotion and protection of human rights and fundamental freedoms worldwide.

Ukraine is firmly committed to the respect for human rights and fundamental freedoms, which are embodied in the Constitution and relevant legislative acts of Ukraine. The position of the Authorized Human Rights Representative of the Verkhovna Rada (Parliament) of Ukraine is provided for in the Constitution to exercise the parliamentary control over the observance of the Constitutional human and citizens' rights and freedoms. The Authorized Representative issues annual reports on this issue.

As a responsible partner of the international cooperation Ukraine strictly adheres to its international obligations in the field of human rights and strives at achieving the highest standards in this sphere.

Ukraine is party to the majority of the international human rights instruments, including six core UN human rights conventions and most of their optional protocols, in particular:

- International Covenant on Economic, Social and Cultural Rights;
- International Covenant on Civil and Political Rights and its Optional Protocol;
- International Convention on the Elimination of All Forms of Racial Discrimination;

- Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol;
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- Convention on the Rights of the Child and its Optional Protocols.

In compliance with the obligations under these treaties Ukraine timely submits periodic reports to the appropriate UN bodies.

Ukraine also co-operates actively with the Council of Europe and the Organization for Security and Cooperation in Europe in the field of protection of human rights and fundamental freedoms. Ukraine is a party to the 48 treaties of the Council of Europe, including the Convention for the Protection of Human Rights and Fundamental Freedoms, most of its protocols, and signed 36 other international treaties concluded within this organization.

The priority issues for Ukraine in the field of international cooperation on human rights are elimination of all forms of violence against women, protection of the rights of child, of persons belonging to national, religious, linguistic or ethnic minorities, combating human trafficking, prevention of shameful practices of torture, racism, racial discrimination and any forms of religious intolerance.

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In line with its long standing commitments to promote and protect human rights, Ukraine commits itself in particular to the following:

At the national level

- to cooperate fully with the Human Rights Council in terms of the universal periodic review;
- to extend a standing invitation to the UN special procedures; to provide assistance to the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights during their expected visits to Ukraine in 2006;
- to continue cooperation with UN human rights treaty bodies by timely submitting its periodic reports and acting promptly on their recommendations; particularly, to submit in 2006 its periodic reports on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, International Covenant on Economic, Social and Cultural Rights, and to present its reports on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and International Covenant on Civil and Political Rights;

- to accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights aimed at the abolition of the death penalty (*Ukraine is a party to the Protocol No.6 to the European Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty; the death penalty is abolished in Ukraine*);
- to become a party to the Optional Protocol to the Convention Against Torture and Cruel Inhuman or Degrading Treatment or Punishment (*signed by Ukraine in September 2005*).

At the international level

- to continue to work for the universality and indivisibility of all human rights: civil, political, economic, social and cultural rights, including the right to development;
- to make every effort to ensure that the UN Human Rights Council fulfils its mandate responsibly and effectively;
- to continue to promote dialogue and cooperation as the primary means for protecting and strengthening human rights worldwide;
- to continue contributing, through the United Nations system, to the strengthening of democracy, the rule of law, respect and protection of human rights and fundamental freedoms;
- to contribute to the ongoing reform of the UN treaty bodies system and strengthening of the Office of the UN High Commissioner for Human Rights and of the system of Special Procedures.

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