

Annexure III

Pledges Made



Easier Said
than Done

Apr. 12, 2006 3:18PM

No. 216 / P. 2



PERMANENT MISSION OF BANGLADESH TO THE UNITED NATIONS

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No. PMBNY/Elections/HRC/06

The Permanent Mission of the People's Republic of Bangladesh to the United Nations presents its compliments to the Permanent Mission of all Member States to the United Nations and with reference to the General Assembly resolution A/60/L.48 has the honour to inform that the Government of Bangladesh has decided to present its candidature for membership of the Human Rights Council (HRC) for the term 2006-2008, elections for which will be held on 09 May 2006 during the 60th session of the General Assembly.

The Permanent Mission of Bangladesh, while seeking support for this candidature, has the further honour to highlight the following:

- a. Bangladesh is currently a member of the Commission of Human Rights for the term 2006-2008;
- b. Bangladesh's deep commitment to the promotion and protection of human rights of all its citizens emanates from its constitutional obligation;
- c. Bangladesh has been at the forefront of promotion and protection of all human rights at national, regional and international levels. This has been reflected in Bangladesh's adherence to all major human rights instruments;
- d. Bangladesh has actively and constructively participated in the work of the CHR. During her membership of the Commission from 1983 to 2000, Bangladesh fully cooperated with the Commission in fulfilling its mandate. She underscored the importance of genuine dialogue and cooperation among nations as well as of capacity building of the Member States as essential elements towards promotion and protection of human rights;
- e. As Vice-Chair of the Bureau of the Human Rights Commission in 1998, Bangladesh was actively involved in the review process aiming at enhancing the efficiency of the working methods of Commission and rationalize its work;
- f. Bangladesh also hosted several Special Rapporteurs in the recent years in further demonstration of her willingness to cooperate with UN human rights machinery;
- g. At the national level, Bangladesh, a democratic and pluralistic polity, is fully committed to the principles of good governance, democracy, rule of law and promotion and protection of human rights and fundamental freedom of all her citizens, with particular attention to the rights of women, children and minorities.

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h. If elected to the Council:

- I. Bangladesh would fully cooperate with the Council in its work of promotion and protection of all human rights through dialogue, cooperation and capacity building;
- II. Bangladesh would remain prepared to be reviewed under the universal periodic review mechanism.
- III. Bangladesh would endeavour to further integrate the promotion and protection of human rights into her national development policy with special attention to the rights of women, children, minorities and persons with disabilities;

In view of the above and given the excellent bilateral relations and cooperation between our governments and peoples, the Government of Bangladesh would be grateful for the valuable support of your Governments to the candidature of Bangladesh for election to the Human Rights Council for the term 2006-2008.

The Permanent Mission of the People's Republic of Bangladesh to the United Nations avails itself of this opportunity to renew to the Permanent Mission of all Member States to the United Nations the assurances of its highest consideration.

Permanent Missions of all Member States
to the United Nations
New York



BY FAX/SPECIAL MESSENGER



**PERMANENT MISSION OF BANGLADESH
TO THE UNITED NATIONS**

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No. PMBNY/Elections/HRC/06

The Permanent Mission of the People's Republic of Bangladesh to the United Nations presents its compliments to the Department of General Assembly and Conference Management of the United Nations in New York and has the honour to refer to our Note Verbale of even number dated 21 March 2006 announcing candidature of Bangladesh to the Human Rights Council for the term 2006-2008, the elections to which are scheduled for 09 May 2006 during the 60th session of the General Assembly.

The Permanent Mission has the further honour now to elaborate on Bangladesh's voluntary pledges towards human rights in the form of an Aid-Memoire.

The Permanent Mission would deeply appreciate if the Aid-Memoire is posted in the website as an additional element to the two pages posted already.

The Permanent Mission of People's Republic of Bangladesh to the United Nations avails itself of this opportunity to renew to the Department of General Assembly and Conference Management of the United Nations in New York the assurances of its highest consideration.

New York, 13 April 2006

The Department of General Assembly and Conference Management
of the United Nations
General Assembly Affairs
Room #S-2925A
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(Attention: Mr. Ion Botnari, Chief of Branch, Phone: 212 963-2336
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AIDE MEMOIRE ON BANGLADESH'S VOLUNTARY PLEDGES TOWARDS HUMAN RIGHTS

INTRODUCTION

Bangladesh is committed to ensuring all human rights—civil, political, economic, social and cultural rights, including the right to development—and fundamental freedoms to all its citizens and without any discrimination.

Bangladesh is committed to building a society free from exploitation in which the fundamental human rights and freedom, equality and justice, political, economic and social rights, are secure.

Bangladesh believes in indivisibility, universality, non-selectivity and interdependence of human rights. We favour a holistic approach in this respect with particular emphasis on the right to development.

It is because of her commitment to the promotion and protection of human rights and fundamental freedoms of all its citizens that Bangladesh actively and constructively participated in the negotiations leading up to the creation of the Human Rights Council.

Bangladesh served the Commission on Human Rights, with distinction, during 1983–2000, and was elected to the Commission for the term 2006–2008.

HUMAN RIGHTS IN THE CONSTITUTION OF BANGLADESH

The constitution of Bangladesh, which embodies the principles and provisions of the Universal Declaration of Human Rights, is the supreme law of the Republic. It guarantees the following rights, among others, to all its citizens without any discrimination:

- **Democracy and human rights:** The Republic shall be a democracy in which fundamental human rights and freedoms and respect for the dignity and worth of the human person shall be guaranteed and in which effective participation by the people through their elected representatives in administration at all levels shall be ensured.
- **Provision of basic necessities:** The provision of the basic necessities of life, including food, clothing, shelter, education and medical care are responsibilities of the State.
- **Free and compulsory education:** The State shall adopt effective measures for the purpose of establishing a uniform, mass-oriented and universal system of education and extending free and compulsory education to all children.
- **Non-discrimination:** (1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth. (2) Women shall have equal rights with men in all spheres of the State and of public life. (3) No citizen shall, on grounds only of religion, race, caste, sex or place of birth be subjected to any disability, liability, restriction or condition with regard to access to any place of public entertainment or resort, or admission to any educational institution. (4) Nothing in this article shall prevent the State from making special provision in favour of women or children or for the advancement of any backward section of citizens.

- Equality of opportunity.
- Equality before law.
- Protection of right to life and personal liberty.
- Prohibition of forced labour.
- Freedom of movement, of assembly, of association, of thought and conscience, of speech, of profession or occupation, and of religion.
- Rights to property.

ACHIEVEMENTS OF BANGLADESH IN FULFILLING HER CONSTITUTIONAL OBLIGATIONS

Bangladesh has been endeavouring to meet its constitutional obligations as well as its international commitments towards promoting and protecting human rights of its citizens through, among others, enacting legislations and adopting administrative measures to implement them, as well as through implementation of several socio-economic development programmes. Some of the steps taken by Bangladesh are:

- Bangladesh has, through legislative and executive measures, ensured freedom of speech and expression, freedom of the press, and freedom of thought and conscience. Every citizen enjoys the right to religion, education, association, assembly, occupation, trade, etc. without any discrimination. Bangladesh has one of the most independent print and electronic media in the world.
- Bangladesh has established itself as a democratic and pluralistic polity through its unwavering commitment to the principles and practices of good governance, democracy, rule of law, and promotion and protection of all human rights and fundamental freedoms of all her citizens with particular attention to the rights of women, children, minorities, disabled and other vulnerable sections of her population.
- Bangladesh has made significant progress in economic emancipation of her people in terms of sustained economic growth, improvement of per capita income, increasing food security, enhanced disaster management capability, and high achievements in social sector particularly women empowerment and health care including reduced maternal and child mortality rates. Indigenous concepts such as micro-credit and non-formal education have played significant role for these achievements. A vibrant civil society including the NGOs played a complementary role.
- Bangladesh believes that ensuring the right to education is an essential step in providing her people with the right to development. "Education for All" is, therefore, the highest priority of the Government of Bangladesh, particularly of the girls. Education for girls up to 12th grade is free in Bangladesh.

- Bangladesh is committed to its fight against corruption, which she considers an obstacle to ensuring a better living standard of her people. We have established an Independent Anti-Corruption Commission headed by a retired High Court judge. The Commission can conduct investigations into the offences under Anti Corruption Act 2004 and for the punishable offences under Prevention of Corruption Act 1947 through its own investigation unit. It can also initiate *pro motu* investigation into any case of malpractice.
- Bangladesh, in fulfilling its obligation to furthering the promotion and protection of human rights has decided to establish an independent National Human Rights Commission. Much work in this regard has already been done and the Commission is expected to be functional soon.
- Bangladesh is convinced that independence of judiciary is critical in ensuring good governance and rule of law, and by extension protection of human rights and fundamental freedoms of its citizens. The separation of the Judiciary from the Executive is currently under active process.
- Bangladesh believes that terrorism is antithetical to promotion and protection of human rights. In fulfilling her commitment to combat terrorism, she has ratified twelve of the thirteen UN Conventions on terrorism, and is contemplating constitutional procedure for the remaining one. She is also a party to SAARC (South Asian Association for Regional Cooperation) Regional Convention for Terrorism.
- Bangladesh has put in place appropriate legislative measures to promote the rights of children and women, focusing mainly on their protection from violence, abuse, and discrimination. A National Advisory Committee has been established to combat trafficking. Stringent laws have been enacted to protect the women and children, in particular girls, from being trafficked and abused. These include the Suppression of Immoral Trafficking Act of 1993, the Suppression of Violence Against Women and Children Act 2000, which was amended in 2003, Acid Crimes Control Act 2002 and Speedy Trial Tribunal Act 2002.
- Bangladesh is one of the few countries that have a separate Ministry solely devoted to the welfare of women and children.
- Both the Prime Minister and the Leader of the Opposition in the National Parliament of Bangladesh are women. In addition, we have 45 women members in the 345-member unicameral national legislature.
- The nation also has in its credit some 12,000 women elected members in the local government bodies.
- At the regional level, Bangladesh adheres to the Kathmandu understanding on children.
- Bangladesh has ratified the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution in 2002.

BANGLADESH'S CONTRIBUTION TO THE PROMOTION AND PROTECTION OF HUMAN RIGHTS AT GLOBAL LEVEL

- In different international fora, particularly at the UN, Bangladesh plays a constructive role through the promotion of cooperation and dialogue as well as a consensus-builder.
- Bangladesh is a State Party to more than 18 major international human rights instruments, including:
 1. International Covenant on Civil and Political Rights;
 2. International Covenant on Economic, Social and Cultural Rights;
 3. The Convention on the Rights of the Child (CRC); and its two optional protocols;
 4. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); and its optional protocol;
 5. International Convention on the Elimination of All Forms of Racial Discrimination (CERD);
 6. Convention for the Suppression of the Trafficking in Persons and of the Exploitation of the Prostitution of Others;
 7. Convention on the Prevention and Punishment of the Crime of Genocide;
 8. International Convention on the Suppression and Punishment of Crime of Apartheid;
 9. Slavery Convention of 1926 and subsequent protocols;
 10. Convention on the Political Rights of Women;
 11. Convention on Consent to Marriage, Minimum Age for and Registration of Marriage; and
 12. Convention Against Torture and other Cruel Inhuman or Degrading Treatment or Punishment.
- Bangladesh is contemplating constitutional procedures to adhere to the remaining international human rights instrument.
- Bangladesh has always actively and constructively participated in the work of the Commission on Human Rights (CHR).
- During her membership in the Commission from 1983 to 2000, and in 2006, Bangladesh made significant contribution to the Commission's work in fulfilling its mandate. She attached particular importance to the necessity of genuine dialogue and cooperation among nations as well as capacity building of Member States as essential elements towards the promotion and protection of all human rights for all.
- Bangladesh has always extended full cooperation to the human rights treaty bodies, and made good use of their advices in improving her human rights situations.
- Bangladesh's significant contribution to the work of the Commission on Human Rights has earned laurels. She has hosted, and extended full cooperation to, several special rapporteurs in recent years in further demonstration of her willingness to cooperate with the UN human rights machinery.

- Bangladesh has fully cooperated with the Commission's special procedures and mechanisms. Some of the recent interactions were with:
 - I. The Special Rapporteur on the independence of judges and lawyers;
 - II. The Special Representative of the Secretary-General on the situation of human rights defenders;
 - III. The Special Rapporteur on freedom of religion or belief;
 - IV. The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression;
 - V. Working Group on Enforced or Involuntary Disappearances;
 - VI. The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;
 - VII. Working Group on Arbitrary Detention;
 - VIII. The Special Rapporteur on the question of torture;
 - IX. The Special Rapporteur on the sale of children, child prostitution and child pornography;
 - X. The Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people;
 - XI. The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living; and
 - XII. The Special Rapporteur on the right to food.
- Bangladesh is a leader in UN peacekeeping. Our soldiers are working in difficult circumstances to protect the lives and human rights of peoples in conflict situations, particularly women and children. The UN Secretary-General has rightly said that Bangladesh is a model member of the UN providing leadership among the least developed countries and other forums and contributing substantially to peacekeeping and humanitarian operations.

VOLUNTARY PLEDGES

It is from this perspective that Bangladesh has proposed her candidature for election to the newly created Human Rights Council. She hopes that through cooperation and dialogue as well as through promoting capacity building of the States, Bangladesh will be able to build on the past achievements and contribute more and more to the mandated task of the Council. Bangladesh would utilise the opportunity to further promote and protect all human rights both at home and abroad.

If elected to the Human Rights Council, Bangladesh would:

- I. Extend its fullest cooperation to the Council in its work of the promotion and protection of all human rights and fundamental freedoms for all without distinction of any kind and in a fair and equal manner.
- II. Support the Council in its work guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation.
- III. Emphasise on meaningful dialogue and cooperation with the Member States, as well as on advisory services, technical assistance and capacity building required to fulfil their human rights obligations.

- IV. Actively participate in the Council's work to review and rationalise and improve the Commission's mandates, mechanisms, functions and responsibilities.
- V. Remain prepared to be reviewed under the universal periodic review mechanism during its tenure in the Council under terms, conditions and modalities to be developed by the Council.
- VI. Continue its journey towards development of its entire people with particular attention to empowerment of women and other vulnerable sections of the population, primarily through the application of indigenous concepts.
- VII. Strengthen its fight against corruption and also against terrorism. She would continue to ensure independence of the Anti-Corruption Commission.
- VIII. Intensify its efforts, while framing its national policies and strategies, to uphold the fundamental principles enshrined in the constitution, those of the Universal Declaration of Human Rights, as well as those of the international and regional human rights instruments to which she is a party.
- IX. Strengthen its efforts to meet its obligations under the treaty bodies to which she is a party.
- X. Contemplate adhering to the remaining international and regional human rights instruments.
- XI. Continue to cooperate with the special procedures and mechanisms of the Council with a view to further improve its human rights situations.
- XII. Continue to promote the constructive role of the NGOs in the work of the Council, and would strive to promote effective participation of the NGOs from developing countries in the work of the Council.
- XIII. Endeavour to further integrate the promotion and protection of human rights and fundamental freedoms into her national policies, including that on development and poverty eradication, with special focus on the rights of women, children, minorities and persons with disabilities.
- XIV. Continue to work towards further strengthening and consolidating the institutional structures that promote good governance, democracy, human rights and rule of law.
- XV. Continue to endeavour, through its national development policies, to ensure provision of the basic necessities of her people including food, clothing, shelter, education and primary health care.
- XVI. Establish the National Human Rights Commission as soon as possible.
- XVII. Separate the judiciary and the executive as soon as feasible.

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**Elections to fill vacancies in subsidiary organs
and other elections: election of eighteen members
of the Human Rights Council**

Letter dated 4 May 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Bangladesh to the United Nations addressed to the President of the General Assembly

I have the honour to state that Bangladesh has floated its candidature to the Human Rights Council for the term 2009-2012. I enclose an aide-memoire on the voluntary pledges made by Bangladesh towards the promotion and protection of human rights in accordance with General Assembly resolution 60/251 (see annex).

The Permanent Mission of Bangladesh would be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 104 (c).

(Signed) Abdul Alim
Counsellor

09-32543 (E) 070509



**Annex to the letter dated 4 May 2009 from the Chargé
d'affaires a.i. of the Permanent Mission of Bangladesh to the
United Nations addressed to the President of the General Assembly**

**Aide-memoire on Bangladesh's voluntary pledges towards human
rights: Human Rights Council elections, May 2009**

Introduction

Bangladesh is strongly committed to the promotion and protection of all human rights and fundamental freedoms. Its commitment to promoting and protecting human rights flows from the realization that the well-being of the people can only be ensured through effective enjoyment of all human rights by all.

Bangladesh has been endeavouring to build a society that is free from all forms of exploitation and in which human rights, fundamental freedoms, equality and justice are secured. Bangladesh holds that all human rights are universal, indivisible, interdependent and mutually reinforcing. However, for a country like Bangladesh, economic, social and cultural rights, and, most importantly, the right to development, are of paramount importance. It believes that the realization of these rights will help ensure enjoyment of a whole range of human rights, including civil and political rights. With this conviction, Bangladesh participated actively and constructively in the negotiations leading up to the creation of the Human Rights Council and subsequently became one of its founding members.

Bangladesh is seeking re-election to the Human Rights Council for the term 2009-2012.

If elected, Bangladesh will continue its efforts, together with others, to make the Council an effective, efficient and credible defender of human rights worldwide.

Constitutional framework

The Constitution of Bangladesh, which embodies the principles and provisions of the Universal Declaration of Human Rights, is the supreme law of the Republic. It guarantees human rights to all its citizens without any discrimination.

The fundamental rights envisaged in the Constitution of Bangladesh reflect the human rights prescribed by international human rights law. They include, among others, the right to equality before the law and equal protection of the law; prohibition of discrimination on grounds of race, religion, caste or sex; the right not to be detrimentally affected in respect of life, liberty, body, reputation or property; freedom of movement, of assembly, of association, of thought and conscience, of speech, of profession or occupation, and of religion; prohibition of forced labour; and equal opportunity in public employment.

The Constitution also sets out the fundamental principles of State policy. It requires the State to be a democracy. It also requires the State to ensure, inter alia, women's participation in national life, free and compulsory education, public health, equality of opportunity, work as a right and duty, rural development and the promotion of local government institutions, and respect for international law. The Supreme Court of Bangladesh has, on a number of occasions, upheld these fundamental principles in protecting the rights of the citizens of Bangladesh.

In terms of affirmative action, the Constitution of Bangladesh states that the State is allowed to make special provision in favour of women or children or for the advancement of any backward section of citizens.

Achievements/progress made in the area of human rights

Bangladesh, despite its varied constraints, is determined to fulfil its constitutional obligations and its international commitments through a variety of legislative and administrative measures as well as socio-economic development programmes. It has also made sincere efforts to fulfil the pledges it made during Bangladesh's election to the Human Rights Council in 2006, including in the areas of poverty eradication; socio-economic development; women's empowerment; education, particularly of girl children; anti-corruption measures; separation of the judiciary from the executive; and the establishment of the National Human Rights Commission. Some of the accomplishments are enumerated below:

Fundamental rights: Bangladesh has, through legislative and executive measures, ensured freedom of speech and expression, freedom of the press, and freedom of thought and conscience. Every citizen enjoys the right to religion, education, association, assembly, occupation and trade. It has one of the most independent print and electronic media in the world, which has been playing a critical role in promoting and protecting the human rights of the citizens of Bangladesh as well as in ensuring good governance.

Good governance: Bangladesh has established itself as a democratic and pluralistic polity through its deep commitment to good governance, democracy, the rule of law, and the promotion and protection of all human rights and fundamental freedoms for all citizens, with particular attention to women, children, minority communities, persons with disabilities and other vulnerable sections of the population. The parliamentary elections of December 2008, local government elections, the separation of the judiciary from the executive, the strengthening of the Election Commission and of the Anti-Corruption Commission, the enactment of the Right to Information Act and the establishment of the National Human Rights Commission are some of the measures adopted by the Government in establishing a culture of accountability and transparency in governance.

Socio-economic development: Bangladesh has made significant progress towards the socio-economic emancipation of the people in terms of sustained economic growth, per capita income, food security, disaster risk reduction capability, and high achievements in the social sector, particularly women's empowerment, the education of girl children, infant and maternal mortality rates, and access to safe drinking water as well as to primary health care. Home-grown concepts such as micro-credit and non-formal education have played a significant role in overcoming the resource constraints that Bangladesh regularly faces in the implementation of its development programmes. A large community of non-governmental organizations and a vibrant civil society have been playing a significant complementary role by way of working in an ever-stronger partnership with the Government.

Education: Bangladesh believes that access to education for all is an essential step in the direction of the enjoyment of human rights by all. "Education for All", with particular emphasis on girl children's education, has always been an important tool in Bangladesh for ensuring the unhindered enjoyment of human rights by its

people. The Government has made primary education free and compulsory for all children. It provides free education for girls up to class 12, the stipend for girls in rural secondary schools and free books for all children at the primary level. The Government runs a Food-for-Education/Cash for Education Programme providing food rations to poor primary-school children in rural areas.

The Government is now working to reduce school dropout rates, with a target of reaching a 100 per cent net enrolment rate by 2010, and to rid the country of the curse of illiteracy by 2013. The Government will also make education up to degree level (tertiary) free.

Empowerment of women: Women in Bangladesh are increasingly assuming leadership roles at both the national and the local levels. The new Government is headed by a woman Prime Minister, and her cabinet includes women ministers with important portfolios — foreign affairs, home affairs, agriculture and labour. The leader of the opposition, who happens to be a former Prime Minister, is also a woman. Nineteen women candidates were elected to the Parliament through a direct vote in the December 2008 general elections. With the 45 reserved seats, women representatives occupy more than one fifth of the Parliament.

Women occupy one third of the reserved seats for direct election in all local bodies, including municipal corporations. They also have reserved but directly elected representation in Upazilla (subdistrict) Councils. Women in Bangladesh enjoy 10 per cent job quotas in Government services. The participation of women in the formal labour market has significantly increased owing to changes in livelihood patterns and economic expansion. The labour force in the ready-made-garment industry is constituted almost exclusively of women workers.

Combating violence against women and children: Bangladesh has enacted appropriate legislative measures to promote the rights of women and children and to protect them from violence, abuse and discrimination. Bangladesh has a separate Ministry devoted to the welfare of women and children. It is a party to the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution.

The Government has undertaken policy measures to implement the Beijing Platform for Action. The National Policy for the Advancement of Women and the National Action Plan for the Advancement of Women are two significant initiatives. The principal focus has been to eliminate gender disparities in the areas of law, economics, politics and the family.

Bangladesh has taken resolute action to stop violence against women. One-Stop Crisis Centres (OCCs) have been established in all six Divisions for victims of violence. These centres provide victims with emergency medical treatment, police assistance, legal aid and shelter facilities. Non-governmental organizations are working closely with the Government in raising awareness on preventing violence against women.

Bangladesh is one of the early signatories to the United Nations Convention on the Rights of the Child. Bangladesh has a National Plan of Action against the Sexual Abuse and Exploitation of Children, including Trafficking. A draft has been prepared on the National Social Policy on Alternative Models of Care and Protection for Children, aimed at harmonizing national laws on juvenile justice with the Convention.

Pursuant to its commitment to eradicate child labour, the Government is finalizing the National Child Labour Policy. Bangladesh has eliminated child labour from the ready-made-garment sector, the country's largest industrial sector. It has now embarked on a Time-Bound Programme (TBP), which is primarily a plan of action for eliminating the worst forms of child labour.

Social safety net: A wide range of social safety net programmes have been put in place to address the multidimensional challenges faced by the poor and the vulnerable. Special measures have been taken to address the feminization of poverty. These include the Allowances Programme for Widowed, Deserted and Destitute Women; a pilot programme on Allowances for Poor Lactating Mothers and a Maternal Health Voucher Scheme; and a Community Nutrition Programme. The Vulnerable Group Development (VGD) Programme, one of the most successful development initiatives, has a nationwide outreach, covering nearly 750,000 poor rural women.

National Human Rights Commission: In fulfilment of the pledge it announced during the 2006 Human Rights Council election, Bangladesh established an independent National Human Rights Commission in 2008 following the guidelines of the Paris Principles. The three-member body is presently headed by a former Supreme Court judge and includes a woman from civil society as well as a representative from the minority community. The Commission receives and investigates allegations of human rights violations from individuals and groups. It will also monitor the overall human rights situation in the country and make appropriate recommendations.

Separation of judiciary from executive: Bangladesh is convinced that independence of the judiciary is critical in ensuring good governance and the rule of law, and by extension, the protection of human rights and fundamental freedoms. The Supreme Court of Bangladesh has always enjoyed independence in its functioning. However, the subordinate judiciary has been criticized for being under executive influence.

In order to ensure the independent functioning of the judiciary, and in fulfilment of the pledge made during the 2006 Human Rights Council election, Bangladesh recently completed the process of the full separation of the judiciary from the executive. It is expected that an independent judiciary will have far-reaching implications in terms of improving the human rights situation in the country.

Fight against corruption: Bangladesh is committed to its fight against corruption, which it considers an obstacle to ensuring a better living standard for its people. As pledged during Bangladesh's 2006 election to the Human Rights Council, the Rules of Procedure of the Anti-Corruption Commission have recently been reformulated, providing the Commission with greater independence and authority. The Commission is equipped to conduct investigations and take legal and other measures for preventing corruption. Bangladesh is also a party to the United Nations Convention against Corruption.

Right to information: Bangladesh believes that exercise of the right to information by its citizens is an essential element in ensuring good governance by way of making the Government accountable for its actions or inaction. It has recently adopted the Right to Information Act empowering people to seek

information from relevant Government agencies on matters of public interest. A focal point has also been designated in each organization in this regard.

Fight against terrorism: Bangladesh believes that terrorism and extremism are anathema to the enjoyment of human rights and that terrorism is the worst form of human rights violation. It, therefore remains resolute in its relentless campaign against international extremism and terrorism. Bangladesh is party to all 13 terrorism-related United Nations conventions, a testament to its commitment to fighting terrorism in all its forms and manifestations. At the national level, Bangladesh has undertaken several legislative and administrative measures to curb this menace and has ensured their effective implementation. At the regional level, Bangladesh is a party to the SAARC Regional Convention on Suppression of Terrorism as well as to its Additional Protocol.

Contribution at the global level

Bangladesh plays a constructive role in the international arena through promoting cooperation and dialogue, particularly at the United Nations. Bangladesh's constructive and cooperative role at the Human Rights Council has earned laurels from all quarters. It strives to build consensus on important issues in different international forums. Some of its undertakings are as follows:

Human rights instruments: Bangladesh is a State party to all major international human rights instruments, including the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention on the Rights of the Child and its two optional protocols; the Convention on the Elimination of All Forms of Discrimination against Women and its optional protocol; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Prevention and Punishment of the Crime of Genocide; the International Convention on the Suppression and Punishment of the Crime of Apartheid; the Slavery Convention of 1926 and subsequent protocols; the Convention on the Political Rights of Women; and the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages.

Bangladesh has also become party to the United Nations Convention against Corruption and to the Convention on the Rights of Persons with Disabilities and its optional protocol.

Human Rights Council: Bangladesh is a firm supporter of the United Nations. In the area of human rights, it attaches high importance to the Human Rights Council, the Office of the United Nations High Commissioner for Human Rights, the treaty bodies, the special procedures and other human rights mechanisms.

Bangladesh, as a current member of the Human Rights Council, participates actively in its work. It is cooperating with other United Nations Member States, civil society representatives and special procedures in order to make the Human Rights Council an effective, efficient and credible human rights body.

Bangladesh was actively engaged in the negotiations leading up to the establishment of the Human Rights Council. Later, it made significant contributions

to the institution-building process of the Council and in the reform of the United Nations human rights machinery. It contributed to developing the terms of reference and modalities for the universal periodic review. Bangladesh also made contributions to the review, rationalization and improvement of the system of special procedures and other expert mechanisms of the Council.

Human Rights Council mechanisms: As pledged during its 2006 election to the Human Rights Council, Bangladesh has undergone its first-ever universal periodic review in the Council on 3 February 2009, during its tenure in the Council.

Bangladesh has been cooperating with the human rights treaty bodies and made good use of their advice on improving the human rights situation in the country. Bangladesh has so far hosted several special rapporteurs, demonstrating its willingness to cooperate with the United Nations human rights machinery. Some of them have included the Special Rapporteur on the independence of judges and lawyers; the Special Representative of the Secretary-General on the situation of human rights defenders; the Special Rapporteur on freedom of religion or belief; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Working Group on Arbitrary Detention; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the Special Rapporteur on the sale of children, child prostitution and child pornography; the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; and the Special Rapporteur on the right to food.

Dialogue for promotion and protection of human rights: Bangladesh has been advocating dialogue as the most effective means to promote harmony, tolerance, mutual respect and solidarity among different faiths and cultures. It has been submitting, for many years now, an annual resolution on “Culture of peace” in the General Assembly, with huge support from the United Nations membership.

Bangladesh and United Nations peacekeeping: Bangladesh is a leader in United Nations peacekeeping. Its commitment to United Nations peacekeeping flows from Bangladesh’s commitment to contribute to the maintenance of international peace and security as well as to uphold the values on which the United Nations was founded. Its soldiers are working in difficult circumstances in many post-conflict situations to protect the lives and human rights of peoples, particularly of women and children.

Voluntary pledges towards human rights

Bangladesh makes the following pledges:

At the domestic level, Bangladesh will:

- Intensify its efforts, while framing its national policies and strategies, to uphold the fundamental principles enshrined in the Constitution of Bangladesh as well as those of the Universal Declaration of Human Rights and other international and regional human rights instruments to which it is a party

- Continue with its agenda for the overall development of its people, with particular attention to the eradication of poverty, the provision of universal primary education, the curbing of corruption and the empowerment of women, children and other vulnerable sections of the population, primarily through the application of home-grown concepts
- Enhance efforts to ensure the provision of basic necessities to its people, including food, clothing, shelter, education and primary health care as a means of effectively enjoying all human rights
- Intensify efforts for the implementation of the Beijing Declaration and Platform of Action, the Copenhagen Declaration and Plan of Action, and the outcomes of other major United Nations international conferences and their follow-up meetings
- Ensure that no extrajudicial or extra-constitutional methods are applied in dealing with persons accused of any criminal activities, and follow a policy of zero tolerance for any extrajudicial or extra-constitutional methods
- Work towards further strengthening and consolidating the institutional structures, including the National Human Rights Commission, the Anti-Corruption Commission, the Election Commission and the local government institutions, which promote good governance, democracy, human rights and the rule of law
- Preserve and further the independence of the judiciary and freedom of the press
- Strengthen further the capacity-building and training programmes in the field of human rights for law enforcement officials, judges, public prosecutors, lawyers, journalists, parliamentarians and the media
- Enhance efforts to eradicate child labour and adopt a national policy on eliminating child labour
- Consider adhering to the remaining international and regional human rights instruments through developing consensus within the society
- Strengthen efforts to meet its obligations under the treaty bodies to which it is a party through the effective implementation of relevant national programmes
- Continue to cooperate with the special procedures and mechanisms of the Council with a view to further improving its human rights situation
- Invite some Special Rapporteurs to visit Bangladesh at mutually convenient times
- Remain prepared to undergo its second review under the universal periodic review mechanism, as and when it becomes due
- Strengthen further the partnership of the Government with non-governmental organizations and civil society in the promotion and protection of human rights for all.

At the international level, Bangladesh will:

- Continue to extend its fullest support to the Human Rights Council in its work for the promotion and protection of all human rights and fundamental freedoms without distinction of any kind and in a fair and equal manner
 - Continue to support the Council in its work, guided by the principles of universality, impartiality, objectivity, non-selectivity and international dialogue and cooperation
 - Strengthen further its constructive engagement and cooperation with other members of the Human Rights Council as well as with the observer member States to make it an effective body for the promotion and protection of human rights
 - Continue to support the work of the Office of the United Nations High Commissioner for Human Rights in fulfilling its mandate
 - Continue to support United Nations agencies, programmes and funds that can facilitate the promotion and protection of human rights
 - Continue to promote the realization of the right to development as an inalienable right of all peoples and support ongoing efforts to further develop the concept and its operationalization.
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*Mission Permanente de la
République du Cameroun
auprès des Nations Unies*



*Permanent Mission of the
Republic of Cameroon
to the United Nations*

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APR 18 2006
New York, La

La Mission Permanente de la République du Cameroun auprès des Nations Unies à New York présente ses compliments au Secrétaire Général des Nations Unies et a l'honneur de porter à sa connaissance que le Gouvernement camerounais a décidé de présenter la candidature du Cameroun au Conseil des Droits de l'Homme dont les élections auront lieu le 9 mai 2006.

Attaché aux droits de l'homme, le Cameroun est conscient des actions importantes à consolider pour bâtir une véritable société de droit et pour accélérer l'avènement d'une culture des droits de l'homme voulue, partagée et vécue par tous. Il œuvre sans relâche à cet égard, aux niveaux national, régional et international.

- Au niveau national, le préambule de sa Constitution qui en est une partie intégrante, proclame la reconnaissance à tout être humain sans distinction de race, de religion, de sexe ou de croyance, des droits inaliénables et sacrés ; il affirme l'attachement du peuple camerounais aux libertés fondamentales inscrites dans la Déclaration universelle des droits de l'homme, la Charte des Nations Unies, la Charte africaine des droits de l'homme et des peuples et toutes les conventions internationales y relatives.

Fort de ce qui précède, le Cameroun a ratifié la quasi-totalité des instruments juridiques internationaux relatifs aux droits de l'homme. Le 9 novembre 1990, il a été créé un Comité National des droits de l'homme et des libertés chargé d'assurer les droits du peuple camerounais, son éducation aux droits de l'homme et de coordonner l'action des ONG dans ce secteur ainsi que de protéger les minorités et les populations autochtones. A ce titre, il reçoit toute dénonciation des cas de violations de ces droits et libertés et procède à cet effet à des enquêtes et investigations. Il étudie toute question qui se rapporte à la défense et à la promotion des droits de l'homme, et vulgarise les instruments relatifs à ces droits.

Il convient de souligner également que bien que la Loi n° 65/LF/24 du 12 novembre 1965 et la Loi n° 97/009 du 10 janvier 1997 modifiant certaines dispositions du Code Pénal prévoient la peine capitale (tout comme le nouveau code de procédure pénale du 12 juillet 2005), celle-ci, dans les faits, n'a pas été mise à exécution depuis 1984.

Toute cette action sur le plan national procède de la conviction que seule la pratique quotidienne du respect des droits et des libertés fondamentales de l'homme peut assurer la paix.

- Sur le plan sous-régional, le Cameroun est co-initiateur du projet du Centre Sous-régional pour les Droits de l'Homme et la Démocratie en Afrique Centrale. Ce Centre qui a été créé en 2001 et qui a son siège à Yaoundé, a pour objectif de contribuer au renforcement des capacités pour la promotion et la protection des droits de l'homme et d'appuyer la création d'institutions nationales et leur renforcement ; Il œuvre également en faveur du développement d'une culture des droits de l'homme et de la démocratie en Afrique Centrale afin de prévenir les conflits et de promouvoir une paix et un développement durables.

- Sur le plan africain, le Cameroun est partie à la Charte africaine des droits de l'homme et des peuples qu'il a du reste, intégrée dans sa Constitution.

- Au niveau international, comme souligné plus haut, le Cameroun est partie à la quasi-totalité des instruments juridiques internationaux relatifs aux droits de l'homme. C'est le lieu de rappeler que selon l'article 45 de la Constitution, "les traités et accords internationaux régulièrement approuvés ou ratifiés ont, dès leur publication, une autorité supérieure à celle des lois".

Par ailleurs, le Cameroun, membre de la Commission des droits de l'homme depuis le 1^{er} janvier 2006 a apporté sa contribution tant à Genève qu'à New York à la création du Conseil des droits de l'homme : il s'engage à poursuivre avec détermination son action pour l'exercice effectif et la pleine jouissance par tous de tous les droits fondamentaux et des droits civils, politiques, économiques, sociaux et culturels et à se conformer en tous points à la Résolution A/HRC/60/251 du 15 mars 2006 sur le Conseil des droits de l'homme.

Le Secrétaire Général des Nations Unies voudrait bien trouver en annexe, l'aide-mémoire (en Français et en Anglais) relatif à la candidature camerounaise.

La Mission Permanente du Cameroun serait reconnaissante au Secrétaire Général de bien vouloir en assurer la diffusion.

La Mission Permanente de la République du Cameroun auprès des Nations Unies remercie le Secrétaire Général des Nations Unies pour sa collaboration habituelle et saisit cette occasion pour lui renouveler les assurances de sa très haute considération.

Secrétariat Général de
L'Organisation des Nations Unies
New York



AIDE-MEMOIRE
LE CAMEROUN ET LES DROITS DE L'HOMME

« Dans le monde d'aujourd'hui qui a tendance à reléguer l'homme au second plan, notre Organisation se doit de relever le défi des valeurs éthiques... Grâce à elles, la centralité de l'Homme dans nos politiques et actions sera consacrée »
(Discours du Président Paul BIYA au Sommet du Millénaire)

1 Le Cameroun qui est membre de la Commission des Droits de l'Homme depuis le 1^{er} janvier 2006 a décidé de présenter sa candidature au nouveau Conseil des droits de l'homme lors des élections qui auront lieu le 9 mai 2006, au cours de la 60^e session de l'Assemblée Générale.

2 Pays épris de paix et défenseur des droits de l'homme, le Cameroun a apporté son soutien actif à la création par les Nations Unies du nouveau Conseil des droits de l'homme, tant lors des négociations à Genève qu'à New York.

3 C'est donc tout naturellement qu'il a joint sa voix à celle des autres Etats membres le 15 mars 2006 à l'Assemblée Générale pour la création de ce Conseil.

4 Cette position participe des idéaux humanitaires auxquels le Cameroun a très tôt adhéré et pour la réalisation desquels il œuvre sur les plans national, sous-régional et mondial.

1 - POLITIQUE NATIONALE DE PROMOTION DES DROITS HUMAINS

5 L'engagement du Cameroun en faveur des droits de l'homme qui trouve son fondement dans la Constitution se traduit par la mise en place d'un cadre juridique et institutionnel et l'adoption des mesures qui en assurent la protection.

A/ Au plan constitutionnel

6 Depuis son accession à la Magistrature suprême, le Président Paul Biya n'a eu de cesse de multiplier des mesures politiques pour l'avènement d'une culture des droits de l'homme au Cameroun. Ces actions trouvent leur couronnement dans la Constitution du 18 janvier 1996. Avec l'adoption de celle-ci, on assiste en effet, au sacre des droits de l'homme.

6.1°) Tout d'abord cette Constitution leur confère un caractère constitutionnel grâce à l'incorporation explicite de la Déclaration Universelle des droits de l'homme dans le bloc de constitutionnalité.

Le préambule pose que :

« Le peuple camerounais,

Proclame que l'être humain, sans distinction de race, de religion, de sexe, de croyance, possède des droits inaliénables et sacrés ;

Affirme son attachement aux libertés fondamentales inscrites dans la déclaration universelle des droits de l'homme, la Charte des Nations Unies, la Charte

africaine des droits de l'homme et des peuples et toutes conventions internationales y relatives et dûment ratifiées, notamment aux principes suivants :

- l'égalité des hommes en droits et devoirs,
- l'obligation pour l'Etat d'assurer à tous les citoyens les conditions nécessaires à leur développement,
- la protection des minorités et des droits des populations autochtones,
- la liberté et la sécurité des individus dans le respect des droits d'autrui et de l'intérêt supérieur de l'Etat,
- la liberté du mouvement,
- l'inviolabilité du domicile, et le secret de la correspondance,
- la non rétroactivité de la loi
- le droit de se faire rendre justice,
- la présomption d'innocence
- le respect des droits de la défense,
- le droit à la vie et à l'intégrité physique,
- le respect des origines, des opinions ou croyance en matière religieuse, philosophique ou politique,
- la laïcité de l'Etat, sa neutralité et son indépendance vis à vis de toutes les religions,
- la liberté du culte et le libre exercice de sa pratique,
- la liberté de communication, la liberté d'expression, la liberté de presse, de réunion, d'association, la liberté syndicale et el droit de grève,
- la protection et l'encouragement de la famille,
- la protection de la femme, des jeunes, des personnes âgées et des personnes handicapées,
- le droit à l'instruction de l'enfant,
- l'enseignement primaire obligatoire,
- le droit de propriété,
- le droit à un environnement sain,
- la défense et la promotion de l'environnement,
- le droit et le devoir de travailler,
- la participation aux charges publiques en proportion des capacités,
- la défense de la patrie ».

6.2^a) Cette Constitution facilite aussi l'intégration des conventions internationales dans l'ordre juridique interne et leur accorde une place qui en assure la transcendance. Aux termes de l'article 45 en effet, «les Traités ou Accords internationaux régulièrement approuvés ou ratifiés ont dès leur publication une autorité supérieure à celle des lois... ».

6.3°) Enfin grâce à la réforme constitutionnelle du 18 janvier 1996, la justice camerounaise a vu accroître sa capacité à garantir les droits de l'homme et les libertés fondamentales et à sanctionner les violations.

B/ Aux plans pénal et institutionnel

B.1. Code camerounais et droits humains

7 Le code pénal camerounais prévoit et réprime les infractions portant atteinte aux droits fondamentaux de l'homme.

8 Tout acte discriminatoire à l'égard des personnes ou de groupes ou d'organisations est réprimé.

9 Le code pénal, le code d'instruction criminel, le code civil et le code de procédure civil assurent l'égalité d'accès devant les tribunaux à tous les citoyens.

B. 2. Divers comités mis en place

10 Depuis Juin 1998, il a été institué *un Comité technique* chargé de suivre des instruments internationaux relatifs aux droits de l'homme et libertés. Ce Comité facilite et prépare la signature desdits instruments et veille à la mise en œuvre des obligations conventionnelles qui en découlent. Il s'agit d'une structure de premier plan en vue de l'acceptation et du respect du droit international. Cette instance vient compléter et appuyer le Comité National des Droits de l'Homme et des Libertés.

11 *Un Comité national des droits de l'homme et des libertés* a été créé par décret n°90/1459 du 8 novembre 1990 : il a pour mission la défense et la promotion des droits de l'homme et des libertés. A ce titre, il reçoit toute dénonciation des cas de violations de ces droits et libertés et procède à cet effet à des enquêtes et investigations. Il étudie toute question qui se rapporte à la défense et à la promotion des droits de l'homme, et vulgarise les instruments relatifs à ces droits.

C/ Mesures de renforcement du respect des droits humains

12 D'autres importantes mesures sont prévues qui viennent, au quotidien, renforcer le respect et la protection des droits de l'homme.

- Le multipartisme institué au Cameroun depuis 1990 est intégral. Plus d'une centaine de partis politiques fonctionnent en toute liberté sur l'ensemble du territoire national.
- La liberté de presse est garantie et le pays compte à ce jour plus d'une centaine de titres de journaux privés et plusieurs stations privées de radio et télévision.
- L'Etat camerounais assure la protection des minorités et préserve les droits des populations autochtones.
- Les efforts déployés par le Cameroun en faveur de la promotion et de la protection des droits de l'homme sont appréciés par les nombreux étrangers vivant au Cameroun et dont le nombre ne cesse d'augmenter.
- Le Cameroun en vertu de cette politique d'accueil et de respect des droits de l'homme constitue pour les nombreuses populations qui fuient les pays africains en conflits une terre de prédilection.
- Par ailleurs, le Cameroun participe activement aux travaux du Comité des droits de l'homme à qui il adresse régulièrement les rapports requis. Son engagement en faveur du respect des droits de l'homme lui a valu à maintes reprises les félicitations du Comité contre la torture, et les recommandations dudit comité constituent des principes directeurs pour les autorités camerounaises en la matière.
- Bien que prévue dans le Code pénal de 1965 (tout comme dans le nouveau Code de procédure pénale du 12 juillet 2005), la peine capitale, dans les faits, n'a pas été mise à exécution depuis 1984.
- Depuis plusieurs années, le Cameroun développe une campagne de vulgarisation des instruments internationaux relatifs aux droits de l'homme, à travers des séminaires, conférences et ateliers, la formation des policiers, gendarmes et militaires.
- Dans les différents niveaux d'enseignement, sont prévus des cours sur les droits de l'homme et sur le droit humanitaire. L'objectif visé est l'acquisition par tous les camerounais de cette véritable culture du droit et surtout des droits de l'homme dont les fondements ont été patiemment et obstinément mis en place par le Président Paul Biya.

II - POLITIQUE DE COOPERATION EN MATIERE DES DROITS HUMAINS

13 Fort de cette expérience, le Cameroun conjugue ses efforts avec les Etats de la région et ceux membres des Nations Unies pour hâter l'avènement d'une société respectueuse de la personne humaine et de ses droits.

14 Sur le plan sous-régional, le Cameroun est co-initiateur du Centre Sous-régional pour les Droits de l'Homme et la Démocratie en Afrique Centrale. Ce Centre qui a été créé en 2001 et qui a son siège à Yaoundé, a pour objectif de contribuer au renforcement des capacités pour la promotion et la protection des droits de l'homme et d'appuyer la création d'institutions nationales et leur renforcement ; il œuvre également en faveur du développement d'une culture des droits de l'homme et de la démocratie en Afrique Centrale afin de prévenir les conflits et de promouvoir une paix et un développement durables.

15 Sur le plan continental africain, le Cameroun est partie à la Charte Africaine des droits de l'homme et des peuples qu'il a du reste intégrée dans sa Constitution. Par ailleurs, il est partie à la Cour Africaine des droits de l'homme.

16 Au niveau mondial, le Cameroun, qui est attaché à la primauté du droit dans les relations entre les Etats et entre les peuples, est fier d'avoir ratifié la quasi-totalité des instruments internationaux de protection des droits de l'homme,

16.1°) Il est partie aux conventions ci-après :

- La Déclaration Universelle des droits de l'homme
- La Convention internationale sur l'élimination de toutes les formes de discrimination raciale, adoptée à New York le 7 mars 1966 ;
- Le Pacte international relatif aux droits économiques, sociaux et culturels adopté, à New York le 16 décembre 1966 ;
- Le Pacte international relatif aux droits civils et politiques, adopté à New York le 16 décembre 1966 ;
- Le Protocole facultatif se rapportant au pacte international relatif aux droits civils et politiques, adopté à New York le 16 décembre 1966 ;
- La Convention sur l'imprescriptibilité des crimes de guerre et des crimes contre l'humanité, adoptée à New York le 26 novembre 1968 ;
- La Convention internationale sur l'élimination et la répression du crime d'apartheid, adoptée à New York le 30 novembre 1973 ;
- La Convention sur l'élimination de toutes les formes de discrimination à l'égard des femmes, adoptée à New York le 18 décembre 1979 ;
- Le Protocole facultatif à la convention sur l'élimination de toutes les formes de discrimination à l'égard des femmes, adoptée à New York le 6 octobre 1999 ;
- La Convention contre la torture et autres peines ou traitements cruels, inhumains ou dégradants, adoptée à New York le 10 décembre 1984.

- La Convention relative aux droits de l'enfant adoptée à New York le 20 novembre 1989 ;
- Le Protocole de 1953 amendant la convention relative à l'esclavage de 1926 ;
- La Convention relative au statut des réfugiés ;
- La Convention supplémentaire relative à l'abolition de l'esclavage, de la traite des esclaves et des institutions et pratiques analogues à l'esclavage ;
- La Convention pour la répression de la traite des êtres humains, de l'exploitation et de la prostitution d'autrui ;
- L'amendement au paragraphe 2 de l'article 43 de la convention relative aux droits de l'enfant adopté à New York le 12 décembre 1995.

16.2°) En attendant leur ratification, le *Cameroun a déjà signé les instruments ci-après :*

- La Convention internationale contre l'apartheid dans les sports, adoptée à New York le 10 décembre 1985 ;
- le Protocole facultatif à la convention relative aux droits de l'enfant, concernant l'implication d'enfants dans les conflits armés, adopté à New York le 25 mai 2000 ;
- le Protocole facultatif à la convention relative aux droits de l'enfant concernant la vente d'enfants, la prostitution des enfants et la pornographie mettant en scène des enfants, adopté à New York le 25 mai 2000.

16.3°) Le Cameroun est fier d'avoir très tôt plaidé et œuvré en faveur de la création de la *Cour Pénale Internationale* dont il est l'un des premiers signataires.

III – LES ENGAGEMENTS FUTURS DU CAMEROUN A L'ÉGARD DES DROITS HUMAINS

17 En décidant de présenter sa candidature aux élections au Conseil des Droits de l'Homme, le Cameroun entend confirmer sa détermination à poursuivre résolument sa politique d'épanouissement de la personne humaine ainsi que de la promotion et du respect de ses droits et libertés. Pour le Cameroun, en effet, la centralité de l'homme doit être consacrée dans nos politiques et actions. C'est cette conviction qu'avec force le Chef de l'Etat du Cameroun S.E. Paul BIYA, a défendue et a voulu faire partager à la Communauté internationale lors du Sommet du millénaire.

18 Le 07 septembre 2000 en effet, le Chef de l'Etat déclarait à la Tribune des Nations Unies ce qui suit :

« Dans le monde d'aujourd'hui qui a tendance à reléguer l'Homme au second plan, notre Organisation, pour remplir sa mission de façon efficace, se doit de relever le défi des valeurs éthiques. Si la mondialisation ne s'accompagne pas d'un nouvel ordre moral, si elle manque de ce supplément d'âme que constitue la solidarité entre les Nations et les peuples, elle risque de mettre en danger la paix si chère à notre temps.

A la vérité, notre monde a besoin d'éthique. En tant qu'ensemble de valeurs morales, elle constitue une attente essentielle de l'ensemble de la communauté humaine. Grâce à l'éthique, la centralité de l'Homme dans nos politiques et actions sera consacrée : En effet, comment parler des Droits de l'Homme sans Droit au développement ? Quelle démocratie et quelle bonne gouvernance sans une éthique de solidarité internationale n'est-elle pas nécessaire dans le traitement de la dette des pays pauvres.

Nous en appelons à la création au sein du Secrétariat Général de l'ONU d'un comité ou d'un observatoire international d'éthique chargé précisément, de promouvoir entre les nations et à l'intérieur de celles-ci, les valeurs humaines fondamentales universelles. »

19 Le Cameroun, qui respectera les obligations prévues dans la résolution constitutive du Conseil des Droits de l'Homme, s'engage à :

- œuvrer pour l'effectivité des droits de l'homme, civils, politiques, économiques, sociaux et culturels, y compris le droit au développement ;
- coopérer à cet effet avec les organisations régionales, les organismes nationaux des droits de l'homme et la société civile ;
- œuvrer par le dialogue et la coopération constructive à l'échelle internationale en vue de la jouissance et du rayonnement effectifs des droits de l'homme ;
- poursuivre ses efforts en vue de rendre effectif le respect intégral des obligations découlant des instruments juridiques internationaux en matière des droits de l'homme ;
- coopérer pleinement avec les Etats membres de l'ONU et particulièrement ceux membres du Conseil des droits de l'homme pour que ce nouvel organe remplisse avec efficacité les tâches qui découlent

- de ses missions, et cela dans le respect des principes d'universalité, d'impartialité, d'objectivité et de non sélection.
- Œuvrer inlassablement pour la crédibilité du Conseil des droits de l'homme./

**General Assembly**

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**Elections to fill vacancies in subsidiary organs and
other elections: election of eighteen members of
the Human Rights Council****Note verbale dated 30 March 2009 from the Permanent Mission
of Cameroon to the United Nations addressed to the Secretariat
of the United Nations**

The Permanent Mission of Cameroon to the United Nations presents its compliments to the United Nations Secretariat and has the honour to inform it that the Government of Cameroon has decided to present the candidature of Cameroon for re-election to the Human Rights Council at the election to be held in May 2009.

In accordance with General Assembly resolution 60/251, the Secretariat will find annexed hereto Cameroon's declaration of pledges and commitments relating to its re-election to the Human Rights Council.

The Permanent Mission of Cameroon would be grateful if the Secretariat could circulate the said document.

The Permanent Mission of Cameroon to the United Nations takes this opportunity to convey to the United Nations Secretariat the renewed assurances of its highest consideration.

* Reissued for technical reasons.



**Annex to the note verbale dated 30 March 2009 from the
Permanent Mission of Cameroon to the United Nations
addressed to the Secretariat of the United Nations**

[Original: English and French]

Candidature of Cameroon to the United Nations Human Rights Council

Statement of commitments

Cameroon, deeply committed to the promotion and protection of human rights at the national, as well as the regional and international levels, has been a member of the Commission on Human Rights and played an active role in the creation of the Human Rights Council.

Cameroon's commitment to human rights is reflected in the establishment of an appropriate legal and institutional framework and the adoption of measures that guarantee the respect of human rights. It is in this regard that fundamental rights are incorporated into the constitutional instrument and that the Constitution facilitates the integration of conventions into domestic laws by providing precedence over national standards. Consequently, the main human rights conventions to which Cameroon is a party at the international level (the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women etc. ...) and at the regional level (the African Charter on Human and Peoples' Rights, the African Charter on the Rights and Welfare of the Child, the Protocol establishing the African Court of Human Rights etc. ...) have precedence in national laws and regulations.

At the institutional level, Cameroon has an independent judiciary and a Constitutional Council whose structures are being set up progressively. The National Commission on Human Rights, established in 1990, was transformed into the National Commission on Human Rights and Freedoms in July 2004 so as to ensure better compliance with the Paris Principles. A Department of Human Rights and International Cooperation was also created in the Ministry of Justice by a decree of 15 April 2005. This Department is responsible for monitoring human rights issues in general, monitoring the implementation of international conventions on human rights; providing information and sensitizing staff of judicial services and the prison administration on standards of human rights protection. Finally, it should be noted that in 2005 the prison administration was attached to the Ministry of Justice and a Special Division in charge of Police Control created.

Cameroon is co-initiator of the United Nations Subregional Centre for Human Rights and Democracy in Central Africa, the headquarters of which is also in Cameroon. Cameroon cooperates with this Centre in the promotion of human rights in the subregion.

Since 2006, Cameroon has taken relevant measures to fulfil the commitments it made during its election into the Human Rights Council.

1. Implementation of the 2006 Statement of Commitment

For its election to the Human Rights Council in 2006, Cameroon took the commitment to carry out the obligations contained in the constitutive resolutions of the Human Rights Council and to:

- Work to ensure the effectiveness of civil, political, social and cultural rights, including the right to development;
- Cooperate to this end with regional organizations, national human rights bodies and the civil society;
- Work through dialogue and cooperation for the effective enjoyment and reinforcement of human rights;
- Pursue its efforts to ensure total compliance with international legal instruments on human rights;
- Cooperate fully with the United Nations Member States, and especially with those of the Human Rights Council, so that this new body effectively performs the duties arising from its missions and in accordance with the principles of universality, impartiality, objectivity and non-selectivity;
- Work tirelessly to ensure the credibility of the Human Rights Council.

To this end, Cameroon has:

- (a) Worked towards reinforcing protection and promotion of:
 - Civil and political rights: by organizing transparent and democratic elections, implementing decentralization, arresting and prosecuting elements of the forces of law and order guilty of violations of human rights (administrative and judicial sanctions were taken against 47 elements of the forces of law and order, from all the corps, just for the year 2006), ensuring the effective entry into force in 2007 of the new Criminal Procedure Code, which contains provisions that reinforce the protection of human rights, notably the right to a fair trial, improvement of detention conditions and the organization of education campaigns for human rights whose primary purpose is to assist in instilling a culture of human rights in Cameroon.

At the international level, Cameroon signed in 2007 the International Convention against Forced Disappearances and in 2008 the Convention on the Rights of Persons with Disabilities. At the national level, an independent body responsible for organizing and monitoring elections, Elections Cameroon (ELECAM) was created and in December 2006, a law to organize the judiciary was passed.

- Economic, social and cultural rights including the right to development: the recovery of the national economy, reflected in the adoption of budget measures for streamlining public finances had as the main objective the improvement of living conditions of Cameroonians. In this area, the Government placed special emphasis on social sectors such as education, health, youth employment, in terms of improving the quality of supply in these areas.

In order to address the problem of unemployment and the precarious nature of young people, the Government of Cameroon initiated a far reaching programme of

recruitment into the public service. Since the launch of this recruitment exercise, 18,800 part-time teachers of general education in 2007 and 5,825 in 2008 were absorbed into the Cameroonian public service. Also falling within this framework, is the authorized recruitment of 1,000 lecturers in State universities, the absorption of 10,000 temporary staff and the admission, by competitive entrance examination, of about 4,500 youths in the fields of diplomacy, health, computer sciences, statistics, civil engineering and the military.

In 2006, Cameroon adopted two important instruments aimed at improving national governance and management of public affairs. These are: Law No. 2006/3 of 25 April 2006 on the Declaration of Assets and Decree No. 2006/88 of 11 March 2006 to establish the National Anti-corruption Commission.

(b) Cameroon has remained committed to the promotion and realization of the right to development, which it considers, in accordance with the Vienna Declaration, as a value equal to other rights.

(c) Cameroon has cooperated with the United Nations, other regional organizations and civil society to ensure the promotion and respect of human rights: in 2006, Cameroon submitted its periodic report to the Committee on the Rights of the Child and in 2008, it finalized and submitted its periodic reports to all other organs of the human rights treaties to which it is party. It defended, in January 2009, its report before the Committee on the Elimination of Discrimination against Women. Following correspondence G/SO 214 (53-21) of 4 September 2007 of the Special Rapporteur of the Human Rights Council on torture, Mr. Manfred Nowak, correspondence which contained a number of recommendations and observations, the Government of Cameroon provided some answers on the level of implementation of the Convention against Torture in its legal system. An invitation was also extended to Mr. Ambeyi Ligabo, Special Rapporteur on the promotion of the right to freedom of opinion and expression in May 2008, and to Amnesty International. Cameroon made efforts to reply to communications, questionnaires and urgent appeals directed to it by various special procedures.

(d) In the process of preparing its reports, the Government involved the civil society and thus maintains a constant link with it in the promotion and protection of human rights as concerns in particular specific rights.

(e) Cameroon provided support to the Human Rights Council for it to carry out its mission. In this regard, it took part in all regular and special sessions of the Council and in the deliberations of the Advisory Committee. It was a member of the troika of four countries and was itself subjected to the periodic universal examination on 5 February 2009.

2. New commitments of Cameroon

During its second term of office in the Human Rights Council, Cameroon is pledging to continue its efforts for the promotion and defence of human rights. It will work towards attaining the following objectives:

(a) To be a party to major international instruments on human rights in which it is not yet participating, notably:

- Endorse the Optional Protocols to the Convention on the Rights of the Child: one on trafficking, trade and child pornography and the other on children in armed conflicts;
 - Endorse the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
 - Ratify and implement the Convention on the Rights of Persons with Disabilities, the Convention on the Prevention and Punishment of the Crime of Genocide, the Convention on the Protection of Persons against Forced Disappearances and the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education.
- (b) Promote the rights of women by:
- Fostering programmes aimed at improving the status of women;
 - Adopting legislation against female genital mutilation and the organization of awareness campaigns against this practice;
 - Taking into account the observations of the Committee on the Elimination of Discrimination against Women in order to ensure that women actually enjoy all their rights;
 - Pursuing efforts already made towards combating all forms of discrimination against women.
- (c) Take action to strengthen the protection of children's rights by:
- Taking into account the rights of the child in programmes designed to improve on the living conditions of the people;
 - Implementing recommendations of the Committee on the Rights of the Child on children without shelter;
 - Preventing child trafficking and child labour and improving on measures of protecting victims;
 - Improving on the treatment of minors in places of detention.
- (d) Boost efforts already made in the area of prison administration by:
- Ensuring that places of detention meet international standards;
 - Facilitating access to prisons to national and international humanitarian organizations;
 - Accelerating reforms of the penitentiary system, including the construction of new prisons;
 - Strengthen the independence and authority of the national judicial system;
 - Respecting the rights of detainees.
- (e) Guarantee within available resources the economic, social and cultural rights, mostly the:
- Right to health: intensifying HIV/AIDS control programmes and reinforcing the health system as a whole;

- Right to education: Cameroon will continue with its efforts aimed at improving on the quality of education, providing free primary education and improving on the implementation of the Plan of Action of the World Programme for Education on Human Rights;
- Fight against corruption and improve on governance.

(f) Continue with actions aimed at promoting the respect for civil and political rights, especially freedom of the press, transparency of elections, including the provision of sufficient resources to ELECAM, the national election managing body.

(g) Reinforce measures to guarantee and protect the rights of minorities, the disabled and other vulnerable groups.

(h) Intensify Cameroon's action to promote peace, preserve ecosystems within the subregion, through greater involvement in peacekeeping operations, on the one hand, and subregional structures for the protection of the environment and promotion of sustainable development (Central African Forests, the Lake Chad Basin Commission etc. ...) on the other hand.

(i) Work with the National Commission on Human Rights and Freedoms and civil society to improve the general situation of human rights in Cameroon and to popularize human rights culture.

(j) Enhance Cameroon's cooperation with treaty bodies and special procedures and continue to work with other Member States for the credibility of the Human Rights Council.

The Permanent Mission
of Canada to the United Nations



La Mission permanente du
Canada auprès des Nations Unies

Note 0168

The Permanent Mission of Canada to the United Nations presents its compliments to the President of the 60th Session of the General Assembly and, following its note no. 1050, dated 4 April 2006, announcing Canada's candidacy to the Human Rights Council, and in accordance with resolution A/RES/60/251, has the honour to enclose herewith a document detailing Canada's contribution to the promotion and protection of human rights and its voluntary pledges and commitments made thereto.

The Government of Canada is committed to making a positive contribution to ensuring that the Human Rights Council becomes an effective body for the promotion and protection of human rights.

The Permanent Mission of Canada to the United Nations avails itself of this opportunity to renew to the President of the 60th Session of the United Nations General Assembly the assurances of its highest consideration.

NEW YORK, 10 April, 2006



Human Rights Council Canada's Commitments and Pledges

The promotion and protection of human rights is an integral part of Canada's foreign and domestic policy. Canada is a strong supporter of the UN human rights system.

Canada's engagement with the Human Rights Council

The Human Rights Council will be at the heart the UN human rights architecture and thus, Canada pledges:

- to work with all stakeholders to put in place an *efficient and effective Human Rights Council* that builds on the strengths and lessons learned of the Commission on Human Rights;
- to give effect to the Council's *mandate to promote and protect human rights*, including by responding appropriately to human rights violations, by contributing to its work on norm development, and by encouraging cooperation and dialogue;
- to engage with all UN member states to find new and creative ways to ensure that the Council's work has a *direct, concrete, and positive impact* on promotion and protection of the rights of people around the world;
- to participate constructively in the *mandate review process* and in developing modalities of a *universal periodic review mechanism*, and to submit itself to periodic review;
- to ensure that the Council benefits from the *involvement and contributions of civil society*, including non-governmental organizations and national institutions;
- to work with all stakeholders for a *system of special procedures*, which is essential for the Council's emphasis on the implementation of human rights obligations;
- to re-extend its *open invitation to special procedures* to visit Canada.

In 1999, Canada was one of the first countries to give an open invitation to special procedures of the Commission on Human Rights. Since that time, the Special Rapporteurs on Toxic Waste, the Rights of Migrants, Indigenous Peoples, Racism, the Right to Health and, most recently in 2005, the Working Group on Arbitrary Detention have made official visits.

Canada was re-elected to the Commission on Human Rights for the 2005-2007 term. During its tenures, Canada played a leadership role in the establishment and implementation of *norms and standards* on key human rights issues including the rights of indigenous peoples, violence against women, freedom of expression, mass exoduses, the work of treaty bodies, as well as rights of the child.

Canada has also taken a leading role in the fight against *impunity*, including by becoming a party to the Rome Statute of the International Criminal Court and strongly supporting various international and hybrid criminal tribunals. Its commitment to international humanitarian law and the protection of refugees is unwavering.

Support for the Office of the High Commissioner for Human Rights and international cooperation

Canada's strong support to the important work of the OHCHR was re-affirmed recently when we increased our unearmarked funding for the Office, making Canada one of the top donors. We have also supported efforts to double the funds available to the Office from the UN regular budget. Canada pledges:

- to provide the OHCHR with additional *unearmarked contributions* for its work;

- to pursue *international cooperation programs* on human rights, gender equality, child protection, democracy, good governance, and the rule of law - this, in response to the interest expressed by many states for dialogue and cooperation.

Canada and UN human rights instruments

Canada has ratified key UN human rights instruments: International Covenant on Civil and Political Rights (ICCPR); International Covenant on Economic, Social and Cultural Rights (ICESCR); International Convention on the Elimination of all Forms of Racial Discrimination (CERD); Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT); Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW); and Convention on the Rights of the Child (CRC), and its Optional Protocol on Children in Armed Conflict. As well, Canada *recently ratified* the Second Optional Protocol of the ICCPR aimed at the abolition of the death penalty and the Optional Protocol to the CRC on the Sexual Exploitation and Sale of Children. Canada has agreed to the jurisdiction of the *individual complaint mechanisms* established by the First Optional Protocol to the ICCPR, CAT and the Optional Protocol to the CEDAW.

Canada is one of only six States that is fully up-to-date in its reporting to the treaty bodies and, by May 2006, Canada will have presented its reports before all six of these Committees in the past four years. Consultation mechanisms are in place to ensure that federal, provincial and territorial governments are aware of, and give serious consideration to, the recommendations of treaty bodies, and further, that such recommendations are available to Canadians.

As regards UN human rights instruments, Canada pledges:

- to submit its reports to the treaty bodies in a timely fashion and to participate in meaningful dialogue with the treaty body members;
- to work with the treaty bodies and key stakeholders on the renewal and reform of the UN treaty body system;
- to consider signing or ratifying other human rights instruments, such as the Optional Protocol to the CAT.

Human Rights in Canada

At the domestic level, human rights and gender equality are promoted and protected through the Canadian Charter of Rights and Freedoms. At the federal, provincial, and territorial levels, there are also human rights codes and human rights bodies, such as the Canadian Human Rights Commission, which play a key role in furthering equality rights in Canada.

Canada has a vigorous civil society, which plays an important role in the promotion of human rights, both at the national and international level. The government and civil society engage on a range of issues relating to human rights, in a spirit of cooperation and dialogue.

All governments in Canada carry out public education programs in the area of human rights, including through formal education curricula.

Based on this solid institutional and legislative background, Canada commits to actively pursue the *implementation of human rights domestically*, including with respect to racism, indigenous people and the protection of children.



Note n° 0168

La Mission permanente du Canada auprès des Nations Unies présente ses compliments au Président de la soixantième session de l'Assemblée générale des Nations Unies et suite à sa note no. 1050 du 4 avril 2006, annonçant la candidature du Canada aux élections au Conseil des droits de l'homme, et conformément à la résolution A/RES/60/251, a l'honneur de transmettre un document explicitant le concours que le Canada a apporté à la cause de la promotion et de la défense des droits humains et les contributions volontaires qu'il a annoncées et les engagements qu'il a pris en la matière.

Le gouvernement du Canada s'engage à contribuer d'une manière positive pour s'assurer que le Conseil des droits de l'homme devienne un organe efficace pour la promotion et la défense des droits humains.

La Mission permanente du Canada auprès des Nations Unies saisit cette occasion pour renouveler au Président de la soixantième session de l'Assemblée générale des Nations Unies les assurances de sa très haute considération.

NEW YORK, le 10 avril 2006



Conseil des droits de l'homme Engagements du Canada

La promotion et la protection des droits de la personne fait partie intégrante des grands objectifs poursuivis par le Canada tant au plan national qu'en matière de politique étrangère. Le Canada est un ardent promoteur du système des droits de la personne des Nations Unies.

Action du Canada en faveur du Conseil des droits de l'homme

Le Conseil des droits de l'homme est une pièce maîtresse de l'appareil onusien relatif aux droits de la personne et, à ce titre, le Canada s'engage à :

- mettre en place, avec le concours de tous les intéressés, un *Conseil des droits de l'homme efficient et efficace*, qui met à profit les points forts et les enseignements de la Commission des droits de l'homme;
- réaliser le mandat du Conseil en matière de promotion et de protection des droits de la personne, et ce, par une action adéquate face aux violations des droits de la personne, par l'élaboration de normes, ainsi que par un accent sur la coopération et le dialogue;
- collaborer avec tous les États membres des Nations Unies à la recherche de méthodes nouvelles et inédites pour que les travaux du Conseil aient une incidence directe, concrète et constructive sur la promotion et la protection des droits de la personne dans le monde;
- participer de façon constructive à l'examen des mandats ainsi qu'à l'élaboration des modalités d'un mécanisme d'examen périodique à caractère universel, et à se soumettre à un tel examen;
- faire en sorte que le Conseil bénéficie de la participation et de la contribution de la société civile, y compris des organisations non gouvernementales et des institutions nationales;
- œuvrer, avec le concours de tous les intéressés, à la mise en place d'un régime de procédures spéciales essentiel à la réalisation d'un objectif prioritaire du Conseil, à savoir la mise en œuvre des obligations en matière de droits de la personne;
- renouveler son invitation permanente à toutes les procédures spéciales de visiter le Canada.

En 1999, le Canada a été l'un des premiers pays à émettre une invitation permanente aux procédures spéciales de la Commission des droits de l'homme. Depuis, il a reçu la visite des rapporteurs spéciaux chargés des déchets toxiques, des droits des migrants, des droits des peuples autochtones, de la lutte contre le racisme et du droit à des soins de santé, y compris, en 2005, celle du Groupe de travail sur les détentions arbitraires.

Le Canada a été réélu à la Commission des droits de l'homme pour la période de 2005 à 2007. Pendant tous ses mandats, le Canada a joué un rôle d'impulsion dans la création et la mise en œuvre de normes et standards face à des enjeux cruciaux liés aux droits de la personne, y compris les droits des peuples autochtones, la violence contre les femmes, la liberté d'expression, les exodes massifs, les organes créés par les traités internationaux, ainsi que les droits de l'enfant.

Le Canada joue un rôle de premier plan dans la lutte contre l'impunité. C'est ainsi qu'il est devenu partie au Statut de Rome de la Cour pénale internationale et qu'il appuie fermement différents tribunaux pénaux internationaux et hybrides. Par ailleurs, le Canada demeure résolument attaché au respect du droit humanitaire international et à la protection des réfugiés.

Soutien au Haut Commissaire des Nations Unies aux droits de l'homme et à la coopération internationale

Le Canada appuie le travail important réalisé par le Haut Commissariat des Nations Unies aux droits de l'homme. Le Canada a récemment augmenté sa contribution financière au profit du Haut Commissariat, de sorte qu'il est désormais l'un de ses principaux donateurs. Notre pays a en outre appuyé les efforts visant à doubler les crédits consentis au Haut Commissariat, au titre du budget ordinaire des Nations Unies. Le Canada s'engage à :

- fournir des contributions financières additionnelles, sans condition, au Haut Commissariat;

- appuyer des programmes de coopération internationale en matière de droits de la personne, égalité entre les sexes, protection des enfants, démocratie, bonne gouvernance et primauté du droit - le tout à suite de l'intérêt manifesté par de nombreux États envers le dialogue et la coopération.

Le Canada et les instruments de droits de la personne des Nations Unies

Le Canada a ratifié d'importants instruments des Nations Unies dans le domaine des droits de la personne: le Pacte international relatif aux droits civils et politiques (PIDCP); le Pacte international relatif aux droits économiques, sociaux et culturels (PIDESC); la Convention internationale sur l'élimination de toutes les formes de discrimination raciale (CERD); la Convention contre la torture et autres peines ou traitements, cruels, inhumains ou dégradants (CCT); la Convention sur l'élimination de toutes les formes de discrimination à l'égard des femmes (CEDEF); la Convention relative aux droits de l'enfant (CDE), et son Protocole facultatif concernant les enfants dans les conflits armés. De même, le Canada a récemment ratifié le Deuxième Protocole facultatif au PIDCP qui vise à abolir la peine de mort, ainsi que le Protocole facultatif à la Convention relative aux droits de l'enfant, contre l'exploitation sexuelle et la vente des enfants. Le Canada souscrit en outre aux compétences dévolues au titre des mécanismes de plaintes institués en vertu du Premier Protocole facultatif annexé au PIDCP et à la Convention relative aux droits de l'enfant, et aux termes du Protocole facultatif à la CEDEF.

Le Canada fait en outre partie des six pays dont les rapports à l'intention des organes institués en vertu des traités sont à jour. En mai 2006, le Canada aura ainsi complété, sur une période de quatre ans, la présentation de tous les rapports prévus aux six comités institués en vertu des traités. Des mécanismes de consultation ont été mis sur pied pour s'assurer que les gouvernements fédéral, provinciaux et territoriaux prennent connaissance des recommandations formulées par les organes institués en vertu des traités et les examinent attentivement. Les recommandations des comités sont également accessibles au public.

S'agissant des instruments des droits de la personne des Nations Unies, le Canada s'engage à:

- présenter, dans les délais appropriés, ses rapports aux organes créés en vertu d'instruments internationaux, et à participer à un dialogue constructif avec les membres de ces mêmes instances;
- œuvrer, avec le concours de ces instances et des principaux intéressés, au renouvellement et à la réforme du système onusien au regard des organes conventionnels;
- envisager la signature ou la ratification ultérieure d'autres instruments des droits de la personne, tel que le Protocole facultatif à la Convention contre la torture.

Droits de la personne au Canada

Au plan national, le Canada s'attache à promouvoir et à protéger les droits de la personne et l'égalité entre les sexes par l'application de la *Charte canadienne des droits et libertés*. Les pouvoirs publics fédéraux, provinciaux et territoriaux ont aussi mis en place des normes de droits de la personne et des instances chargées de les faire appliquer, telles que la Commission canadienne des droits de la personne qui joue un rôle crucial dans la promotion du droit à l'égalité au Canada.

Le Canada compte en outre une société civile très dynamique qui joue un rôle important dans la promotion des droits de la personne, tant au niveau national qu'international. Le Canada collabore avec la société civile en ce qui concerne de nombreux aspects des droits de la personne, et ce, dans un esprit de coopération et de dialogue.

Tous les gouvernements au Canada mettent en œuvre des programmes d'éducation publique reliés aux droits de la personne, y inclus dans le système d'éducation formel.

S'appuyant sur cette solide base législative et institutionnelle, le Canada s'engage à travailler activement à la mise en œuvre des droits de la personne au niveau national, incluant en matière de racisme, peuples autochtones, et protection de l'enfant.

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**Elections to fill vacancies in subsidiary organs and
other elections: election of fifteen members of the
Human Rights Council**

Note verbale dated 14 March 2008 from the Permanent Mission of Ghana to the United Nations addressed to the President of the General Assembly

The Permanent Mission of the Republic of Ghana to the United Nations presents its compliments to the President of the General Assembly at its sixty-second session and has the honour to inform him that the Government of Ghana has decided to present its candidature to the Human Rights Council for the term 2008-2011 in the elections to be held in May 2008, during the sixty-second session of the General Assembly, in New York.

In accordance with General Assembly resolution 60/251, an aide-memoire on Ghana's achievements, voluntary pledges and commitments towards the universal promotion and protection of human rights is attached (see annex).

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Annex to the note verbale dated 14 March 2008 from the Permanent Mission of Ghana to the United Nations addressed to the President of the General Assembly

Aide-memoire

Voluntary pledges and commitments of Ghana in accordance with resolution 60/251

Ghana's Membership of the Human Rights Council

- Ghana has since the formation of the Human Rights Council participated actively in its debates and participated in other activities of the Council, thereby contributed effectively to the Council's collaborative effort to build the consensus necessary for the promotion and protection of human rights around the world.
- Ghana has pursued a consistent policy of non-politicisation of the work of the Council, and worked to ensure objectivity in the Council's debates and decisions. Consequently, she has consistently urged the Council to focus on the enhancement of international cooperation for the promotion and protection of human rights.
- As a member of the Council, she has articulated and pursued the interests of victims of human rights abuses around the world. Through active participation, she has also followed a policy of cooperation and engagement even during periods of disagreement to ensure decisions in favour of human rights promotion.

International commitments

- Ghana was among the first members of the African Union to subscribe to the African Peer Review Mechanism to be peer reviewed. In the same vein, it welcomed the system of Universal Periodic Review (UPR) of the Human Rights Council and stands ready to be reviewed in May 2008 during the second session of the first cycle of the UPR.
- Ghana fully cooperates with human rights treaty bodies by duly submitting its periodic reports and endeavour to implement their concluding observations and recommendations.
- In cooperation with the United Nations Special Procedures, the Special Rapporteur on Violence Against Women, its Causes and Consequences, Ms. Yakin Erturk, undertook a mission to Ghana from 7 to 14 July, 2007 and enjoyed the invaluable support and cooperation of the competent Ghanaian authorities and civil society organizations.

Ghana is party to key international human rights instruments including:

- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- International Covenant on Civil and Political Rights
- Optional Protocol to the International Covenant on Civil and Political Rights
- Convention on the Elimination of All Forms of Discrimination against Women
- Convention on the Elimination of All Forms of Racial Discrimination
- International Covenant on Economic, Social and Cultural Rights
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- Convention on the Rights of the Child
- Rome Statute of the International Criminal Court

Ghana has also signed the following:

- Convention for the Protection of All Persons from Enforced Disappearance
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women
- Convention on the Rights of Persons with Disabilities
- Optional Protocol to the Convention on the Rights of Persons with Disabilities
- Optional Protocol to the Convention on the Rights of the Child on children in armed conflict
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
- In March 2007, Ghana was one of the first countries to sign the Convention on the Rights of Persons with Disabilities which is a clear demonstration of its solidarity and belief in a life with dignity for all and that all human beings are equal. The competent Ghanaian authorities are working to facilitate domestic procedures for ratifying the Convention as early as possible. Moreover, domestic laws related to the disabled have been revised to fall in line with the newly adopted Convention.
- Ghana is also party to the Convention relating to the Status of Refugees and the 1967 Protocol, the Geneva Conventions of 12 August 1949, Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) and the Convention on the Prevention and Punishment of the Crime of Genocide, the Convention on the

Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity.

- Ghana is a party to the African Charter on Human and Peoples' Rights and to the Protocol Establishing the African Court on Human and Peoples' Rights (ACHPR).
- Measures are being taken at the national level to ratify or accede to all international human rights instruments to which Ghana is not yet party.
- Ghana's commitment to the tenets of democracy, human rights and the rule of law and good governance have carved for her the image of a highly democratic African country. It has fulfilled its obligations in respect of international human rights and humanitarian law and has over the last decade worked closely with the UNHCR to offer a home away from home for refugees in the West Africa sub-region.

Human rights at home

- The Government of Ghana is fully committed to the promotion and protection of human rights. In consonance with that commitment, Ghana has made an open-ended provision in the 1992 Constitution of the Republic of Ghana in Article 33(5) of Chapter 5 on fundamental human rights and freedom as follows:

The rights, duties, declarations and guarantees relating to the fundamental human rights and freedoms specifically mentioned in this chapter shall not be regarded as excluding others not specifically mentioned which are considered to be inherent in a democracy and intended to secure the freedom and dignity of man.

- The Constitution of Ghana also guarantees respect for the economic, cultural and social rights of her citizens. In this spirit, Ghana has implemented extensive legislation provisions that protect human rights in an open and democratic political culture.
- A conducive environment that does not tolerate violations of the rights of all Ghanaians has been created. The Commission for Human Rights and Administrative Justice, a constitutional body monitoring human rights and dealing with violations and educating the public on human rights, is in place.
- As an eloquent manifestation of our commitment to and the protection of children and gender balance, the Ministry of Women and Children's Affairs with Cabinet status continues to pursue various programmes and projects for women's empowerment and gender equality and child rights.

- Ghana is committed and responding to the calls to implement the Declarations and Plans of Action towards Africa Fit for Children and the World Fit for Children. An Early Childhood Development/HIV/AIDS as well as Orphans and Vulnerable Children (OVC) policies have been developed and community based organizations (CBOs) working on HIV/AIDS have been trained and equipped with skills to respond to the special needs of children infected and affected by HIV and AIDS.
- Annual national campaigns on integrated child health comprising immunization, distribution of free insecticide treated bed nets and Vitamin 'A' supplementation have been institutionalized and no child in Ghana has died from measles disease in the last four years and we are on course to be certified as a polio free country.
- Having conducted a research into violence against children, Ghana has started the process towards developing a National Plan of Action on violence against children. On this note, Ghana fully supports the General Assembly's decision in December 2007 appointment of a Special Representative on violence against children, for a period of three years, to act as a high-profile and independent global advocate for the prevention and elimination of all forms of violence against children.
- Ghana enacted legislation against Human Trafficking in 2005 and has developed a comprehensive National Plan of Action to implement the legislation. A cross sectoral Human Trafficking Management Board and a Human Trafficking Fund have been established to facilitate execution. In addition, Ghana has entered into multilateral and bilateral cooperation agreements with neighbouring countries to effectively combat trafficking in persons especially children across our borders.
- The Government of Ghana recognizes the threat that violence against women poses to women's empowerment, and thus, for many years, has exhibited strong political will and enacted laws that are needed to truly end such atrocities and ensure equal rights for women in all aspects of life.
- Several pieces of legislation are in place to prohibit negative cultural practices which impede the development of women such as ritual servitude and FGM, harmful widowhood rites, early marriages, violence and sexual exploitation and abuse, discriminatory food allocations and taboos and practices relating to health and well being of women and children.
- Domestic Violence and Victim Support Units (DOVVSU) of the Ghana Police Service have been established throughout the country to promote protection of women and children from domestic violence, abuse and neglect. The Units activities have brought into scrutiny some pertinent issues in both the domestic setting and the workplace.

- To provide the requisite legal framework for the activities of DOVVSU, the Parliament of Ghana in February, 2007, passed the Domestic Violence Act 2007, (Act 732) marking yet another milestone in our commitment to human rights and specifically the rights of women. The Government now is developing a comprehensive National Domestic Violence Action Plan to ensure its implementation.
- Further legislative reforms to ensure equal rights between women and men culminated in the enactment of a law on the property rights of spouses that give both spouses equal access to property acquired during marriage in situations of divorce or separation.
- Ghana fosters an environment that allows space for and encourages the work of human rights defenders and journalists for human rights.
- Ghana has over the last decade worked closely with UNHCR to serve as an oasis of peace, security and stability for refugees in the West Africa sub-region and fulfilled its obligations in respect of international human rights and humanitarian law.
- Ghana has also provided training on the prevention of violence and response to sexual and gender based violence to the refugee community, police personnel and members of the neighbourhood watch teams under the auspices of the UNHCR programme.
- Additionally, police and military institutions and Women Constituencies are engaging to develop Ghana's Plan of Action on implementation of Security Council Resolution 1325 on Women Peace and Security.

Ghana and human rights in the future

The Government of the Republic of Ghana reiterates its longstanding resolve that human rights should be approached in a dialogue-based and constructive manner and voluntarily commits itself to the following:

- to continue to participate actively in the work of the Human Rights Council;
- to continue to strengthen policies for the advancement of women to eliminate laws that continue to discriminate against women;
- reiterates its commitments to the survival, development, protection, of children in issues that affect their well being and above all in their best interest;
- to maintain a standing invitation to all United Nations Special Procedures;

- to continue to cooperate fully with UN human rights treaty bodies and promptly submit its periodic reports to treaty bodies;
- to remain committed to strengthening the Council to enable it achieve its aims and objectives,

NEW YORK, 10 MARCH 2008

United Nations

A/61/718

**General Assembly**Distr.: General
29 January 2007

Original: English

Sixty-first session

Agenda item 105 (c)

**Elections to fill vacancies in subsidiary organs and
other elections: election of fourteen members of the
Human Rights Council****Note verbale dated 1 December 2006 from the Permanent Mission
of India to the United Nations addressed to the Secretariat**

The Permanent Mission of India to the United Nations presents its compliments to the Secretariat of the United Nations and has the honour to state that on the expiry of its one-year term, India has decided to present its candidature for re-election to the Human Rights Council for a three-year term, at elections to be held in New York in 2007. This information was conveyed to the Secretariat on 6 October 2006. In this connection, the Permanent Mission of India further has the honour to enclose a copy of the voluntary pledges and commitments by India for the information of the Secretariat (see annex).

07-22470 (E) - 06/02/07
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**Annex to the note verbale dated 1 December 2006 from the
Permanent Mission of India to the United Nations addressed
to the Secretariat**

Voluntary pledges and commitments by India

India is seeking re-election to the Human Rights Council at the elections to be held at the UN General Assembly in New York in May 2007.

India has a long tradition of promoting and protecting human rights. It was privileged to be in the forefront of the struggle against apartheid since even before India's independence. India's commitment to promoting and protecting human rights flows from the realization that in a truly pluralistic society, the growth and well being of citizens can only be guaranteed through a culture of protection and promotion of human rights.

The Indian Constitution enshrines India's commitment to human rights by guaranteeing to its citizens fundamental political and civil rights. Special provisions for the progressive realization and enforcement of economic, social and cultural rights have also been provided for constitutionally. India has taken an important initiative for the empowerment of women by reserving one-third of all seats for women in urban and local self-government, thus bringing over one million women at the grassroots level into political decision making. With the launch of the National Rural Employment Guarantee programme on February 1, 2006, the right to work has been operationalized in India. The Protection of Women from Domestic Violence Act enacted by the Indian Parliament in 2005 provides immediate and emergency relief to women in situations of domestic violence. Reflective of India's commitment to eliminate child labour, a ban on employment of children under-14 years as domestic help or at eateries came into force in India with effect from 10 October 2006.

The independent and impartial Indian judiciary has delivered far-reaching pronouncements on the protection and promotion of human rights. Far-reaching measures taken by the Supreme Court of India include Public Interest Litigation, by which the Supreme Court can be moved by any individual or group of persons highlighting the question of public importance for invoking this jurisdiction. The Supreme Court of India has recognized the justiciability of some economic and social rights as an extension of the Right to Life. The National Human Rights Commission, a powerful and independent body, monitors human rights developments in India and shares its experience and expertise with its counterparts in other countries. The free and independent media in India plays a crucial role in promoting respect for and monitoring of human rights. Civil society in India is among the most vibrant anywhere in the world.

India is a committed supporter of the UN human rights system and the promotion and protection of human rights is ingrained in its domestic and foreign policy. It has been active in deliberations on human rights in international fora and in the development of widely accepted international norms. India is a large, democratic, multi-ethnic, multi-religious, multi-lingual, and multi-cultural society, whose continued presence on the Human Rights Council would bring a perspective of straddling all divides of pluralism, moderation and balance from a country that has consistently demonstrated in practice its commitment to human rights and

fundamental freedoms. Against this backdrop, India voluntarily makes the following pledges and commitments:

- India will abide by its national mechanisms and procedures to promote and protect the human rights and fundamental freedoms of all its citizens.
- India will maintain the independence, autonomy as well as genuine powers of investigation of national human rights bodies, including the National Human Rights Commission, National Commission for Women, National Commission for Minorities, National Commission for Scheduled Castes and Scheduled Tribes, and National Commission for Backward Classes, as mandated by Indian constitution and laws.
- India will foster a culture of transparency, openness and accountability in the functioning of the Government, as enacted in the Right to Information Act.
- India will continue to encourage efforts by civil society seeking to protect and promote human rights.
- India will continue to work towards the progressive realization of the right to work.
- India will expand the implementation of its Rural Employment Guarantee Programme, which provides for 100 days of assured employment annually to every rural household in the country.
- India will continue to promote the social, economic and political empowerment of women in India by affirmative actions, gender mainstreaming in national planning, gender budgeting and formation of women self-help groups. India will work towards elimination of discrimination and violence against women through legislative measures as well as effective implementation of existing policies.
- A National Commission for the Protection of Child's Rights would be set up for the speedy trial of offences against children or of violation of child's rights.
- India will work to make the Human Rights Council a strong, effective and efficient body capable of promoting and protecting human rights and fundamental freedoms for all.
- India will engage constructively in the evolution of modalities and mandates of the Human Rights Council, and in the reform of the UN human rights machinery.
- India will participate actively in the work of the Human Rights Council in norm-setting in the field of human rights.
- India will participate constructively in developing modalities for universal periodic review by the Human Rights Council and in reviewing and strengthening the system of Special Procedures and other expert mechanisms of the Council.
- India will continue to support the Office of the UN High Commissioner of Human Rights, including through regular voluntary contributions.

- India will strive for the full realisation of civil, political, economic, social and cultural rights, including the right to development.
- India will continue to support UN bodies such as UNICEF, UNIFEM, UNFPA, UN Democracy Fund, etc., that have a role in contributing to the protection and promotion of human rights.
- India will work with UN Member States and relevant UN bodies for reform of the UN treaty-body system.
- India will work for the world-wide promotion and protection of human rights, based on the principles of cooperation and genuine dialogue.
- India will cooperate with States, upon request, in their implementation of human rights obligations through capacity building by way of technical cooperation, human rights dialogues and exchange of experts.
- India will continue to actively support domestic and international processes that seek to advance empowerment of women and women's rights and gender equality.
- India will continue to actively support domestic and international processes that advance the rights of the child.
- India will work for the implementation of the Beijing Declaration and Platform of Action, the Copenhagen Declaration and Plan of Action, and the outcomes of other major UN international conferences.
- India will continue to support efforts directed at the adoption of a Declaration on the Rights of Indigenous Peoples.
- India will support the adoption of the Convention on the Rights of Persons with Disabilities during the 61st Session of the UN General Assembly.



HA 24/06

The Permanent Mission of Malaysia to the United Nations presents its compliments to the Secretariat of the United Nations and, with reference to its note no. HA 20/06 dated 12 April 2006 informing the Secretariat of the candidature of Malaysia to the Human Rights Council, has the honour to enclose herewith an Aide Memoire detailing Malaysia's voluntary pledges and commitments in accordance with Resolution A/RES/60/251 of 15 March 2006.

The Permanent Mission of Malaysia highly appreciates the kind assistance of the Secretariat in posting the enclosed Aide Memoire on Malaysia's candidature to the Human Rights Council on the General Assembly website.

The Permanent Mission of Malaysia to the United Nations avails itself of this opportunity to renew to the Secretariat of the United Nations the assurances of its highest consideration.

New York, 28 April 2006



**Secretariat of the United Nations
New York**

ATTN: Department of General Assembly
and Conference Management
Room: S-2925A
Fax: (212) 963 2155

MALAYSIA'S CANDIDATURE TO THE UNITED NATIONS HUMAN RIGHTS COUNCIL

AIDE-MEMOIRE

Malaysia, a member of the Commission on Human Rights prior to it being dissolved, is seeking election to the new Human Rights Council (HRC) at the elections to be held by the United Nations General Assembly on 9 May 2008.

2. Malaysia, since attaining independence in 1957, upholds that the promotion and protection of all human rights as an indispensable aspect in the process of nation building. Consistent with the Universal Declaration of Human Rights (UDHR), successive Malaysian Governments have made the guarantee of the individual's fundamental rights and liberties, as enshrined in the Constitution, the cornerstone of its policies and programmes, while noting that all individuals have duties and responsibilities to the community to ensure the continued enjoyment of peace, stability and prosperity.

3. The respect that the Malaysian Government has for each individual's rights is clearly manifested in the fact that free, fair and peaceful General Elections have been held consistently without fail since independence for the people to elect their representatives to the various branches of Government within the nation's democratic system. Universal suffrage has been a principal feature in each election.

4. Another manifestation of the importance that the Government attaches to the enjoyment of all human rights and fundamental freedoms is the promotion of a free media, including in cyberspace, as well as the encouragement of vibrant and active civil societies.

5. As a nation with a multi-ethnic and multi-religious society, Malaysia is confident that its experience in managing a plural society would bring an important dimension to the work of the new Human Rights Council. Malaysia recognizes that the stability of any multiethnic society depends on a spirit of mutual tolerance and respect for diversity which is based on an inclusive and responsive political and legal system, which balances civil and political rights such as the freedom of expression and opinion and the wider needs of such a society.

6. Laws, regulations and institutions related to human rights in Malaysia continue to evolve in step with the increasing aspirations of a democratic society. One of the measures was the establishment of the National Commission on Human Rights (SUHAKAM) in 1999. SUHAKAM monitors human rights developments in Malaysia and is entrusted *inter-alia* with powers to investigate complaints regarding alleged human rights violations. Over and above its investigative function, SUHAKAM is also active in promoting a culture of human rights, particularly through education not only in schools but also within government institutions, such as the police force. SUHAKAM is also involved in activities at the regional and international levels.

7. The increasing threat posed by terrorism worldwide has highlighted the importance of balancing security concerns with the preservation of individual liberties. Malaysia believes that it has achieved this balance, drawing on its experience in combating the armed insurgency by forces aiming to dismantle the democratic government in the early years of its independence. The events of September 11 have also given rise to the misperception that democracy and human rights are incompatible with Islam and countries in which Islam is the dominant religion. Malaysia's record in this regard disproves this misperception. These achievements would not have been possible if individual rights and freedoms are not respected.

8. Beyond civil and political rights, the Malaysian Government has also sought to fulfill its responsibilities with regard to economic, social and cultural rights. As an example of this commitment, the Malaysian Government has consistently allocated the largest proportion of the annual budget to education. Having achieved many of the goals set out in terms of primary education, the Government is now endeavoring to expand the tertiary education system, not only as a means of strengthening the right to education but also in order to better equip Malaysians to meet the challenges posed by globalisation.

9. Malaysia is fully aware that good governance, integrity in the public sector and transparency in the Government's activities are essential if the goals of full enjoyment of human rights and fundamental freedoms are to be achieved. Towards this end, the National Integrity Plan (PIN) was launched on 23 April 2004, which is aimed at, among others, to:

- 9.1 Continuously and effectively combat and reduce the incidence of corruption, malpractices and abuse of power;
- 9.2 Enhance efficiency in the delivery system of the civil service and to reduce unnecessary inefficiencies;
- 9.3 Improve corporate governance and business ethics; and
- 9.4 Strengthen the family institution.

10. To ensure that these aims are achieved, the Government formed the Malaysian Integrity Institute, whose functions include to:

- 10.1 Undertake research and conduct training and education pertaining to community and institutional integrity;
- 10.2 Develop a database on ethics and integrity;
- 10.3 Formulate policies to enhance ethics and integrity as well as advising the Government on programmes to enhance integrity; and
- 10.4 Continuously monitor and ensure the implementation of the Plan.

11. Malaysia will continue to take proactive and innovative measures to further promote and protect human rights and fundamental freedoms in the country.

12. At the international level, Malaysia has been a member of the Commission on Human Rights (CHR) for four terms, and was a member of that body for the term 2005-2007 when the Commission on Human Rights was dissolved, to be replaced by the Human Rights Council. As an active and committed member of the Commission, Malaysia has contributed constructively in its deliberations. Malaysia is determined to continue to do so in the work and activities of the newly established Human Rights Council if elected to the membership.

13. Malaysia believes that the new Human Rights Council has an important role to play in the universal promotion and protection of human rights and in ensuring the effective enjoyment by all of all human rights. In order to achieve these lofty goals, the Human Rights Council needs to be made strong, fair, effective and efficient, and free of acrimony and undue politicization.

14. Towards this end, Malaysia pledges to:

- 14.1 Engage constructively in evolving modalities of work of the Human Rights Council with the aim of making it a strong, fair, effective, efficient and credible vehicle for the promotion and protection of human rights worldwide;
- 14.2 Support the work of the Office of the High Commissioner for Human Rights;
- 14.3 Continue to participate actively in the norm-setting work of the Human Rights Council;
- 14.4 Work towards fostering a spirit of cooperation in the Human Rights Council, free from acrimony and politicization, based on the principles of mutual respect and dialogue;
- 14.5 Promote greater coherence between the work of the Human Rights Council with other United Nations agencies and actors in achieving internationally agreed targets and goals, such as the Millennium Development Goals and those contained in the Vienna Declaration and Plan of Action, the Beijing Declaration and Platform of Action, the Copenhagen Declaration and Plan of Action as well as the Cairo Declaration and Programme of Action;
- 14.6 Actively support international action to advance the rights of vulnerable groups such as women, children and the disabled.

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PERMANENT MISSION OF THE REPUBLIC OF MAURITIUS TO THE UNITED NATIONS
MISSION PERMANENTE DE LA REPUBLIQUE DE MAURICE AUPRES DES NATIONS UNIES

Note No. 7394/06 (Ref: NY/UN/057/E)

6 April 2006

The Permanent Mission of the Republic of Mauritius to the United Nations presents its compliments to the President of the 60th Session of the United Nations General Assembly and has the honour to inform that the Government of the Republic of Mauritius has decided to present its candidature for membership in the United Nations Human Rights Council at the elections to be held during the General Assembly of the United Nations session in New York on 9 May 2006.

Mauritius attaches the utmost importance to the promotion and protection of human rights and supports all international and regional efforts aimed at the advancement of human rights and fundamental freedoms, democracy and good governance and rule of law.

Mauritius is a party to all major international human rights instruments and always upholds the primary role of the United Nations in the promotion and protection of human rights. The establishment of the Human Rights Council strengthens further the human rights system within the United Nations and in seeking membership in the newly created Council, Mauritius underscores its firm commitment to contribute effectively in the work and activities of the Council.

The Government of the Republic of Mauritius is also deeply committed to uphold the highest standards in the promotion and protection of human rights and will shortly submit its voluntary pledges and commitments in accordance with resolution A/RES 60/251.

The Permanent Mission of the Republic of Mauritius to the United Nations avails itself of this opportunity to renew to the President of the 60th Session of the United Nations General Assembly the assurances of its highest consideration.

President of the 60th Session of the
United Nations General Assembly
New York



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PERMANENT MISSION OF THE REPUBLIC OF MAURITIUS TO THE UNITED NATIONS
MISSION PERMANENTE DE LA REPUBLIQUE DE MAURICE AUPRES DES NATIONS UNIES

Note No. 7526 /06 (Ref. NY/UN/957/II)

21 April 2006

The Permanent Mission of the Republic of Mauritius to the United Nations presents its compliments to the President of the 60th Session of the United Nations General Assembly and with reference to the Note No. 7394/06 of 6 April 2006, regarding the candidature of the Republic of Mauritius to the United Nations Human Rights Council, has the honour to forward herewith its voluntary pledges and commitments in accordance with Resolution A/RES/60/251.

The Permanent Mission of the Republic of Mauritius to the United Nations avails itself of this opportunity to renew to the President of the 60th Session of the United Nations General Assembly the assurances of its highest consideration.



The President of the 60th Session
of the United Nations General Assembly
New York

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MAURITIUS

Voluntary Pledges and Commitments in accordance with Resolution A/RES/60/251

The Republic of Mauritius has always been committed to the promotion and protection of Human Rights at national, regional and international levels. The Government of Mauritius strongly believes that citizens should be at the core of all forms of human rights including the right to economic, cultural and social development and that the people should enjoy all their political and civil rights indiscriminately and irrespective of their status. Mauritius is party to most of the core international human rights instruments and has enacted comprehensive legislation for the protection and promotion of human rights and fundamental freedoms and ensures their implementation.

National Level

- The respect and protection of human rights is enshrined in the Constitution of Mauritius and since its independence, the Republic of Mauritius remains deeply committed to building a civil society based on democracy, good governance, rule of law and protection of human rights and fundamental freedoms.
- The National Human Rights Commission was set up in April 2001 under the Protection of Human Rights Act 1998 in line with the United Nations guidelines governing such institutions.
- The Commission ensures that there is compliance with the fundamental rights and freedoms of the individual enshrined in Chapter II of the Constitution. It also has the power to enquire into any written complaints from any person alleging that any of his human rights has been, is being or is likely to be violated by the act or omission of any other person acting in the performance of any public function conferred by any law or otherwise in the performance of the functions of any public office or any public body. The Commission can equally enquire into any other written complaint from any person against an act or omission of the police force in relation to him. Visits can be effected to any police station, prison or other place of detention under the control of the State to study the living conditions of the detainees and the treatment afforded to them. In 2003, a Sex Discrimination Division was

created within the National Human Rights Commission under the Sex Discrimination Act 2002 to deal with cases of sex discrimination and sexual harassment. The Sex Discrimination Division also has the power to deal with complaints within the private sector as well.

- The Office of the Ombudsperson for children was established under the Ombudsperson for Children Act in 2003. The Ombudsperson for Children has the duty of promoting compliance with the Convention on the Rights of the Child (CRC) and investigating possible violations of the rights of a child.
- In December 2005, the Child Protection Act was amended in order to provide for the offences of 'child trafficking', 'abandonment of child' and 'abducting child'.
- Regarding the issue of child abuse and child prostitution, Mauritius signed in 2001 the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. Mauritius also acceded to the United Nations "Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime" in September 2003.
- Mauritius is currently considering the following legislative measures to promote Human Rights :
 - (i) The Equal Opportunities Bill;
 - (ii) A Draft Bill for the Family Court;
 - (iii) An amendment to the law on custodial sentences for civil debtors;
 - (iv) A Disability Discrimination Bill which will include inclusive education for disabled children;
 - (iv) An HIV/AIDS Bill;
 - (v) Reform of the law dealing with administration of juvenile justice;
 - (vi) A Children's Act which will review all legislations pertaining to children.

- With the help of UNDP, Mauritius has developed a national human rights strategy on 10 December 2005. There is provision for setting up a HUMAN RIGHTS CENTRE with regional sub-centre all over the island and one in Rodrigues. The Centre will be a Resource Centre to sensitize people about Human Rights and International Instruments.

Regional Level

- Mauritius has signed the African Charter of Human and People's Rights and ratified the said Charter on 19 June 1992. Mauritius has equally signed the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa at the Abuja AU Meeting in January 2005. Mauritius has, however, made reservations on Articles 6(b), 6(c), 10(2)(d), 11 and 14(2) (c). Mauritius has further ratified the African Charter on the Rights and Welfare of the Child and the Protocol to the African Charter on Human and People's Rights on the establishment of the African Court on Human and People's Rights.
- Mauritius has hosted a series of conferences/meetings on human rights issues. In relation to the African Court of Justice, Mauritius hosted both the meeting of Experts/Judges and Permanent Representatives from 4 - 6 June 2003 and the First Ministerial Meeting of Ministers of Justice of the African Union from 7 - 8 June 2003 at the Grand Bay International Conference Centre. A seminar was organized on « *Sensibilisation sur la ratification et la mise en oeuvre du statut de Rome de la Cour Pénale internationale* » from 27 - 29 May 2002 jointly by the Attorney-General's Office and the « Agence Intergouvernementale de la Francophonie ».

From 10 - 12 September 2003, the Office of the United Nations High Commissioner for Human Rights in collaboration with the Attorney General's Office, organised a Regional Workshop on Human Rights and Good Governance.

Mauritius has also hosted the « *Rencontre Conjointe du Bureau du Comité de Suivi de la Conférence des Structures Gouvernementales Chargées des droits de l'Homme dans l'Espace Francophonie et des Réseaux Institutionnels de la Francophonie* » from 19 - 21 July 2005.

- Mauritius is one among the first African countries to have volunteered to be reviewed under the NEPAD Peer Review Mechanism.

International Level

- Mauritius pursues a policy of active cooperation with international organizations and their respective bodies and institutions in the field of human rights and fundamental freedoms. It is deeply committed to uphold the highest standards in the promotion and protection of human rights.
- Mauritius upholds the primary role of the United Nations in the promotion and protection of human rights.
- Mauritius was a member of the Commission on Human Rights in 1971-1973, 1993-1995 and 1999-2001.
- Mauritius is party to six of the seven core international human rights treaties as follows -
 - (i) The International Convention on the Elimination of All Forms of Racial Discrimination;
 - (ii) International Covenant on Civil and Political Rights;
 - (iii) International Covenant on Economic, Social and Cultural Rights;
 - (iv) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and
 - (v) Convention on the Rights of the Child (CRC).
 - (vi) Convention on the Elimination of All Forms of Discrimination against Women.
- Mauritius has ratified the Optional Protocol of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Mauritius is also party to the Rome Statute of the International Criminal Court.
- Despite its limited resources, Mauritius has consistently fulfilled its reporting obligations by submitted regularly periodic reports to the various human rights treaties. Mauritius has also submitted reports to the various Committees monitoring the international treaties.

If elected to the Human Rights Council,

the Government of Mauritius undertakes to -

- continue to uphold the primacy of democracy, good governance and development as key tenets in the promotion of human rights of its citizens and strengthen national institutions that guarantee best these rights;
- continue to play a constructive role in the advancement of human rights and fundamental freedoms and further contribute to the enhancement of United Nations human rights activities;
- participate actively in the work of Council for the promotion and protection of all human rights in a spirit of impartiality, objectivity and non-selectivity, constructive dialogue and cooperation;
- be reviewed under the universal periodic review mechanism; and
- support international efforts to enhance inter cultural dialogue and understanding among civilizations, cultures and religions with a view to facilitate the universal respect for all human rights given that Mauritius is a multi-racial and multi-ethnic country.



General Assembly

Distr.: General
30 March 2009

Original: English

Sixty-third session

Agenda item 104 (c)

**Elections to fill vacancies in subsidiary organs and other
elections: election of eighteen members of the Human
Rights Council**

Letter dated 5 March 2009 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the General Assembly

I have the honour to forward herewith the voluntary pledges and commitments of the Government of the Republic of Mauritius to the promotion and protection of human rights in accordance with resolution 60/251 in respect of the candidature of the Republic of Mauritius for re-election to the United Nations Human Rights Council.

(Signed) Somduth **Soborun**
Ambassador
Permanent Representative

09-28526 (E) 060409



Annex to the letter dated 5 March 2009 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the General Assembly

Updated voluntary pledges and commitments

This document has been prepared in accordance with General Assembly resolution 60/251 in the context of the candidature of Mauritius for re-election to the Human Rights Council for the period 2009-2012.

1. The Republic of Mauritius has always been committed to the promotion and protection of human rights at the national, regional and international levels. The Government of Mauritius strongly believes that citizens should be at the core of all forms of human rights, including the right to economic, cultural and social development and that the people should enjoy all their political and civil rights indiscriminately and irrespective of their status.
2. Mauritius is party to the major international human rights instruments. It has enacted comprehensive legislation for the protection and promotion of human rights and fundamental freedoms and ensures their implementation.

National level

3. The respect for and protection of human rights is enshrined in the Constitution of Mauritius. Since its independence, the Republic of Mauritius has been deeply committed to building a society based on democracy, good governance, rule of law, and protection of human rights and fundamental freedoms.

(a) National Human Rights Commission

4. The National Human Rights Commission was set up in April 2001 under the Protection of Human Rights Act in line with the United Nations guidelines governing such institutions. It mainly enquires into any written complaints from any person alleging that any of his human rights has been, is being or is likely to be violated by the act or omission of any other person acting in the performance of the functions of any public office or any public body. It can equally enquire into any other written complaint from any person against an act or omission of a member of the police force. The National Human Rights Commission may, of its own motion, enquire where it has reason to believe that the act or omission is occurring or likely to occur.
5. In 2003, a Sex Discrimination Division was created within the National Human Rights Commission under the Sex Discrimination Act to deal with cases of sex discrimination and sexual harassment, including those cases in the private sector.
6. Amendments to the Protection of Human Rights Act are being contemplated with regard to the structure and composition of the National Human Rights Commission.

(b) The Judiciary

7. The Government of Mauritius is committed to making or supporting far-reaching reforms to the judicial sector with a view to improving the delivery of justice, as per the recommendations made by the Presidential Commission chaired by Lord Mackay of Clashfern. Amendments are to be made to the Constitution shortly to provide for a separate Court of Appeal and a first instance Court within the Supreme Court of Mauritius. Since January 2008, two Judges have been hearing criminal cases and two others have been hearing family law cases on a full-time basis with a view to clearing the backlog. As from January 2009, two Judges are hearing commercial cases on a full-time basis.

8. The Judicial Committee of the Privy Council sat for the first time in Mauritius in September 2008, in line with the ongoing reforms to the judicial system aimed at providing better access to justice to citizens of Mauritius.

(c) Office of the Ombudsperson for Children

9. The Office of the Ombudsperson for Children was established under the Ombudsperson for Children Act 2003. The Ombudsperson for Children has the duty of promoting compliance with the Convention on the Rights of the Child and investigating possible violations of the rights of the child.

(d) The Human Rights Centre

10. The Human Rights Centre which was inaugurated in August 2007 aims to be the main platform for the promotion of human rights in Mauritius. The Centre also acts as a channel for information and aims at making the public aware of existing institutions and laws so that they may better avail themselves of such.

11. In addition to its numerous tasks in matters of education and sensitization, the Centre also serves as one of the main human rights forum where:

- (i) non-religious groups and associations, clubs and even political parties from all spheres are welcome to organize debates and meetings on human rights related issues;
- (ii) foreign visitors in the field of human rights can hold conferences and talks on a regular basis. The members of the United Nations Subcommittee on Prevention of Torture met Mauritian stakeholders for discussions on the premises of the Human Rights Centre;
- (iii) proper training can be given to various people from NGOs and trade unions who will in turn assist in empowering citizens at grass-roots level; and
- (iv) all year round sessions can be held by local guest speakers, on a voluntary basis, from different spheres of society on different topics in the human rights area.

12. The Human Rights Centre initiates human rights campaigns and the publication of brochures and pamphlets on human rights issues.

13. The main Human Rights Conventions ratified by Mauritius and especially the rights contained therein will be widely disseminated to the general public.

(e) National Action Plan on Human Rights

14. Mauritius is at present finalizing a National Action Plan on Human Rights. This National Action Plan seeks to develop a strong culture of human rights in Mauritius by providing better protection for individuals, creating more effective programmes that enhance the quality of life for all, particularly vulnerable groups, and by improving national harmony. It also aspires to achieve promotion of greater awareness of human rights, both in the general public and in specific sectors. The overarching objective of the National Action Plan is to bring about tangible improvements in the observance of all categories of human rights.

15. The National Action Plan has been developed on the basis of realistic objectives and clear targets and covers a broad range of areas. It includes an overview of the international and national legal framework, a description of the different categories of human rights enjoyed by Mauritians, the role of national institutions and civil society and lays emphasis on the need for human rights education. It describes the actions taken so far in each field and the shortcomings which need to be overcome, and proposes measures to address these shortcomings. The National Action Plan also proposes specific time frames for the achievement of its objectives, with short, medium and long-term implementation of the measures. The provision of a time frame will ensure that those involved in realizing the targets of the Action Plan have a deadline to structure their activities and should ultimately facilitate monitoring and final evaluation.

(f) Legal aid

16. The legal aid system is being reviewed. In this context, proposals have been made by a working committee in a Green paper on legal aid in Mauritius. The Green paper addresses among other issues the new concept of legal aid, the application of legal aid, the eligibility test, the expansion and extension of legal aid services, the establishment of a Legal Aid Board and corporate social responsibility.

(g) Media law

17. The Government of Mauritius intends to review the media landscape and to bring about reform in media law. In this context, Geoffrey Robertson, Q.C., a well-known authority on media law in Commonwealth States, was invited by the Government in May 2008 to advise on the appropriate media framework for the benefit of both the public and the Government. During his visit, he interacted with media organizations and other stakeholders.

(h) Gender

18. Mauritius has developed a National Gender Policy Framework (2008) to provide broad guidelines for the implementation of gender mainstreaming strategies. The Gender Unit within the Ministry of Women's Rights, Child Development and Family Welfare monitors the implementation of gender mainstreaming strategies for the empowerment of women and the promotion of gender equality and equity. It conducts outreach activities at grass-roots level through 15 Women Centres, the National Women's Council, the National Women Entrepreneur Council, the National Women Development Centre and some 1,200 Women's Associations with respect to capacity-building, service delivery and sensitization campaigns for the empowerment of women, as well as gender mainstreaming at policy, programming

and output level with Ministries, Departments and other stakeholders in line with the National Gender Policy Framework and the recent reforms geared towards effective public financial management and performance management.

19. As from July 2008, the Gender Unit has been offering technical assistance to three pilot Ministries, namely the Ministry of Education, Culture and Human Resources, the Ministry of Youth & Sports and the Ministry of Labour, Industrial Relations & Employment to help them formulate their sectoral gender policies, so that programmes and performance indicators are gender-responsive and adequately reflected in the budget.

20. Concurrently, the different units of the Ministry of Women's Rights, Child Development and Family Welfare have also been involved in this exercise. The Ministry of Women's Rights, Child Development and Family Welfare and the above-mentioned three pilot Ministries have already finalized their sectoral policies.

21. The Ministry of Women's Rights, Child Development and Family Welfare is now in the process of replicating this exercise in four other Ministries, namely the Ministry of Agro-Industry, Food Production and Security, the Ministry of Finance and Economic Empowerment, the Ministry of Civil Service and Administrative Reforms and the Ministry of Social Security, National Solidarity and Senior Citizens Welfare & Reform Institutions.

(i) Legislative measures

22. **The Protection from Domestic Violence Act** which was enacted in 1997 and amended in 2004 and 2007 affords protection to the spouse of, as well as other persons living under the same roof as, a violent person. The Act provides for the issue of protection orders, occupation orders and tenancy orders by a Magistrate and affords protection against physical, emotional, sexual violence and even threatened violence. A person who has wilfully failed to comply with an order made under the Act may, in appropriate cases, be ordered to attend counselling sessions.

23. **The Protection of Elderly Persons Act 2006** provides for the protection of the elderly against abuse; persons who wilfully subject elderly persons to ill-treatment or wilfully fail to provide elderly persons under their care with adequate food, medical attention, shelter and clothing are liable to be prosecuted. The Welfare and Elderly Persons' Protection Unit of the Ministry of Social Security, National Solidarity and Senior Citizens Welfare & Reform Institutions organizes public awareness and sensitization campaigns on elderly persons' rights, receives complaints from elderly persons in need of protection and may apply to the Court for a protection order on their behalf.

24. **The HIV and AIDS Act** which was passed in 2006 provides for a rights-based approach to HIV and AIDS-related issues, and aims in particular at protecting persons living with HIV and AIDS from discrimination. One of the objects of the Act is to respond to the escalating HIV/AIDS epidemic being witnessed in Mauritius through enhanced HIV prevention programmes and scaled up national mechanisms for voluntary counselling and testing. Provision is made for the introduction of risk minimization interventions, namely the Needle Exchange Programme. The Civil Status Act was amended in order to allow marriages between a Mauritian citizen and a non-citizen who is HIV positive or has AIDS.

25. **The Truth and Justice Commission Act** which was passed in August 2008 provides for the setting up of the Truth and Justice Commission. The mandate of the Commission is to conduct inquiries into slavery and indentured labour during the colonial period in Mauritius, determine appropriate measures to be extended to descendants of slaves and indentured labourers, enquire into complaints made by persons aggrieved by dispossession or prescription of any land in which they claim to have an interest and prepare a comprehensive report of its activities and findings based on factual and objective information and evidence. The Commission is expected to complete its assignment and submit its report within 24 months from the start of its operations.

26. In order to reform the industrial relations framework, promote effective tripartism and strengthen dialogue with social partners, a **new Employment Relations Act** was passed in August 2008. The Act focuses on, inter alia, the protection and enhancement of the democratic rights of workers and trade unions, the simplification of the procedures for registration and recognition of trade unions, the promotion of collective bargaining, the promotion of voluntary settlement and peaceful resolution of disputes, the strengthening of the disputes and conflict resolution procedures and institutions to ensure speedy and effective settlement, the right to strike as a last resort after conciliation and mediation have failed and the building of a productive employment relationship.

27. **The Employment Rights Act** which was passed at the same time aims at achieving the flexibility needed for creating demand for labour, together with security needed to protect the worker as he or she switches between jobs. The object of the Act is to revise and consolidate the law relating to employment, contracts of employment or service, the minimum age for employment, hours of work, payment of remuneration and other basic terms and conditions of employment with a view to ensuring appropriate protection of workers. Both the Employment Relations Bill and the Employment Rights Bill were widely discussed with national stakeholders and experts from the International Labour Organization before they were introduced in the National Assembly.

28. **The Equal Opportunities Act** was passed in December 2008. It prohibits discrimination on grounds of age, caste, colour, creed, ethnic origin, impairment, marital status, place of origin, political opinion, race, sex and sexual orientation in various spheres of activities, namely employment; education; the provision of accommodation, goods, services and other facilities; sports; the disposal of immovable property; companies, partnerships, “sociétés” or registered associations; admission to private clubs and premises open to members of the public. The Act also provides for the establishment of an Equal Opportunities Division within the National Human Rights Commission and an Equal Opportunities Tribunal.

29. **The Judicial Provisions Act** was passed in November 2008. One of the objects of the Act is to abolish fixed sentences and other mandatory sentences and to restore to the Courts their sentencing discretion in respect of all offences.

30. It is also intended to introduce a **Police Complaints Bill** in Parliament shortly. The Bill will provide for the setting up of an independent body which will deal with complaints made against police officers in respect of acts done in the execution of their functions. Consultations were held with the National Human Rights Commission and other stakeholders as well as with experts from the Independent Police Complaints Commission of the United Kingdom, the Office of the United

Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime.

31. A **DNA Identification Bill** is currently being fine-tuned in consultation with all stakeholders. With the enactment of this legislation, criminal investigation will be operationally driven with intelligence generated by a DNA Database. The impending DNA Bill will allow the instant search for a match to the DNA fingerprint of each and every known criminal in the land. Appropriate safeguard measures will be taken in the drafting of the legislation to ensure an appropriate balance between the enhancement of security and the need to protect individual liberties.

32. A **Sexual Offences Bill** was referred to a Select Committee in 2007 for further study and consultation. The object of the Bill is to make further and better provision for sexual offences. In that context, a new definition of the offence of rape is provided, new categories of offences of sexual assaults are created in order to cover various acts of sexual perversions committed by offenders and provision is made for decriminalizing of sexual activities among consenting adults.

33. It is proposed to review the **Data Protection Act 2004** to harmonize it with the EU Directives on data protection. The Government held consultative meetings with stakeholders to consider proposed amendments to the Act.

34. Further to the latest recommendations of the Committee on the Rights of the Child, action has been initiated for the drafting of a **Children's Bill** to consolidate the various pieces of legislation covering all aspects of children's rights. Opportunity will be taken to, inter alia, review the law on juvenile justice and prosecution and detention of juveniles.

35. With a view to adopting a holistic approach to the problem of trafficking in persons and clustering the different provisions pertaining to trafficking under a comprehensive legislation, the **Combating of Trafficking in Persons Bill** is being finalized with the assistance of the United Nations Office on Drugs and Crime.

Regional level

36. Mauritius is party to the African Charter on Human and Peoples' Rights, the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights and the African Charter on the Rights and Welfare of the Child.

37. Mauritius has also signed the African Charter on Democracy, Elections and Governance and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

38. Mauritius has acceded to the African Peer Review Mechanism in July 2003 and was among the first countries to start the review process which covers four substantive thematic areas, namely Democracy and Political Governance, Economic Governance and Management, Corporate Governance and Socio-Economic Development. The National Economic and Social Council, an independent body, has been designated as the national focal point to oversee the process in Mauritius. Mauritius is currently finalizing its self-assessment report and is expected to be peer reviewed in the course of 2010.

39. Mauritius recognizes that the fight against poverty, development and human rights are interlinked and mutually reinforcing. It is in this spirit that Mauritius hosted the SADC International Conference on Poverty and Development in April 2008. The Conference agreed, inter alia, to work towards the establishment of a Regional Poverty Observatory to monitor progress made in the implementation of actions in the main priority areas of poverty eradication.

International level

40. Mauritius pursues a policy of active cooperation with international organizations and their respective bodies and institutions in the field of human rights and fundamental freedoms. It is deeply committed to upholding the highest standards in the promotion and protection of human rights.

(a) International commitments

41. Mauritius is party to the major international human rights treaties, namely:
 - (i) International Convention on the Elimination of All Forms of Racial Discrimination;
 - (ii) International Covenant on Civil and Political Rights;
 - (iii) International Covenant on Economic, Social and Cultural Rights;
 - (iv) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
 - (v) Convention on the Rights of the Child; and
 - (vi) Convention on the Elimination of All Forms of Discrimination against Women.
42. Mauritius has withdrawn its reservation to article 22 of the Convention on the Rights of the Child following the concluding observations of the Committee on the Rights of the Child.
43. Mauritius ratified on 31 October 2008 the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and on 12 February 2009 the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.
44. Mauritius, which became a party to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2005, was chosen, by a drawing of lots, as the first country to be reviewed under the Optional Protocol. It received the visit of the Subcommittee on Prevention of Torture from 10 to 18 October 2007.
45. During the course of their visit, members of the Subcommittee visited the Police facilities, Police Detention Centres, prisons and other institutions such as the Rehabilitation Youth Centre at Beau Bassin and the Shelter for Children and Women in Need. A National Preventive Mechanism, as provided for under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, has been set up administratively pending amendments to be brought to existing legislation to establish the legal framework under which the

National Preventive Mechanism is to operate. The Subcommittee submitted its report on its visit in Mauritius in July 2008. A High-Level Committee is looking into the implementation of the findings, observations and recommendations in the report. The **National Preventive Mechanism Bill** is in the process of being finalized.

46. Mauritius signed the Convention on the Rights of Persons with Disabilities on 25 September 2007 and is committed to upholding and applying its provisions. The Government has come up with a Policy Paper and Plan of Action on Disability which contains a series of measures relating to health, education, training, employment, human rights, sports, leisure, transport, communication and accessibility. In this context, an Implementation and Monitoring Committee has been set up to work on the implementation of the recommendations of the Action Plan and early ratification of the Convention.

47. Mauritius is determined to continue to cooperate with the various treaty bodies and to follow up closely on their concluding observations/recommendations.

(b) Membership of the Human Rights Council

48. As a founding member of the Human Rights Council, elected in 2006 for a three-year term, Mauritius has worked with the international community in a spirit of dialogue, cooperation, and objectivity to build the institutional architecture of the Council and also to promote and protect the universal enjoyment of all human rights.

49. It has engaged constructively in the deliberations of the Council, its subsidiary bodies and mechanisms and has supported important initiatives aimed at strengthening the human rights normative framework and addressing human rights challenges. A Mauritian national is also currently serving on the Human Rights Council Advisory Committee.

50. During its membership of the Council, Mauritius has consistently pursued a policy of non-politicization and non-confrontation to help ensure that each human rights issue or situation is addressed in the most effective and efficient manner and in the interest of the victims.

51. At the same time, Mauritius has made every effort to honour the pledges it made in 2006 while seeking membership of the Human Rights Council. It believes that it has lived up to and continues to honour these pledges through the action it has undertaken at domestic and international levels.

52. As a supporter of the United Nations human rights system and in view of its firm commitment to upholding the highest standards of human rights, Mauritius is seeking re-election to the Council to contribute further to the promotion and protection of human rights worldwide.

53. If re-elected to the Human Rights Council, Mauritius pledges to:

- (i) maintain an active and constructive engagement in the work of the Human Rights Council and its mechanisms as well as continue to play its role as a consensus-builder in norm-setting in the field of human rights;
- (ii) remain committed to strengthening the Council to enable it to achieve its aims and objectives;

- (iii) fully cooperate with the Universal Periodic Review mechanism as well as United Nations human rights treaty bodies;
 - (iv) support international efforts to enhance intercultural dialogue and understanding among civilizations, cultures and religions with a view to facilitating the universal respect of all human rights;
 - (v) continue to uphold the highest standards of human rights and to strengthen the national human rights framework;
 - (vi) continue to support the Office of the United Nations High Commissioner for Human Rights in its mandate to promote and protect human rights; and
 - (vii) continue to work with United Nations Member States and relevant bodies for worldwide promotion and protection of human rights based on the principles of cooperation and dialogue.
-



Note No. 125/06

The Permanent Mission of the Federal Republic of Nigeria to the United Nations presents its compliments to the President of the General Assembly and further to its Note No.85/06 of 11 April 2006 by which the Government of Nigeria announced its candidacy to the Human Rights Council, has the honour to forward herewith, as indicated in the said Note, text of the Pledges and Commitments of the Government of the Federal Republic of Nigeria in support of its candidacy to the Human Rights Council at elections to be held in New York on 9 May 2008 and to request that the text be publicized.

The Permanent Mission of the Federal Republic of Nigeria to the United Nations avails itself of this opportunity to renew to the President of the General Assembly the assurances of its highest consideration.

New York, 24 April 2008

Office of the President of the General Assembly
United Nations
New York



HUMAN RIGHTS COUNCIL: **NIGERIA'S VOLUNTARY PLEDGES AND COMMITMENTS**

The Government of the Federal Republic of Nigeria

Strongly welcomes the establishment of the Human Rights Council;

Commits itself to the purposes and objectives of the Human Rights Council;

Undertakes to cooperate fully with the Human Rights Council and through active participation in the work of the Council, and in cooperation with members of the Council, non-members as well as regional organisations and civil society, to make the Council a credible, strong, fair and effective United Nations human rights body;

Expresses its readiness to submit itself to the universal periodic review mechanism;

Pledges to cooperate with the treaty monitoring bodies of the Council, including through submission of timely periodic reports and the implementation of concluding observations and recommendations;

Pledges to contribute actively to the development of human rights culture and the integration of human rights into United Nations activities as well as regional organisations such as the African Union and the Economic Community of West African States;

Reaffirms its determination and commitment to continue to promote and protect human rights at home by strengthening and actively supporting the work of the National Human Rights Commission, in order to make it more effective in carrying out its mandate;

Expresses its determination to continue to play, at regional and international levels, a responsible and leading role in the promotion and protection of peace, stability and democracy;

Commits itself to the promotion and protection of all human rights, particularly civil and political rights, and economic, social and cultural rights including the right to development;

Reaffirms its commitment to work for the strengthening of the Office of the United Nations High Commissioner for Human Rights;

Reaffirms its commitment to the maintenance of an open door policy on human rights issues and to this end, reaffirms its preparedness to welcome human rights inspectors, special rapporteurs and representatives to visit Nigeria in order to carry out their respective mandates without hindrance;

Reaffirms its commitment to cooperate fully with other special procedures of the Council and to work towards upholding the rule of law and to encourage constructive dialogue and international cooperation in the field of human rights;

Reaffirms its commitment to uphold the principles of non-discrimination and the protection and promotion of the human rights of all its citizens and to this end, to accelerate the process of full domestication of relevant international human rights conventions including the African Charter on Human and Peoples' Rights, the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child;

Reaffirms its commitment to the following international human rights instruments which it has ratified without any reservations:

- ✓ International Covenant on Civil and Political Rights;
- ✓ International Covenant on Economic, Social and Cultural Rights;
- ✓ Convention on the Elimination of All Forms of Racial Discrimination;
- ✓ Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- ✓ Convention on the Rights of the Child;
- ✓ ILO Convention 182 on Elimination of Child Labour;
- ✓ Convention on the Elimination of all forms of Discrimination Against Women;
- ✓ African Charter on Human and Peoples' Rights;
- ✓ Convention Against Transnational Organized Crimes;
- ✓ Protocol Against the Smuggling of Migrants by Land, Sea and Air;
- ✓ Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children;
- ✓ Protocol Against Manufacture, Sale and Trafficking in Firearms and their parts;
- ✓ Convention Against Corruption;
- ✓ Rome Statute of the International Criminal Court;

Undertakes to accede, as soon as practicable, to the International Convention on the Protection of all Migrant Workers and Members of their Family and to examine the possibility, in the near future, of signing, ratifying or acceding to human rights instruments to which Nigeria is not yet a signatory, including the Convention on the Prevention and Punishment of the Crime of Genocide;

Undertakes to continue to uphold the provisions of the Conventions, Protocols or Covenants to which it has ratified and pledges to regularly report on their implementation to the treaty monitoring bodies of the Human Rights Council.

**General Assembly**

Distr.: General
8 May 2009

Original: English

Sixty-fourth session

Agenda item 104 (c)

**Elections to fill vacancies in subsidiary organs and other elections:
election of eighteen members of the Human Rights Council**

**Letter dated 7 May 2009 from the Permanent Representative of
Nigeria to the United Nations addressed to the President of the
General Assembly**

I have the honour to forward herewith the voluntary pledges and commitments of the Federal Republic of Nigeria to the protection and promotion of human rights in accordance with resolution 60/251 in respect of the candidature of Nigeria for re-election to the United Nations Human Rights Council (see annex).

It will be highly appreciated if you could assist in forwarding it to the appropriate quarters for maximum dissemination, as a document of the General Assembly.

(Signed) U. Joy **Ogwu**
Ambassador
Permanent Representative

09-33281 (E) 110509



Annex to the letter dated 7 May 2009 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the General Assembly

Aide-memoire on the candidature of Nigeria for re-election to the Human Rights Council

Candidature

1. The Government of the Federal Republic of Nigeria, after consultations with its regional and international allies, and upon the endorsement by the African Union, has decided to put forward its candidature for re-election to the United Nations Human Rights Council for 2010-2012.
2. Nigeria has been playing a major role in Council since joining it in 2006, using its influence and commitment to advance the work of the Council, especially during the institution-building process. It is a mark of the recognition of Nigeria's key role that it was elected President of the Human Rights Council last June and member of the Advisory Council.
3. Nigeria's re-election would not only advance the work of the Council, but would also afford the country the opportunity to continue to share best practices with other members in a way that promotes the enjoyment of human rights in the country and around the world.

Background

4. Nigeria's large population of about 140 million, coupled with its wide cultural, religious and legal diversity, presents the country with enormous human rights challenges. Furthermore, long years of military rule had undermined the development of a viable human rights tradition. However, since the return to democratic rule in 1999, great strides have been made to enhance the enjoyment of human rights in the country. The Yar'Adua administration's "rule-of-law" policy, with emphasis on the due application of the law and respect for the rights of all citizens, is at the heart of the country's new human rights strategy.

Commitment to human rights

5. Nigeria has signed and ratified all the majority regional and international human rights and humanitarian law instruments. In fulfilment of its pledges and commitments upon admission to the Council in 2006, Nigeria signed the instruments of accession to the following human rights instruments:
 - International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
 - International Convention for the Protection of All Persons from Enforced Disappearance.
 - Convention on the Prevention and Punishment of the Crime of Genocide.
 - Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

It has also ratified the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

Advancing human rights at the national level

6. In accordance with its determination to enhance the enjoyment of fundamental and human rights as stipulated in the Constitution of the Federal Republic of Nigeria, the Government has embarked on various institutional and structural initiatives, including:

- Bill submitted to the National Assembly to, among others, review the status and role of the National Human Rights Commission in accordance with the Paris Principles.
- Various bills with the intent to reform the administration of justice system, the police and prison services are before the National Assembly. In addition, the Government has set up a national committee to review the activities of the Nigeria Police with a view enhancing their efficiency.
- The preparation and endorsement by the Federal Government of a National Action Plan on Human Rights, as a road map for the effective fulfilment of human rights obligations and the overall improvement in the enjoyment of human rights in the country.
- The convening of a National Consultative Forum in fulfilment of the recommendation of the Human Rights Council in the preparation for the Universal Periodic Review. The Government has decided to make the National Consultative Forum an annual event for improving dialogue on human rights among all stakeholders.
- The establishment of a National Committee on the Death Penalty.
- The intensified fight against corruption and economic crimes through the strengthening of the various bodies set up in this regard.
- The considerable success (recognized by many international bodies) of the National Agency for the Prohibition of Traffic in Persons in curbing the traffic in persons, especially women and children.

Advancing human rights at the international level

7. In accordance with the pledges and commitments made to the Council prior to its admission in 2006, Nigeria continues to play a very active role in the activities of the Human Rights Council, as well as subjecting itself to the various special procedures of the Council and the treaty bodies — many of which have commended the country for its cooperation, assistance and efforts during visits.

8. Nigeria's preparation, compilation and presentation of its national report under the Universal Periodic Review is another example of Nigeria's commitment, not only to international efforts on human rights, but also to a genuine determination to enhance the promotion and protection of human rights in the country. The format and outcome of Nigeria's National Consultative Forum is a best practice which Nigeria has shared with the international community.

Voluntary pledges and commitments

9. Nigeria stands by, and rehashes, all of the commitments it made in 2006, and reiterates, in particular, its commitment to:

- Engage actively with the Human Rights Council to promote human rights in and outside Nigeria.
 - Contribute to efforts to improve the effectiveness of the Human Rights Council.
 - Cooperate with all treaty bodies, especially in the timely submission of periodic reports.
 - Cooperate with all special procedures of the United Nations aimed at improving the promotion and protection of human rights.
 - Intensify efforts to ensure the ratification and/or domestication of all outstanding human rights instruments.
 - Implement all the recommendations accepted by the country contained in the Universal Periodic Review report, as well as give active consideration to those noted for further examination by virtue of constitutional, cultural or other implications.
 - Continue to make its best effort to enhance the protection and promotion of human rights in Nigeria.
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**General Assembly**

Distr.: General
18 April 2008

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Sixty-second session

Agenda item 113 (d)

**Elections to fill vacancies in subsidiary organs and other elections:
election of fifteen members of the Human Rights Council**

**Letter dated 15 April 2008 from the Permanent Representative of
Pakistan to the United Nations addressed to the President of the
General Assembly**

It gives me great pleasure to inform you that Pakistan has announced its candidature for the Human Rights Council for the term 2008-2011 in the elections to be held in May 2008.

The candidature of Pakistan for the Human Rights Council is a reflection of its deep commitment to the cause of human rights and fundamental freedoms.

In the context of Pakistan's candidature to the Human Rights Council, and in accordance with the provisions of General Assembly resolution 60/251, I am enclosing a record of the voluntary pledges and commitments made by Pakistan for the promotion and protection of human rights (see annex).

(Signed) Munir Akram

08-31088 (E) 230408



Annex to the letter dated 15 April 2008 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the General Assembly

Contribution, commitments and voluntary pledges of Pakistan to promote human rights

In accordance with General Assembly resolution 60/251

Pakistan has decided to present its candidature for re-election to the Human Rights Council (HRC) for one of the four (4) Asian seats for the term 2008-2011, elections for which will be held in May 2008.

In accordance with the provisions of General Assembly Resolution 60/251, following is a brief of Pakistan's contribution, voluntary pledges and commitments to promote human rights:

Contribution to the promotion of human rights

- Pakistan played a leading role in the establishment of the Human Rights Council as a body that should promote dialogue, cooperation, capacity building and technical assistance for the promotion of human rights with due regard to historic, cultural and religious values of Member States and their specific socio-economic conditions.
- As a founding member of the Human Rights Council, Pakistan has worked hard, in collaboration with other members, to provide a firm and consensual basis in creating the new architecture of the Human Rights Council. Through effective coalition building, Pakistan played a constructive role in the first year of the Council and helped craft critical agreements on Modalities of the Universal Periodic Review (UPR); Review of the System of Special Procedures and Review of Confidential Complaint Procedure (1503);
- The Pakistan delegation actively contributes to the work of the Council through its knowledge of human rights issues, norms, standards, as well as of the intricate history of the agreements that now form the foundation of the work within the Council.
- Pakistan continues to serve as the chair of the OIC Working Group on Human Rights in Geneva (Pakistan is also the current chair of the Islamic Conference of Foreign Ministers). In this respect, Pakistan has endeavoured to overcome the divergences and misunderstandings that have appeared in approach of the Islamic World and the West. To this

end, Pakistan has been a part of all major initiatives to promote inter-cultural dialogue and harmony among diverse societies and cultures and has run resolutions in the General Assembly and the Human Rights Council to promote inter-religious and inter cultural cooperation for peace.

Progress on past pledges and future commitments

- Pakistan has fulfilled most of its pledges made at the time of its election to the Human Rights Council in 2006. The Federal Cabinet has decided to (a) ratify the International Covenant on Economic, Social and Cultural Rights, (b) sign the International Covenant on Civil and Political Rights and (c) sign the Convention against Torture. The ratification and signature formalities are being finalized.
- The establishment of Pakistan's National Human Rights Commission is on the anvil.
- Pakistan is already a party to the International Convention on the Elimination of Racial Discrimination (CERD), International Convention on the Elimination of all forms of Discrimination against Women (CEDAW), Convention on the Rights of the Child (CRC), and to the core ILO Conventions 100, 138, 182 and 111. Pakistan is also a signatory to Convention against Transnational Organized Crime and to the two optional Protocols to the Convention on the Rights of the Child.
- Special attention is being given to the social and economic emancipation of women and protection of the rights of other vulnerable groups including children and minorities. Human rights mass awareness campaigns through media & education programme have been launched to promote respect and observance of human rights in the society.
- Pakistan has remained a consistent supporter of the Human Rights Council and firmly believes in its importance as a major body of the United Nations Human Rights system. Pakistan was amongst the first countries to support the *Universal Periodic Review* mechanism as an innovation for the Council to examine human rights globally and effectively and to eliminate concerns about selectivity. Pakistan will be among the first countries to be reviewed in the UPR process.

- Pakistan has repeatedly underscored the critical role played by the human rights special procedure system.
 - Pakistan also supports the active role of civil society and the Non-Governmental Organizations in the work of the Council.
 - Pakistan is committed to ensuring that the Council is empowered to make full use of its potential.
 - If re-elected to the Human Rights Council for the term 2008-2011, Pakistan would continue to make its active contribution to the normative and operational work of the Human Rights Council and would support activities aimed at promoting the highest standards of human rights in other fora.
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**General Assembly**

Distr.: General
1 May 2007

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Sixty-first session

Agenda item 105 (e)

Elections to fill vacancies in subsidiary organs and other elections: election of fourteen members of the Human Rights Council**Note verbale dated 26 April 2007 from the Permanent Mission of South Africa to the United Nations addressed to the President of the General Assembly**

The Permanent Mission of the Republic of South Africa presents its compliments to the Permanent Missions of the States Members of the United Nations and with reference to the forthcoming elections of the members of the United Nations Human Rights Council scheduled for 17 May 2007 in New York, has the honour to inform the latter that the Government of the Republic of South Africa has decided to present its candidature for re-election to the Human Rights Council for the period 2007-2010.

South Africa is currently serving as a member of the Human Rights Council and has played a leading role in all the ongoing institution-building processes of the Council, which mark a critical transition from the Commission on Human Rights to the new Council.

The Permanent Mission of the Republic of South Africa to the United Nations herewith encloses an aide-memoire outlining South Africa's voluntary commitments with respect to the promotion and protection of human rights in accordance with General Assembly resolution 60/251 of 15 March 2006 (see annex).

The Government of the Republic of South Africa would appreciate the valuable support of the States Members of the United Nations for its candidature to the Human Rights Council.

07-32713 (E) 020507



**Annex to the note verbale dated 26 April 2007 from the
Permanent Mission of South Africa to the United Nations
addressed to the President of the General Assembly**

**Aide-memoire in support of South Africa's candidature to
the Human Rights Council**

Following the first democratic elections in 1994, South Africa returned to the international community in 1995 to assume its rightful place among the community of nations. The experience in this relatively short period has been richly rewarding and South Africa has played a key role in the shaping of the international human rights agenda including the constant development of international human rights and humanitarian law. A central consideration in South Africa's foreign policy is the commitment to the promotion, protection and fulfilment of human rights and fundamental freedoms and the advancement of democracy.

South Africa's Constitution and Bill of Rights

The first democratic elections of 1994 placed South Africa firmly on the path of constitutional democracy. The Republic of South Africa Constitution Act 108 of 1996 is the supreme law of the land. In keeping with the international Bill of Human Rights, the South African Constitution entrenches and constitutionally guarantees all the universally recognized human rights and fundamental freedoms.

Whereas the South African democracy is relatively young, the heroic struggle by South Africans for democracy, social justice and human rights and fundamental freedoms is very old and extends over a period of 350 years. During this period South Africans were subjected to successive repressive regimes ranging from conquests, colonialism and the worst form of institutionalized racism and racial discrimination, namely, apartheid.

The 1994 democratic elections in South Africa created a political space for all the rights enumerated in the Constitution to be practically enjoyed. In this regard, the political vision of the democratic government in South Africa is predicated on a fundamental principle which affirms the inextricability between economic, social and cultural rights on the one hand, and the civil and political rights on the other. Also consistent with the fundamentals of the international human rights law, South Africa strongly upholds the notion of i) promotion, ii) protection and iii) fulfilment of all human rights and fundamental freedoms. South Africa's human rights value system is founded on this notion. South Africa has lodged its National Action Plan for the Promotion and Protection of Human Rights at the United Nations on 10 December 1998.

The South African Constitutional Court decisions have produced significant judgements and adjudications which underline the justiciability of the economic, social and cultural rights. The South African case law is currently being used at the international level to give impetus and momentum to the strengthening of the international human rights instruments dealing with economic, social and cultural rights.

Between 1995 and 2006 South Africa has been a member of the Commission on Human Rights on three occasions. In this regard, South Africa chaired the 54th Session of the Commission on Human Rights in 1998, became a Vice-Chair to the 58th Session in 2002 and acted as Co-ordinator on Human Rights issues on behalf of the African Group during the 59th Session in 2003.

Institutions supporting South Africa's democracy

National institutions, established in terms of the constitutional provisions to support constitutional democracy in the country, are actively involved in the monitoring of South Africa's compliance with respect to the implementation of international human rights instruments of which South Africa is a party.

The South African Constitution of 1996 makes provision, through its Chapter 9, for the establishment of the following state institutions to strengthen constitutional democracy in the Republic of South Africa. These institutions are independent and subject only to the Constitution and Parliament:

the Public Protector,
the South African Human Rights Commission,
the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities,
the Commission for Gender Equality,
the Auditor-General, and
the Electoral Commission.

UNDERTAKINGS/PLEDGES

It should be underlined that South Africa by its very nature and for historical reasons is among the countries within the United Nations that takes the international human rights agenda very seriously. As a member of the new Human Rights Council, the South African Government undertakes to abide by the following principles:

continue to receive the HRC's Special Procedures and Mechanisms (consistent with its decision of 22 October 2002) wishing to visit the country in keeping with their various mandates. Since the issuance of this open invitation, the following mechanisms have visited South Africa without any restrictions or impediments;

Special Rapporteur on the Situation of Human Rights and Fundamental of Indigenous Peoples,
Working Group on Arbitrary Detentions, and
Special Rapporteur on the Sale of Children, Child Pornography and Child Prostitution, and
Special Rapporteur of the African Commission on Human and People's Rights (ACHPR) on the Conditions of Prisons and Detention in Africa,

respect for the integrity and dignity of the Office of the High Commissioner for Human Rights. The South African Government will work to ensure that the High Commissioner for Human Rights (HCHR) and her personnel are above the manipulation and influences of States,

continue contributing financially to the OHCHR. Such contributions shall not be in any way earmarked, as the earmarking of funding to the OHCHR has a limiting effect on the operations of the OHCHR,

continue to support important funds and programmes within the OHCHR aimed at advancing the cause of human rights globally, such as the Voluntary Fund for Victims of Torture, the Voluntary Fund for Victims of Contemporary Forms of Slavery and the recently established United Nations Democracy Fund (UNDEF),

continue with its unwavering position to advocate for a balanced Sustainable Development Programme within the human rights framework as underlined in the Vienna Declaration and Programme of Action (VDPA) as well

as the United Nations General Assembly resolution 48/141. In this regard South Africa will be one of the chief proponents of a balanced agenda of the HRC which reflects, among others, the primacy of achieving the realisation of the right to development as well as moral human rights issues such as the eradication of poverty and underdevelopment. As it will be recalled, South Africa hosted the World Summit on Sustainable Development in Johannesburg in November 2002 whose Programme of Action is globally regarded as an instructive document for achieving sustainable development,

work to ensure that one of the first preoccupations of the substantive sessions of the HRC will be to update the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR), through an amendment protocol, placing the right to development on par with all other rights enumerated in these instruments,

work to promote, within the Human Rights Council, a common understanding that human rights can only be practically enjoyed through an effective partnership with all the relevant stakeholders at all levels,

continue to submit country reports to human rights Treaty Monitoring Bodies. To this end, South Africa will present its country reports to the CERD and the CAT during 2006. South Africa has also presented, during 2005, its country report to the African Commission on Human and Peoples' Rights, and

undertake to submit in the near future a National Action Plan (NAP) exclusively covering the area of racism and racial discrimination as required by the Durban Declaration and Programme of Action (DDPA). As it will be recalled, South Africa hosted the World Conference Against Racism, Racial Discrimination, Xenophobia and Related (WCAR) on 31 August to 08 September 2001.

INTERNATIONAL INSTRUMENTS TO WHICH SOUTH AFRICA IS A STATE PARTY

The South African Government signed most of the international human rights instruments on 10 December 1995, and have since ratified/acceded to the following instruments:

the International Covenant on Civil and Political Rights (ICCPR)
 the Rome Statute of the International Criminal Court (ICC)
 the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
 the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
 the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
 the Convention on the Rights of the Child (CRC)
 Optional Protocol to the ICCPR
 Second Optional Protocol to the ICCPR
 Optional Protocol to the CRC on the Sale of Children, Child Pornography and Child Prostitution
 Optional Protocol to the CRC on the Use of Children in Armed Conflict, and
 Optional Protocol to the CEDAW.

REGIONAL INSTRUMENTS TO WHICH SOUTH AFRICA IS A STATE PARTY

South Africa is also a State Party to the following regional (African) human rights instruments:

the African Charter on Human and Peoples' Rights

the African Charter on the Rights and Welfare of the Child, and Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

South Africa has volunteered and is next in line to be peer reviewed under the African Peer Review Mechanism on the New Partnership for Africa's Development (NEPAD).

Commitment to international human rights instruments

South Africans are serving or have served on the following Treaty Monitoring Bodies:

the Committee on the Elimination of Racial Discrimination (CERD),
the Committee on the Rights of the Child (CRC), and
the Committee on the Elimination of Discrimination Against Women (CEDAW), and
the African Commission on Human and Peoples' Rights (ACHPR).

South Africa plays a key role in advocating the agenda for development through intergovernmental structures of the Non- Aligned Movement (NAM) and the Group of 77 and China (G77).

INSTRUMENTS IN THE PROCESS OF RATIFICATION

The South African Government is in the process of ratifying the following important human rights instruments:

the International Covenant on Economic, Social and Cultural Rights (ICESCR)
the International Covenant on the Protection of the Rights of All Migrant Workers and Members of Their Families, and
the Optional Protocol to the Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (OPCAT)



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**Elections to fill vacancies in subsidiary organs and other elections:
election of fifteen members of the Human Rights Council**

Letter dated 29 February 2008 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the General Assembly

I would like to inform you that the Government of the United Kingdom of Great Britain and Northern Ireland has presented its candidature for re-election to the Human Rights Council for the term 2008-2011 at the elections to be held on 16 May 2008 during the sixty-second session of the General Assembly.

I have attached a copy of the United Kingdom's voluntary pledges and commitments (see annex).

(Signed) John Sawers

08-26668 (E) 120308



**Annex to the letter dated 29 February 2008 from the
Permanent Representative of the United Kingdom of
Great Britain and Northern Ireland to the United Nations
addressed to the President of the General Assembly**

**United Kingdom campaign for re-election as a member of
the Human Rights Council**

Pledges and commitments in human rights

1) Commitment to work in partnership to reinforce human rights at the heart of the UN

- i. The UK will continue to work to strengthen the UN Human Rights Council, promoting universality, transparency, objectivity in all its work.
- ii. The UK will continue to support the unique contribution of the UN General Assembly's Third Committee.
- iii. The UK reaffirms the commitment from the World Summit in 2005 to human rights mainstreaming.
- iv. The UK is committed to the continued effective contribution of regional organisations, national human rights institutions and civil society.
- v. The UK will continue to work in a spirit of openness, consultation and respect for all, on a foundation of genuine dialogue and cooperation.

2) Commitment to continue support to UN bodies

- i. The UK will continue to support the Office of the UN High Commissioner for Human Rights (OHCHR). In addition to our regular budget contribution, the UK contributes multi-annual, un-earmarked funding. We are currently providing £2.5 million annually as a voluntary contribution through a 3 year institutional agreement.
- ii. The UK will continue to cooperate fully with the UN's human rights mechanisms, including by maintaining a standing invitation to all Special Procedures. The UK will continue to endeavour to meet its obligations to the UN Treaty Monitoring Bodies fully.
- iii. The UK will continue its voluntary institutional support to UN bodies, including those whose work contributes to the better promotion and protection of human rights. In 2007-2008, the Department for International Development is providing over £150 million core funding to UN agencies. In addition, it is providing funding in 2007-8 for specific programmes that promote fulfilment of human rights, including: the Action 2 Global Programme (£300,000); OHCHR's programme on rights and HIV/AIDS (£60,000); UNIFEM's women, peace and security programme (approx £1.5 million); and UNDP's Millennium Development Campaign (£750,000)

3) Commitment to work for progress on human rights internationally

- i. The UK will continue to encourage ratification of UN human rights instruments to which it is a party and, through development and other assistance programmes, their successful implementation by governments.
- ii. Recognising that development and human rights are interlinked and mutually reinforcing, the UK will continue to support country-led development strategies that integrate human rights. The UK Government is committed to the Millennium Development Goals (MDGs) and is working hard to promote sustainable development and reduce poverty. We aim to develop effective partnerships with governments based on a shared commitment to: poverty reduction and reaching the MDGs; respecting human rights and other international obligations; and strengthening financial management and accountability.

iii. The UK will continue to seek to advance human rights themes, developing international thinking and consensus. For example:

- The UK Government is committed to tackling all forms of gender-based violence. Domestic work is guided by Action Plans on Domestic Violence, Sexual Violence and Abuse, Trafficking, and Forced Marriage; and by a national strategy on prostitution. The Association of Chief Police Officers has recently issued a draft Honour-Based Violence Strategy and 2-year Action Plan that sets out proposals for improving police response to honour-based violence including honour killings and female genital mutilation. Internationally, we remain committed to the full implementation of UN Security Council Resolution 1325 on Women, Peace and Security, and are one of the few UN member states to have drawn up a National Action Plan for its implementation.
- Torture. The UK is committed to combating torture wherever and whenever it occurs. Domestically, establishment of the UK's National Preventive Mechanism under Optional Protocol to the Convention Against Torture (OPCAT) is expected during 2008. Internationally, we will continue to encourage ratification of the Convention and its Optional Protocol, and provide assistance for their successful implementation by governments. The UK fully supports the recently-established OPCAT Subcommittee and will continue to provide support and assistance to it where appropriate.
- Contemporary forms of slavery: The UK is committed to learning the lessons of its own past, and to tackling modern-day slavery. We have pledged £20,000 to a UN memorial for the victims of the slave trade, and led the creation of a new UN Special Rapporteur on contemporary forms of slavery at the Human Rights Council in 2007. The UK became a signatory to the Council of Europe Convention on Action Against Trafficking in Human Beings, and launched a national Action Plan on Human Trafficking, in March 2007. We are committed to their full implementation and intend to ratify the Convention by the end of 2008. We are playing a leading role against trafficking within the European Union including leading an initiative on Human Trafficking. This is linked to a national police-led anti-trafficking operation that was launched in October 2007 and is on-going. So far the operation has led to more than 300 arrests and over 600 premises have been visited. In excess of £400,000 has been seized in cash with a number of money laundering investigations taking place. The UK Human Trafficking Centre, established in 2006, is playing a key role in the operation. The UK fully supports the UN Office on Drugs and Crime's Global Initiative to Fight Human Trafficking and Modern-Day Slavery, and played an active role in the Vienna Forum in February 2008.
- Right to education. The UK Government announced in 2006 that we will spend £8.5 billion in support of education over the next 10 years, mostly in sub-Saharan Africa and South Asia. This long-term commitment will provide governments with predictable funding against which they can prepare ambitious 10-year investment plans to achieve their education goals. Promoting gender equality in education is a key focus for the UK.
- Health. The UK is committed to the containment and progressive elimination of the spread of HIV/AIDS, and prioritises the needs of those groups most at risk of HIV/AIDS. The UK is the second largest bilateral donor to combating AIDS and committed £1.5 billion over the period 2005-2008, of which around 10% will be spent on programmes for children.
- The UK will continue to engage business as a positive force for the promotion of human rights through its leading work on Corporate Social Responsibility. The Foreign and Commonwealth Office's Corporate Social Responsibility Strategy, published in February 2007, reaffirms UK support for voluntary multi-stakeholder initiatives including the UN Global Compact, and for the Voluntary Principles on Security and Human Rights.
- The UK works to promote human rights in our international relations. We are committed to the fundamental values of the Commonwealth, including tolerance, respect, democracy, good governance, human rights, gender equality and the rule of law. We will continue to work with Commonwealth partners to share best practice and learn from the experience and heritage of our fellow members. We also engage with other international and regional organisations, such as the World Bank and the European Union, to promote better integration of human rights in their work.

4) Commitment to uphold highest standards of human rights at home

- i. The UK Government will endeavour to maintain full implementation of all its obligations under the international Covenants, Conventions and Optional Protocols to which it is party.
- ii. The UK Government is committed to tackling inequality and discrimination, to ensure that every individual is able to fulfil their potential through the enjoyment of equal opportunities, rights and responsibilities. For example:
 - We are committed to modernising British equality legislation into an Equality Bill, combining legislation against discrimination on the grounds of sex, race, disability, religion or belief and sexual orientation. The Government has also consulted on potential measures to expand protection against discrimination on the grounds of age to the provision of goods and services. The new Commission for Equality and Human Rights began work on 1 October 2007, as an independent and influential champion for the reduction of inequality, elimination of discrimination, protection of human rights and strengthening of good relations between individuals.
 - The UK was one of the first to sign the new UN Convention on the Rights of Persons with Disabilities on 30 March 2007. We are committed to ratification without undue delay.
 - Through its dedicated 3 year strategy to increase race equality and community cohesion ("Improving Opportunity, Strengthening Society") the Government has brought together practical measures to improve opportunities for all, helping to ensure that a person's racial or ethnic origin is not a barrier to success. Looking forward, the Government has embedded commitments to reduce inequalities for people from minority ethnic backgrounds into its key public service targets for the next 3 years in areas like employment, education, health and the criminal justice system. These targets, and the funding that will follow them, demonstrate the Government's continuing commitment to tackling inequalities.
 - Where the responsibility for these matters is transferred to, or where matters are specific to Northern Ireland, we will also review equality legislation and in addition support the Equality and Human Rights Commissions and the Commissioners for Children and Young People and Victims and Survivors.
- iii. Protection of children's rights remains a key priority for the UK government and its devolved administrations. We have put in place a substantial body of legislation, which serves further to enshrine in law the well-being of children. Encompassing the principles of the UN Convention on the Rights of the Child, this creates an effective national framework to support positive outcomes for children. We continue to strengthen our focus on the needs of children and their families in a holistic and integrated way, ensuring that every child gets the best possible start in life, and receives the ongoing support and protection they need to allow them to fulfil their potential. We have established Commissioners for Children and Young People across the UK.
- iv. The UK Government will continue to pursue human rights goals in a spirit of consultation, openness and accountability. To this end, we will continue actively to seek out the expertise and experience of civil society, and will maintain a dialogue on our human rights work with NGOs and Parliament.



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**Elections to fill vacancies in subsidiary organs and
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Note verbale dated 5 May 2008 from the Permanent Mission of Zambia to the United Nations addressed to the President of the General Assembly

The Permanent Mission of the Republic of Zambia to the United Nations presents its compliments to the President of the General Assembly at its sixty-second session and has the honour to inform him that the Government of the Republic of Zambia has decided to present its candidature to the United Nations Human Rights Council for the term 2008-2011 in the elections to be held on 21 May 2008 in New York.

In accordance with General Assembly resolution 60/251, an aide-memoire on Zambia's achievements, voluntary pledges and commitments towards the universal promotion and protection of human rights is attached herewith (see annex).

08-33538 (E) 140508



Annex to the note verbale dated 5 May 2008 from the Permanent Mission of Zambia to the United Nations addressed to the President of the General Assembly

Aide-memoire: voluntary pledges and commitments of the Republic of Zambia on human rights in accordance with resolution 60/251

1. The Republic of Zambia remains committed to promoting universal respect for the advancement of all human rights and fundamental freedoms for all. Zambia is also committed to the promotion of the effective coordination and the mainstreaming of human rights within the United Nations system.

2. Zambia's Constitution recognizes and declares that every person in Zambia has been and shall continue to be entitled to the fundamental rights and freedoms of the individual regardless of race, place of origin, political opinion, colour, creed, sex, or marital status. The main guiding principle of Zambia's Foreign policy which relates to human rights also clearly states that there can be no meaningful development without the full protection of fundamental human rights and freedoms. Furthermore true peace can only be achieved when these rights and freedoms are fully protected and promoted and enjoyed by all. These fundamental principles have shaped Zambia's development in the socio-economic, political and cultural spheres and indeed Zambia's engagement in international affairs.

Zambia's International Human Rights Record

3. As a member of the Human Rights Council, Zambia remains committed to the promotion and Protection of human rights and this can be seen from the measures taken in ensuring that Government meets its international human rights obligations. It should be stated that Zambia is up to date with its international and regional state party reporting obligations.

4. Zambia has played an active role in key human rights organizations at the United Nations. As a member of the Human Rights Commission, which has since been abolished, in 1980-1982, 1991-1993, 2000-2002 respectively; and a founding member of the Human Rights Council in 2006, Zambia participated and continues to participate in major deliberations on various aspects of human rights and took important decisions which contributed to advancing human rights globally.

5. Zambia is party to the following United Nations human rights treaties namely:

- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- Convention on the Elimination of All Forms of Racial Discrimination
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

- Convention on the Elimination of All Forms of Discrimination against Women
- Convention on the Rights of the Child

6. *Other related Human Rights Instruments to which Zambia is Party*

- African Charter on Human and People's Rights (ACHPR)
- United Nations Convention relating to the Status of Refugees
- United Nations Protocol relating to the Status of Refugees
- Four Geneva Conventions of 1949
- Protocols to the Geneva Conventions
- Seven International Labour Organization Fundamental Human Rights Conventions
- Rome Statute of the International Criminal Court (ICC)

7. Zambia is also a party to regional initiatives aimed at promoting gender equality and empowerment of women such as the Southern African Development Community (SADC) Declaration on Gender and Development and its addendum on the Prevention of Violence against Women and Children.

Zambia's Domestic Human Rights Record

Legislative and Administrative Measures

8. The Government of Zambia is pleased to report some of the Legislative and Administrative Measures that have been undertaken in enhancing human rights as follows:

9. At the national level, the National Plan of action for Human Rights for the period 2002 to 2009 was adopted in 1999. This plan of action shall continue to provide guidance and a framework for the effective promotion and protection of human rights in Zambia.

10. A number of Institutions have been instrumental in promoting human rights in Zambia:

I. Human Rights Commission

The human Rights Commission was established in 1996 specifically to focus on protection and promotion of human rights. The Commission whose mandate includes the investigation of human rights violations; mal-administration of justice and proposes effective measures to prevent human rights abuses, has since its inception enhanced its accessibility through a decentralization programme which has seen the establishment of provincial offices; thematic Committees on gender equality rights, children's rights, civil and political rights, economic, social and cultural rights and the committee against torture; partnership and collaboration with various stakeholders; establishment of a prohibited immigrant's fund and a complaints data base. The Commission, whose services are free, publishes its report annually. The report is a public document which is also tabled before Parliament and gives the state of human rights in the country.

II. **Police Public Complaints Authority**

The Police Public Complaints Authority (PPCA) which commenced its operations in 2002, addresses public complaints against police misconduct in order to secure individual fundamental human rights and freedoms and achieve professionalism in the Zambia Police Service.

III. Other Institutions such as the Law Association of Zambia and the Civil Society and Non Governmental Organizations (NGOs) have partnered with Government in advocating and ensuring that human rights are promoted and respected.

Other Legislative and Administrative Measures

I. In the area of Discrimination against women, Zambia has finalized the 5th and 6th periodic report on the CEDAW and will soon present the report to the CEDAW Committee for its consideration.

II. In the area of gender based violence, especially against women and children, the penal code has been amended to introduce stiffer penalties for perpetrators of gender violence including sexual offences. Zambia has also domesticated in part the provisions of CEDAW as they relate to violence against women.

III. Government has ratified the Optional Protocol of the African Charter on Human and Peoples Rights on the Rights of Women.

IV. The Government has also constituted the Victim Support Unit (VSU) and the Sex Crimes Unit within the police service to address reports on gender violence and particularly violence against women and children.

V. Zambia also wishes to facilitate debate on the Gender Based Violence Bill through the Law Development Commission.

VI. The Citizenship Empowerment Act of 2006, prohibits discrimination on grounds of gender. The Act has also facilitated the establishment of the Economic Empowerment Commission which provides for gender equality in accessing, owning, controlling, managing and exploiting economic resources.

VII. Zambia Development Agency Act of 2006 mandates the Agency to recommend, to the Minister responsible for Trade, coherent trade and industry development strategies which promote gender equality in accessing, owning, managing, controlling and exploiting economic resources. It also encourages, supports and facilitates the creation of micro and small scale business enterprises and promotes women's participation in trade and industry. Through this Act, it is recognised that, women who form a large part of the informal sector and predominantly reside in rural areas shall benefit from the initiatives contained therein.

VIII. The establishment of the Parliamentary Committee on Legal Affairs, Governance, Human Rights and Gender Matters is an effective tool in monitoring the actions of central Government with regard to the rights of women and children. The recommendations of the Parliamentary Committee are given full board and attention because of the impetus that they add in assisting central Government in the implementation of women and children's rights. The Committee in 2006, recommended that there was need to strengthen the legislation on human trafficking.

IX. Zambia ratified the protocol to prevent and Suppress and Punish Trafficking in Persons especially women and Children (Palermo Protocol) Supplementing the United Nations Convention Against Trans-national Organized Crime.

X. In the Area of Disabilities, the government intends to formulate and implement inclusive policies programmes and legislation in order to promote the full participation, equality and empowerment of persons with disabilities.

XI. Zambia has ratified the ILO conventions granting the right to just and favourable conditions of work and the right to form and join a trade union. The said conventions were domesticated through a 1997 legislative amendment to the Industrial and Labour Relations Act.

XII. Zambia recognizes the right of everyone to social security including social insurance and has ratified ILO convention NO. 103 and has in existence the National Pensions Scheme Act and the Workers Compensation Fund Control Board Act which are the national legislation on social security and protection against occupational hazards meant to secure the right to social security for all concerned.

XIII. The Employment of Young Persons Act, prohibits the employment of a child under the age of 14 years in any public or private industrial undertaking and makes it an offence for any one to do so.

XIV. The National Food & Nutrition Commission Act, establishes the Nutrition Commission to address the issues of disseminating knowledge of the principles of nutrition in furtherance of affording the right to food and adequate standard of living.

XV. The Education Act and other provisions relating to corporal punishment were amended in 2003 abolishing corporal punishment in schools and other places.

XVI. The Commission for Investigation (Commission for Investigation No. 2 of 1991) was established with the function to receive and investigate complaints from the public against acts of injustice or mal-administration perpetrated by senior Government officials, heads of parastatal institutions and local authorities. The Commission ensures fairness by promoting social justice in the administration of public institutions.

XVII. Through the Societies Act NGOs have been registered to among other things sensitize and educate members of the public on issues of human rights and also offer legal assistance to the vulnerable.

XVIII. The Constitution recognizes the right of persons to legal representation of their choice and in this regard the Government has established the Legal Aid Department which provides free legal services to people facing serious criminal offences who can not afford to pay for a private lawyer.

PLEDGES AND COMMITMENTS IN HUMAN RIGHTS

11. International Commitments

I. Zambia as a member of the Human Rights Council will continue to support the Council and work closely with other members of the Council and Observers to safe guard and promote the universal respect for the protection of human rights and fundamental freedoms for all and promote the effective coordination and mainstreaming of human rights within the United Nations system.

II. Zambia is committed to the institutions that have been created by the Council including the Universal Periodic Review Mechanism.

III. Zambia will continue to work in the Council towards strengthening these structures to ensure that the Council develops into a strong body that is transparent, non selective and promotes dialogue and cooperation with Member States. It should be noted that Zambia will be reviewed in May 2008 and therefore pledges to fully cooperate with the Universal Periodic Review Mechanism during and after the review process.

IV. Zambia will continue to support the Office of the High Commissioner on Human Rights (OHCHR), which represents the world's commitment to universal ideals of human rights. We welcome in that regard the increased funding to the office to enable it carry out its mandate of promoting and protecting human rights.

V. Zambia will continue to respect the provisions of protocols relating to human rights both regionally and globally.

VI. Zambia undertakes to ratify the Convention on the Rights of Persons with Disabilities and shall endeavour to also sign and ratify the Optional Protocol thereto that was adopted by the General Assembly on 13 December 2006 and was open for signature on 30 March, 2007.

VII. Zambia will accelerate the process of signing the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

VIII. Zambia will also speed up the process of signing the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women.

Zambia having been host to refugees for four decades shall continue to work closely with the UNHCR in supporting refugees and performing its international protection responsibilities, thereby ensuring that its obligations are met with regard to international human rights and humanitarian law.

Zambia having supported the United Nations in the maintenance of International Peace and Security will continue to contribute to United Nations Peace-keeping Operations by providing military, police and civilian personnel to Peace-keeping Operations around the world, including in Darfur (UNAMID), Democratic Republic of the Congo (MONUC), Ethiopia/Eritrea (UNMEE), Kosovo (UNMIK), Liberia (UNMIL), Sierra Leone (UNIOSIL), Southern Sudan (UNMIS) and Timor- Leste (UNMIT).

12. **Domestic Commitments**

I. Zambia has developed a Fifth National Development Plan for the period 2006-2010 which has prioritized the promotion and protection of human rights. One of the activities that will be undertaken in order to achieve this objective is the domestication of international human rights treaty provisions which are not already part of Zambian legislation.

II. Zambia will continue to cooperate with United Nations human rights treaty bodies by meeting deadlines for submission of periodic reports and acting on their concluding observations and recommendations. As earlier indicated Zambia is up to date with its international and regional State party reporting obligations. Zambia will also continue to participate in the discussions on the reform of treaty bodies in ensuring a more effective monitoring system.

III. Zambia has endeavoured to undertake human rights programmes that balance the different dimensions of human rights. For instance Government programmes are targeted towards the promotion of civil and political rights, economic social and cultural rights, and also specific rights of vulnerable groups including women children and the disabled.

IV. At the national level, the Government embarked on Constitutional and Electoral reforms by constituting the Constitutional Review Commission (CRC) and the Electoral Reform Technical Committee (ERTC) which have since submitted their reports to the Government. With regard to the CRC, Government has established a National Constitutional Conference to consider and deliberate the provisions of the draft Constitution. As far as the Electoral Act is concerned, the Government has moved further to amend the electoral act which regulates the conduct of elections in Zambia. The principal measure in this Act was that the Electoral Commission was explicitly empowered by law to ensure that parties participating in elections desist from corrupt practices. It is envisaged

that this measure will encourage citizens including women to participate freely in elections as voters and candidates.

V. Zambia will continue to work with civil society and NGOs in the promotion and implementation of human rights programmes.

VI. Zambia as a developing country faces numerous challenges in meeting various human rights obligations and development challenges particularly in the areas of poverty reduction, eradication of diseases such as malaria, tuberculosis and HIV/AIDS; and meeting national and internationally agreed development goals. Zambia is however committed to addressing these challenges and with the assistance and cooperation of the international community particularly in the areas of building capacities of its national institutions and legal systems and developing human resources in the field of human rights, will strive to ensure that it provides for its citizens.
