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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 18 March 2011 from the Permanent Mission of Romania to the United Nations addressed to the President of the General Assembly

The Permanent Mission of Romania to the United Nations presents its compliments to the Office of the President of the General Assembly and, regarding the decision of the Government of Romania to present its candidature to the Human Rights Council for the period 2011-2014 at the elections to be held in New York in May 2011, has the honour to transmit the voluntary pledges and commitments of Romania in the field of promotion and protection of human rights (see annex), in accordance with General Assembly resolution 60/251.



**Annex to the note verbale dated 18 March 2011 from the
Permanent Mission of Romania to the United Nations
addressed to the President of the General Assembly**

Candidature of Romania to the Human Rights Council, 2011-2014

**Voluntary pledges and commitments pursuant to General Assembly
resolution 60/251**

1. The Government of Romania has the honour to present its candidature to the Human Rights Council for the term 2011-2014, as a confirmation of its continuous commitment to upholding respect for human rights and fundamental freedoms and to strengthening the role of the United Nations in the universal protection of human rights.

**Contributions and commitments of Romania to advance human
rights protection worldwide**

Contributions

2. Romania is a party to almost all major international and regional treaties and protocols in the field of human rights, international humanitarian and refugee law, and has encouraged other States to take the same stand. As pledged when submitting its candidature to the Human Rights Council in 2006, Romania ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of Persons with Disabilities. Moreover, Romania ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. It is worth mentioning that the provisions of all human rights treaties to which Romania is a party and those of the Universal Declaration of Human Rights are directly applicable in Romanian law. Furthermore, in accordance with the Romanian Constitution, where any inconsistencies exist between the covenants and the treaties on fundamental human rights to which Romania is a party, and the national law, the international regulations shall take precedence unless the Constitution or national law provides more favourable conditions.

3. Romania developed, in cooperation with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM), an international programme on refugee protection, the first of its kind in the world. The Emergency Transit Centre in Timisoara (Western Romania) was established on 8 May 2008 based on a tripartite agreement signed between UNHCR, IOM and the Government of Romania. The Centre provides temporary accommodation to refugees in urgent need of evacuation from their first country of asylum, pending their onward resettlement in a country of permanent settlement. Evacuation may be needed to assure the physical safety of refugees, protect those threatened by refoulement and meet the needs of especially vulnerable individuals. Since its opening, 637 persons have been removed from crisis areas all over the world and brought to Timisoara.

4. Romania exercised, through its Permanent Representative to Geneva, the Presidency of the Human Rights Council. Romania had the privilege to serve as the

Chair of the Human Rights Council during its second cycle from June 2007 to June 2008. In exercising the high responsibility, the Permanent Representative of Romania to Geneva undertook actions and decisions in order to respond to the specific expectations attached to this high office in an impartial, fair, balanced and firm manner. The decisions adopted during the second cycle of the Human Rights Council were instrumental in testing the viability of the Council and in implementing the new institutional arrangements, such as the evaluation, rationalization and improvement of special procedures mandates, as well as the Human Rights Council's new working methods and procedures. Another significant achievement in the new architecture of the Council was the launching of the universal periodic review mechanism, an innovative instrument providing for the examination of the human rights situation in all United Nations Member States and the implementation of human rights obligations and commitments.

5. Romania engaged constructively in the deliberations of the Human Rights Council and its subsidiary bodies and mechanisms, including its special procedures. Romania undertook with great responsibility its membership in the Human Rights Council at the outset of its operation during the period 2006-2008. In that capacity, Romania pleaded for an effective Council and worked with other members to achieve the mandate given to the said body. It was also a great occasion for Romania to prove its commitment to the values of human rights, cooperation and consensus.

6. Romania has assumed, through its Permanent Representative to the United Nations Office at Geneva, the responsibility to act as one of the five facilitators in the framework of the Human Rights Council review process, dealing with the Advisory Committee and the Complaint Procedure. Romania is committed to contributing to an open, inclusive and constructive consultation process that will lead to a better equipped and more effective Human Rights Council.

7. Romania demonstrated an open and constructive engagement in the universal periodic review mechanism and reported on measures taken to follow up on its recommendations. Romania was examined on 15 May 2008, during the second universal periodic review session. It provided information on all relevant topics to the review session and answers to all questions. In 2010, during the fifteenth session of the Human Rights Council, Romania presented an interim report about the progress made in implementing the recommendations received during the universal periodic review process.

8. Romania issued a standing invitation to the special procedures and cooperated with the special mandates interested in human rights developments in the country. Romania received the visits of the Special Rapporteur on the human rights of migrants in June 2009 and the Special Rapporteur on contemporary forms of slavery in December 2010.

9. Romania provided support to the Office of the United Nations High Commissioner for Human Rights (OHCHR) and to UNHCR. Romania contributed €200,000 to the OHCHR budget, out of which €100,000 were earmarked for sustaining the universal periodic review process and for the live webcast of the sessions and activities of the Human Rights Council. Since becoming a donor in 2007, Romania has offered a significant contribution amounting to around \$1 million to UNHCR activities. Romania has provided funding to the UNHCR

general budget and to implement projects in the area of refugee assistance and humanitarian aid in support of UNHCR intervention in specific crisis situations.

10. Upon its accession to the European Union in 2007, Romania started to act as an international donor of official development assistance. Consolidation of democracy, including human rights protection, represents one of the sectoral priorities of Romanian official development assistance. To that effect, over €2 million have been allocated, since 2007, to programmes targeting human rights: multilateral non-earmarked contributions amounting to €650,000 to the United Nations Democracy Fund, OHCHR and the United Nations Children's Fund and bilateral assistance to countries of the Western Balkans and Eastern Europe.

11. Romania supported a meaningful engagement of non-governmental organizations (NGOs) with the Council. Romania has constantly supported a vigorous participation of NGOs in the activities of the Human Rights Council, both in the framework of the Council and through its bilateral dialogue with NGO representatives.

Commitments

12. Romania will ratify the International Convention for the Protection of All Persons from Enforced Disappearance.

13. Romania is committed to engaging actively in the Human Rights Council review in order to contribute to the consolidation of the Council's effectiveness in the protection and promotion of all human rights.

14. Romania will continue to support an effective universal periodic review mechanism.

15. Romania will support the development of new international legal instruments and the improvement of the existing ones in order to enhance the protection of human rights throughout the world.

16. Romania will continue to support the dialogue between members of the Council and all United Nations Member States, bearing in mind their national and regional particularities, with a view to ensuring inclusiveness in the Council deliberations.

17. Romania will continue to encourage the interaction between the Human Rights Council and various components of civil society.

18. Romania will intensify its efforts to submit its periodic reports to the treaty bodies.

19. Romania will continuously seek opportunities to make other voluntary contributions to United Nations human rights bodies.

20. Romania remains committed to acting vigorously in promoting democracy, rule of law and human rights and in preventing and combating violations of fundamental rights and freedoms.

Actions and commitments of Romania in terms of national human rights policy

Actions

21. The Romanian authorities have paid constant attention to the implementation of all obligations ensuing from the international covenants, conventions and optional protocols to which Romania is a party.

22. The national human rights policy is mainly the responsibility of government structures, together with independent and autonomous institutions. Almost all government institutions have adopted strategies to address the sectoral aspects of the protection and promotion of human rights (e.g., the National Strategy for Implementing Measures on Preventing and Combating Discrimination for 2007-2013; the National Strategy for the Protection of the Rights of the Child for 2008-2013; the National Strategy for the Protection, Integration and Social Inclusion of the Persons with Disabilities for the period 2006-2013; the National Strategy for Equal Opportunities between Women and Men for the period 2010-2012; the National Strategy against Trafficking in Persons for the period 2011-2015, currently under approval; and the National Strategy for the Improvement of the Situation of Roma for the period 2011-2021, which is about to be finalized). Based on the aforementioned strategic documents, a significant number of projects, programmes and campaigns were undertaken and generated successful results.

23. Effective remedies to redress human rights abuses are guaranteed by a vast network of judicial and quasi-judicial institutions and national agencies: Courts; the Advocate of the People (Ombudsman), who defends individuals' rights and freedoms in their relation with the public administration; the National Council for Combating Discrimination, representing the main specialized body of the central public administration empowered to guarantee and monitor the implementation of the principle of equality and non-discrimination among citizens.

24. With respect to international bodies, Romania is among the countries that accepted the possibility for its citizens to address individual communications to the following United Nations bodies: the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women. Romania is a party to the European Convention on Human Rights (1994) and consequently, all persons under the jurisdiction of the Romanian State have access to the European Court of Human Rights. After the accession of Romania to the European Union in 2007, remedies can also be sought with the Court of Justice of the European Communities.

Commitments

25. Romania will uphold the promotion and protection of human rights at the highest standards by focusing on the implementation of obligations resulting from treaties recently ratified and on making the best of efforts to overcome any remaining difficulties.

26. Romania will continue to protect against and prevent discrimination in all its forms, both in law and in practice.

27. Romania will take all necessary steps in order to meet human rights challenges:

(a) Continue to allocate adequate resources and implement projects meant to protect and support vulnerable groups, such as: Roma people; children and women, especially in rural areas; victims of human trafficking; people with HIV/AIDS; and people with disabilities;

(b) Continue to adopt measures, including awareness-raising programmes, so as to combat negative prejudices in relation to lesbian, gay, bisexual and transgender minorities;

(c) Continue to provide human rights training for law enforcement personnel;

(d) Continue its dedicated efforts, including organizing awareness-raising campaigns, in order to prevent and combat trafficking in human beings, especially in children and women, and to provide support to the victims.

28. Romania will continue to work in partnership with civil society organizations, including national NGOs, both in the formulation and implementation of the domestic human rights policy and measures and in the preparation of national reports to treaty bodies.
