

UKRAINE

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RESERVATIONS AND DECLARATIONS

(Unless otherwise indicated, the reservations and declarations were made upon ratification, accession or succession)

Note

In communications received on 8 March 1989, 19 and 20 April 1989 respectively, the Governments of the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic notified the Secretary-General that they had decided to withdraw the reservations concerning article 30 (1) made upon ratification. The reservation made by the Union of Soviet Socialist Republics, which is identical in essence, mutatis mutandis, as the one made by the other two Governments, reads as follows:

The Union of Soviet Socialist Republics does not consider itself bound by the provisions of paragraph 1 of article 30 of the Convention.

Subsequently, on 1 October 1991, 3 October 2001, and 12 September 2003, respectively, the Governments of the Union of Soviet Socialist Republics, Belarus and Ukraine notified the Secretary-General that it had decided to withdraw the following reservation with regard to article 20 made upon signature and confirmed upon ratification. The reservation made by [the other two Governments], which is identical in essence, mutatis mutandis, as the one made by the Union of Soviet Socialist Republics, reads as follows:

The Union of Soviet Socialist Republics does not recognize the competence of the Committee against Torture as defined by article 20 of the Convent.

On 12 September 2003, Ukraine not only had decided to withdraw the reservation under article 20 but also the declarations made under articles 21 and 22 which read as follows:

“...Ukraine has decided to withdraw the reservations concerning Article 20 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was adopted at New York on 10 December 1984, made upon signature and confirmed upon ratification thereof.

Ukraine fully recognizes extension to its territory of Article 21 of the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as regards recognition of the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

Ukraine fully recognizes extension to its territory of Article 22 of the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as regards recognition of the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to jurisdiction of a State Party who claim to be victims of a violation by a State Party of the provisions of the Convention.

Ukraine declares that the provisions of Articles 20, 21 and 22 of the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment shall extend to cases which may arise as from the date of receipt by the UN Secretary General of the notification concerning the withdrawal of reservations and relevant declarations of Ukraine.”

(Note 15, Chapter IV.9, Multilateral Treaties Deposited with the Secretary-General)