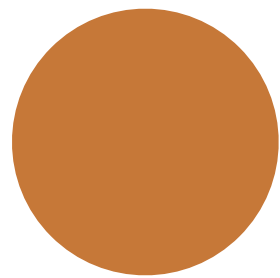
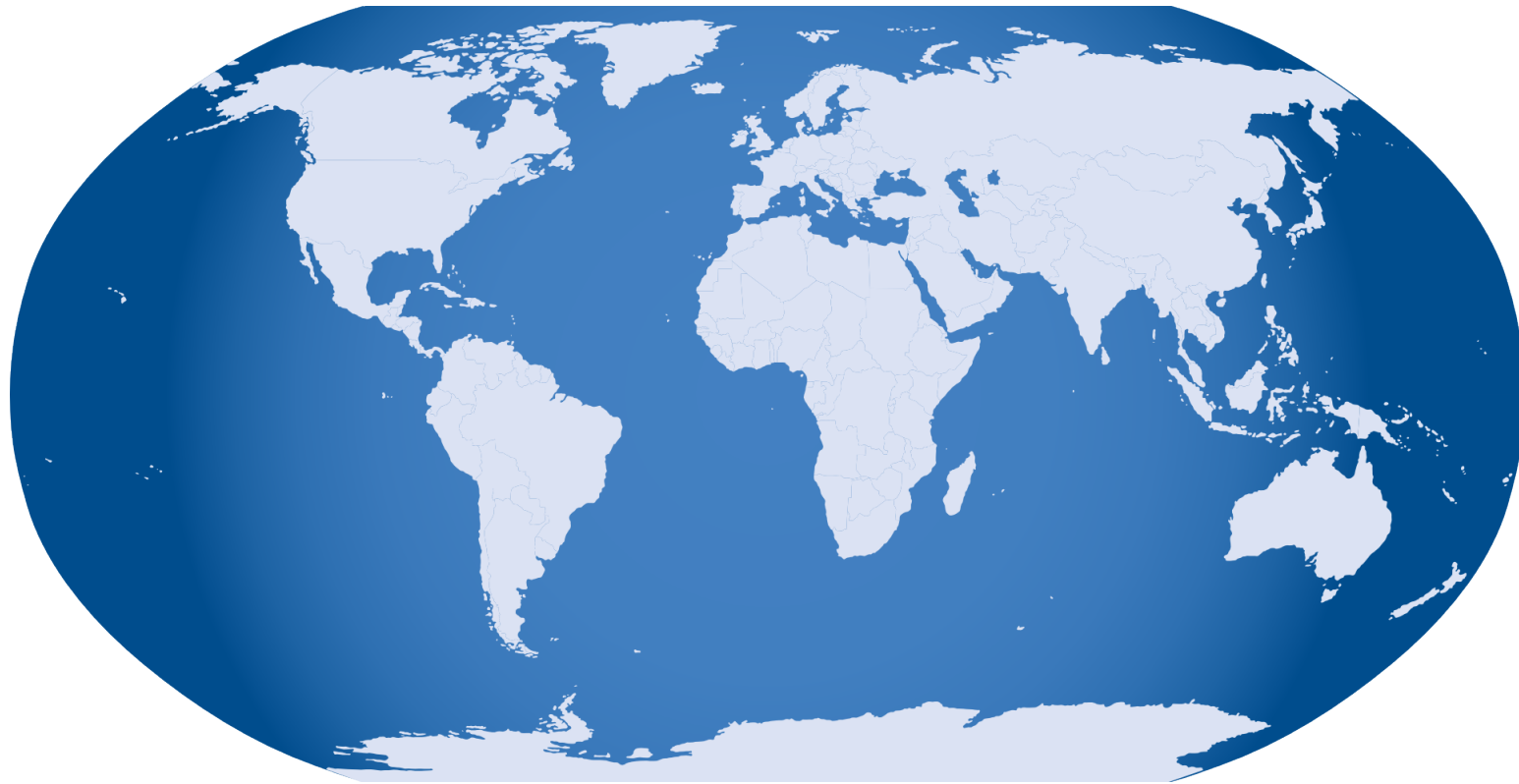


Política Internacional e Geopolítica a reconfiguração do mundo no século XXI

**INSTITUTO CULTURAL
D. ANTÓNIO FERREIRA GOMES
José Pedro Teixeira Fernandes
SESSÃO Nº 24
13/04/2022**



PARTE I – TEMA PRINCIPAL

A adesão da Ucrânia à União Europeia? (1)

[FONTE: Euronews, 8/04/2022]

UKRAINE

Von der Leyen gives Ukraine questionnaire for EU accession discussions [COMMENTS](#)

By Euronews • Updated: 08/04/2022



EU Chief Ursula Von der Leyen giving Volodymyr Zelenskyy a questionnaire that marked the starting point for a membership decision. -

Copyright AFP

European Commission President Ursula von der Leyen made a symbolic gesture to Ukrainian president Volodymyr Zelenskyy that could kickstart his country's membership in the bloc in her first visit to Kyiv since the war started.

In a joint press conference, Von der Leyen gave Zelenskyy a questionnaire that marked the starting point for a membership decision. "It will not, as usual, be a matter of years to form this opinion but I think a matter of weeks," she said.

A adesão da Ucrânia à União Europeia? (2)

[FONTE: EU Directorate-General for Neighbourhood and Enlargement Negotiations, 8/04/2022]

Statement by President von der Leyen with Ukrainian President Zelenskyy at the occasion of the President's visit to Kyiv



Thank you, dear Volodymyr,

Let me start by saying that the missile attack this morning on a train station used for evacuations of civilians is despicable. I am appalled by the loss of life and I offer my deep condolences to the families of the victims and all of those who lost loved ones.

It was important to start my visit in Bucha today. Because in Bucha our humanity was shattered. And it is right and just that the world voted to suspend Russia from the Human Rights Council. This war is a challenge for the entire international community. And this is a decisive moment. Will heinous devastation win or humanity prevail? Will the right of might dominate or is it the rule of law? Will there be constant conflict and struggle or a future of common prosperity?

Your fight is our fight. I am here with you in Kyiv today to tell you that Europe is on your side. This is the message, dear Volodymyr, I want to bring to the Ukrainian people today.

A adesão da Ucrânia à União Europeia? (3)

[FONTE: EU Directorate-General for Neighbourhood and Enlargement Negotiations, 8/04/2022]

Fourth, we are with Ukrainians as they seek refuge within our borders. And I promise you: We will take good care of them until it is safe to return home. Home to a free and prosperous Ukraine. We make sure, that they have access to housing, schools, medical care and work. The brave people of Ukraine deserve nothing less. Together with Prime Minister, Justin Trudeau, of Canada we are convening a pledging event in Warsaw tomorrow. We call our campaign 'Stand up for Ukraine'. We will mobilise support for people fleeing the war inside and outside Ukraine. This campaign is yet another proof that Ukraine's cause today is the world's cause.

Finally, we are with you as you dream of Europe. Dear Volodymyr, my message today is clear: Ukraine belongs in the European family. We have heard your request, loud and clear. And today, we are here to give you a first, positive answer. In this envelope, dear Volodymyr, there is an important step towards EU membership. This questionnaire is the basis for our discussion in the coming months. This is where your path towards the European Union begins. We will be at your disposal 24 hours a day, 7 days a week to work on this common basis. Ukraine is a friend, we know this very well. Ukraine shares our values. And due to our association agreement, Ukraine is already closely aligned with our Union. So we will accelerate this process as much as we can, while ensuring that all conditions are respected.

On the first day of your mandate, dear Volodymyr, you said: 'We have chosen Europe as our direction. But Europe', you said, 'Europe is not somewhere else. Europe is here in our mind. And when Europe is in our mind, then Europe will come to our country too.'

Today, more than ever, Europe is here. Europe is with you.

Slava Ukraini.

A adesão da Ucrânia à União Europeia? (4)

[FONTE: Encyclopedia Britannica]



A adesão da Ucrânia à União Europeia? (5)

[FONTE: Encyclopedia Britannica]

Facts

Also Known As	Ukrayina
Head Of Government	Prime Minister: Denys Shmyhal
Capital	Kyiv (Kiev)
Population	(2021 est.) 43,879,000
Head Of State	President: Volodymyr Zelensky
Form Of Government	unitary multiparty republic with a single legislative house (Verkhovna Rada ¹ [450])
Official Language	Ukrainian
Official Religion	none
Official Name	Ukrayina (Ukraine)
Total Area (Sq Km)	603,549
Total Area (Sq Mi)	233,032
Monetary Unit	hryvnya (UAH)
Population Rank	(2021) 34
Population Projection 2030	42,628,000
Density: Persons Per Sq Mi	(2021) 188.3
Density: Persons Per Sq Km	(2021) 72.7
Urban-Rural Population	Urban: (2020) 69.5% • Rural: (2020) 30.5%
Life Expectancy At Birth	Male: (2019) 66.9 years • Female: (2019) 77 years
Literacy: Percentage Of Population Age 15 And Over Literate	Male: not available • Female: not available
Gni (U.S.\$ '000,000)	(2020) 147,691
Gni Per Capita (U.S.\$)	(2020) 3,540

¹ Translated as Supreme Council.



A adesão da Ucrânia à União Europeia? (6)

[FONTE: Tratado da União Europeia]

7.6.2016

PT

Jornal Oficial da União Europeia

C 202/17

Artigo 2.º

A União funda-se nos valores do respeito pela dignidade humana, da liberdade, da democracia, da igualdade, do Estado de direito e do respeito pelos direitos do Homem, incluindo os direitos das pessoas pertencentes a minorias. Estes valores são comuns aos Estados-Membros, numa sociedade caracterizada pelo pluralismo, a não discriminação, a tolerância, a justiça, a solidariedade e a igualdade entre homens e mulheres.

Artigo 49.º

(ex-artigo 49.º TUE)

Qualquer Estado europeu que respeite os valores referidos no artigo 2.º e esteja empenhado em promovê-los pode pedir para se tornar membro da União. O Parlamento Europeu e os Parlamentos nacionais são informados desse pedido. O Estado requerente dirige o seu pedido ao Conselho, que se pronuncia por unanimidade, após ter consultado a Comissão e após aprovação do Parlamento Europeu, que se pronunciará por maioria dos membros que o compõem. São tidos em conta os critérios de elegibilidade aprovados pelo Conselho Europeu.

As condições de admissão e as adaptações dos Tratados em que se funda a União, decorrentes dessa admissão, serão objeto de acordo entre os Estados-Membros e o Estado peticionário. Esse acordo será submetido à ratificação de todos os Estados Contratantes, de acordo com as respetivas normas constitucionais.

A adesão da Ucrânia à União Europeia? (7)

[FONTE: European Commission]

Steps towards joining



The process of joining the EU (accession) broadly consists of **3 stages**:

1. **When a country is ready** it becomes an official **candidate for membership** – but this does not necessarily mean that formal negotiations have been opened.
2. The candidate moves on to **formal membership negotiations**, a process that involves the adoption of established EU law, preparations to be in a position to properly apply and enforce it and implementation of judicial, administrative, economic and other reforms necessary for the country to meet the conditions for joining, known as **accession criteria**.
3. When the negotiations and accompanying reforms have been completed to the satisfaction of both sides, the country can join the EU.

A adesão da Ucrânia à União Europeia? (8)

[FONTE: European Commission]

Membership negotiations – in detail

Membership negotiations cannot start until all EU governments agree, in the form of a **unanimous decision by the EU Council**, on a framework or mandate for negotiations with the candidate country.

Negotiations take place between ministers and ambassadors of the EU governments and the candidate country in what is called an intergovernmental conference.

Negotiations under each chapter are based on the following elements:

1. **Screening** – the Commission carries out a detailed examination, together with the candidate country, of each policy field (chapter), to determine how well the country is prepared. The findings by chapter are presented by the Commission to the Member States in the form of a screening report. The conclusion of this report is a recommendation of the Commission to either open negotiations directly or to require that certain conditions – **opening benchmarks** - should first be met.
2. **Negotiating positions** – before negotiations can start, the candidate country must submit its position and the EU must adopt a common position. For most chapters the EU will set closing benchmarks in this position which need to be met by the Candidate Country before negotiations in the policy field concerned can be closed. For chapter [23](#) and [24](#), the Commission is proposing that in the future these chapters would be opened on the basis of action plans, with interim benchmarks to be met based on their implementation before closing benchmarks are set.

The pace of the negotiations then depends on the speed of reform and alignment with EU laws in each country. **The duration of negotiations can vary** – starting at the same time as another country is no guarantee of finishing at the same time.

A adesão da Ucrânia à União Europeia? (9)

[FONTE: European Commission]



EN English

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European Commission > ... > Enlargement > Glossary > Chapters of the acquis / negotiating chapters

Chapters of the acquis / negotiating chapters

European Commission - Enlargement - Chapters of the acquis/negotiating chapters

The chapters of the *acquis* (presently 35) form the basis of the [accession negotiations](#) EN | ...* for each [candidate country](#) EN | ...*. They correspond to the different areas of the *acquis* EN | ...* for which reforms are needed in order to meet the accession conditions. The candidate countries are required to adapt their administrative and institutional infrastructures and to bring their national legislation into line with EU legislation in these areas. The different chapters are reviewed during the [screening of the acquis](#) EN | ...* and are evaluated regularly up until the time each chapter is closed.

For more details, see the following sections on our website:

- [Chapters of the *acquis*](#) EN | ...
- [The process of enlargement](#) EN | ...

A adesão da Ucrânia à União Europeia? (10)

[FONTE: European Commission]

Chapters of the acquis



- + Chapter 1: Free movement of goods
- + Chapter 2: Freedom of movement for workers
- + Chapter 3: Right of establishment and freedom to provide services
- + Chapter 4: Free movement of capital
- + Chapter 5: Public procurement
- + Chapter 6: Company law
- + Chapter 7: Intellectual property law
- + Chapter 8: Competition policy
- + Chapter 9: Financial services
- + Chapter 10: Information society and media
- + Chapter 11: Agriculture and rural development
- + Chapter 12: Food safety, veterinary and phytosanitary policy
- + Chapter 13: Fisheries
- + Chapter 14: Transport policy

A adesão da Ucrânia à União Europeia? (11)

[FONTE: European Commission]

+ Chapter 15: Energy

+ Chapter 16: Taxation

+ Chapter 17: Economic and monetary policy

+ Chapter 18: Statistics

+ Chapter 19: Social policy and employment

+ Chapter 20: Enterprise and industrial policy

+ Chapter 21: Trans-European networks

+ Chapter 22: Regional policy and coordination of structural instruments

+ Chapter 23: Judiciary and fundamental rights

+ Chapter 24: Justice, freedom and security

+ Chapter 25: Science and research

+ Chapter 26: Education and culture

+ Chapter 27: Environment

+ Chapter 28: Consumer and health protection

+ Chapter 29: Customs union

+ Chapter 30: External relations

+ Chapter 31: Foreign, security and defence policy

+ Chapter 32: Financial control

+ Chapter 33: Financial and budgetary provisions

+ Chapter 34 - Institutions

+ Chapter 35 - Other issues

A adesão da Ucrânia à União Europeia? (12)

[FONTE: European Commission]

Concluding the negotiations

1. Closing the chapters

No negotiations on any individual chapter are closed until every EU government is satisfied with the candidate's progress in that policy field, as analysed by the Commission.

And the whole negotiation process is only concluded definitively once every chapter has been closed.

2. Accession treaty

This is the document that cements the country's membership of the EU. It contains the detailed terms and conditions of membership, all transitional arrangements and deadlines, as well as details of financial arrangements and any safeguard clauses.

It is not final and binding until it:

- wins the **support** of the EU Council, the Commission, and the European Parliament
- is **signed** by the candidate country and representatives of all existing EU countries
- is **ratified** by the candidate country and every individual EU country, according to their constitutional rules (parliamentary vote, referendum, etc.).

3. Acceding country

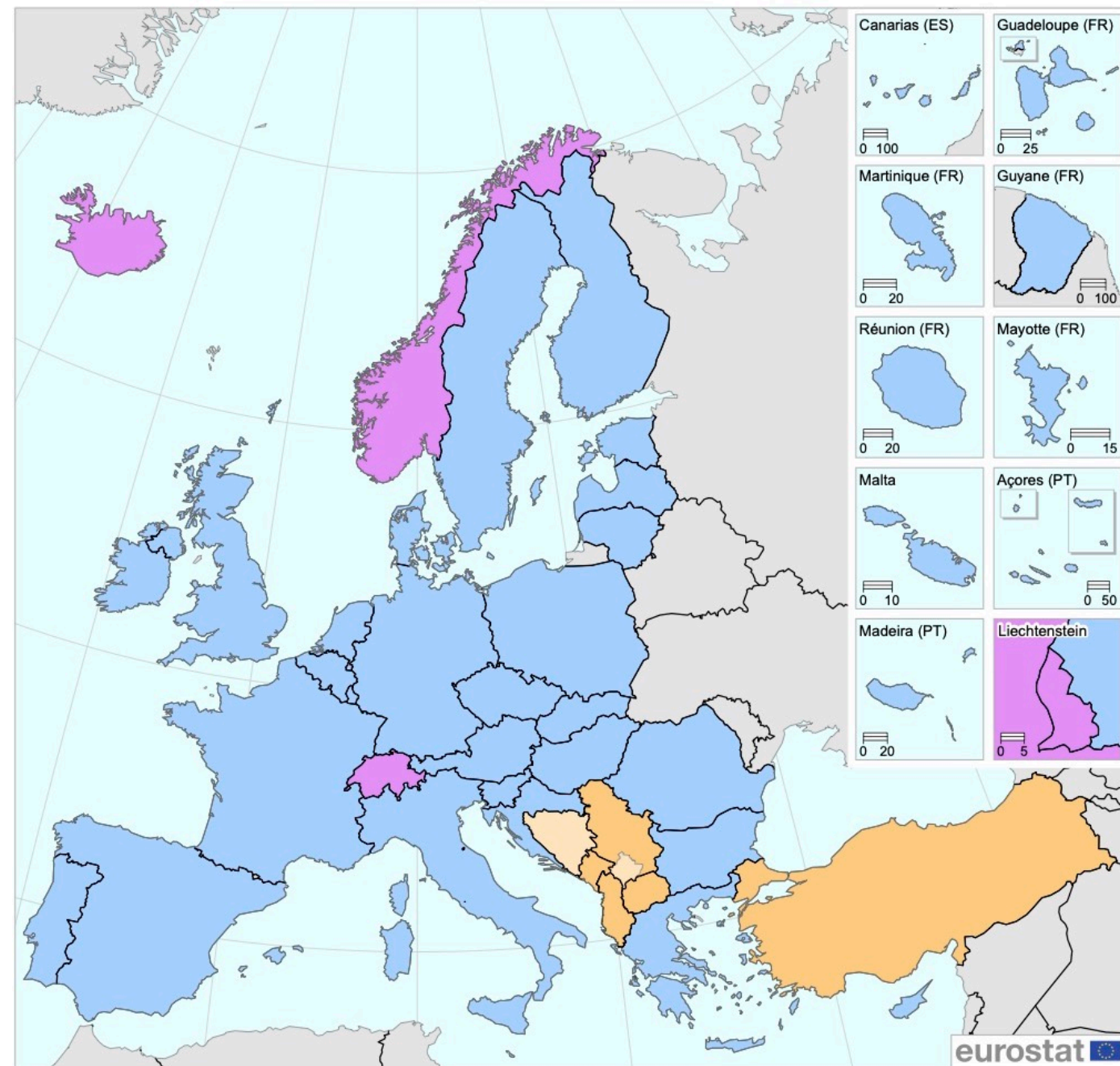
Once the treaty is signed, however, the candidate becomes an **acceding country**. This means it is expected to become a full EU member on the date laid down in the treaty, providing the treaty has been ratified.

In the interim, it benefits from **special arrangements**, such as being able to comment on draft EU proposals, communications, recommendations or initiatives, and “active observer status” on EU bodies and agencies (it is entitled to speak, but not vote).

A adesão da Ucrânia à União Europeia? (13)

[FONTE: Eurostat]

European Union (EU-28), EFTA countries, candidate countries and potential candidates



Administrative boundaries: © EuroGeographics © UN-FAO © Turkstat
Cartography: Eurostat - GISCO, 03/2018

- Member States of the European Union (EU-28)
- EFTA countries
- Candidate countries
- Potential candidates

A adesão da Ucrânia à União Europeia? (14)

[FONTE: Marie-Eve Bélanger / LSE Blog, 16/03/2021]

What prospect is there of Ukraine joining the EU?

Ukraine's President, Volodymyr Zelensky, has requested that the country be allowed to join the European Union as a result of Russia's invasion.

Marie-Eve Bélanger draws on recent research to assess whether there is sufficient political support across Europe for Ukraine to be given a viable path to EU membership.

On 28 February, four days into the Russian invasion of Ukraine, the Ukrainian President, Volodymyr Zelensky, addressed the European Parliament to request the implementation of a fast-track procedure to join the European Union. Later that day, he officially signed Ukraine's application for membership. He was quickly followed by his Georgian and Moldovan counterparts, who submitted their countries' applications to join the bloc on 3 March.

On 6 March, Ursula von der Leyen, the President of the European Commission, noncommittedly stated that the Ukrainian people "belong in the European family". After the [Versailles summit](#), members of the European Council asked the European Commission to examine the new membership applications, recognizing Ukraine's "European path". So far, none of this has translated into a formal commitment from EU member states to accept Ukraine as a candidate for membership. So, what are the prospects for the three countries, and what can we expect in terms of support from the EU?

A adesão da Ucrânia à União Europeia? (15)

[FONTE: Marie-Eve Bélanger / LSE Blog, 16/03/2021]

A fast track to enlargement?

First it must be said that an acceleration of the EU enlargement process is very unlikely. Since 1995, the EU enlargement process has systematically been getting longer with every new wave of enlargement. This is an effect

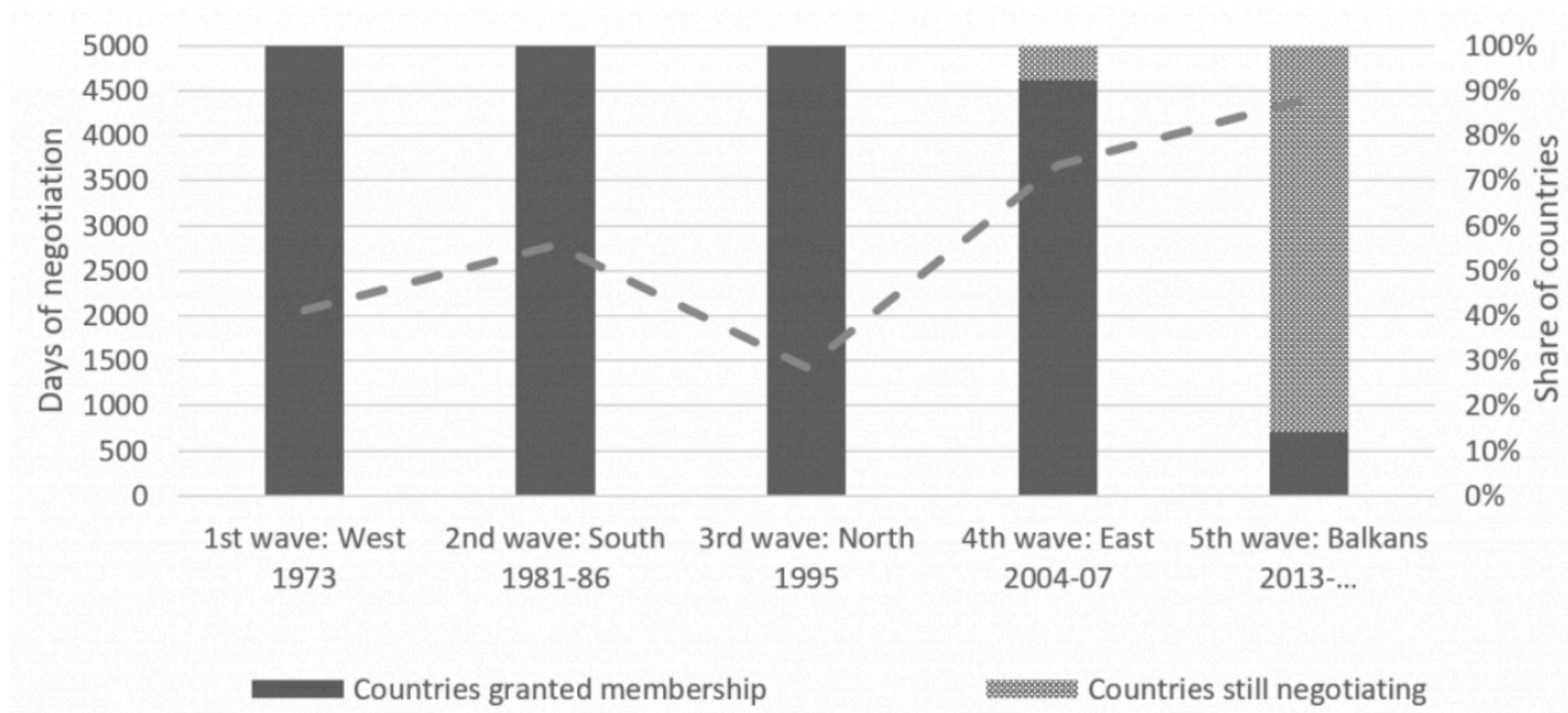
Candidate states must also adopt all European legislation – also referred to as the *acquis communautaire* – which includes over 60 years of common European rules and laws. This is no small task, even for advanced democracies. For reference, it took 1,431 days (almost four years) to complete the accession process leading to the 1995 enlargement for Austria, Finland and Sweden. And this was by far the shortest negotiation process in the history of EU enlargements.

Since then, the process has only been getting longer and more difficult. The 2004-2007 wave of enlargement to Eastern European countries took over ten years to be completed. And the current negotiations with Western Balkan countries are progressing very slowly. They have been plagued by repeated vetoes from certain member states, inadequate reforms in the candidate states, and enlargement fatigue among European populations.

A adesão da Ucrânia à União Europeia? (16)

[FONTE: Marie-Eve Bélanger / LSE Blog, 16/03/2021]

Figure 1: EU membership has become a longer and less certain process



A adesão da Ucrânia à União Europeia? (17)

[FONTE: Marie-Eve Bélanger / LSE Blog, 16/03/2021]

Note: The states that were part of each enlargement are as follows:

1973 (Denmark, Ireland, and the United Kingdom); 1981 (Greece); 1986 (Portugal and Spain); 1995 (Austria, Finland, and Sweden); 2004 (Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia); 2007 (Bulgaria and Romania); 2013 (Croatia). The list of current candidates and potential candidates includes Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia, and Turkey.

North Macedonia, for instance, submitted its application for membership in March 2004, but only started to negotiate with the EU in March 2020. This means that over a period of 16 years, EU member states could not even agree on the terms and conditions for the opening of negotiations. And for the past two years, blocked by a Bulgarian veto, none of the 35 chapters of negotiations have even been opened, let alone closed. It is fair to say that North Macedonia's membership of the EU is still years away, if it ever materialises.

The situation is even bleaker for Turkey: in its 2021 [Enlargement Package](#), the European Commission advised that the EU is "ready to engage with Turkey in a phased, proportionate and reversible manner", which suggests that accession is no longer guaranteed as an outcome, even several years into the negotiation process.

A adesão da Ucrânia à União Europeia? (18)

[FONTE: Marie-Eve Bélanger / LSE Blog, 16/03/2021]

Who supports Ukraine's integration into the EU?

This means Ukraine has some strong allies on its western borders. As a group, they can mobilise significant political clout in lobbying for Ukraine's membership of the EU. There is, however, evidence of some pushback: France and Germany have already tried to cool the expansive ambitions of their eastern partners. France currently holds the rotating presidency of the EU, and it might try to stall the process until the stakes are not so pressing, in the hope of keeping Ukraine's neutrality as a negotiation chip with Russia.

On the other hand, the EU might not be able to ignore the strong symbolism of extending a democratic hand to one of the last non-EU European countries that is currently under attack by an authoritarian power. A lack of solidarity in this case could affect the credibility of the EU as a regional power, which has already been undermined by democratic backsliding among member states and the hesitancy of the EU to continue its expansion.

If the EU decides to go ahead with a first step, such as granting Ukraine candidate status, it will also be expected to pick up the speed of negotiations in the Western Balkans. So, is this an opportunity for European leaders to finally realise the European unification project, or will this prove too ambitious amidst war and a possible economic and energy crisis on the continent? It is too early to tell, but certainly the decisions taken in the next few days and weeks will prove critical in shaping the future of EU enlargement.

A adesão da Ucrânia à União Europeia? (19)

[FONTE: Euractiv, 22/03/2021]

Western Balkans: Silence over Ukraine's EU membership bid



Ukrainian President Volodymyr Zelenskyy's impassioned plea for his besieged country to join the EU as soon as possible has met cautious support across Europe. But the Western Balkans – home to six membership hopefuls – has remained largely silent.

On 28 February, Ukraine formally applied for EU membership, a move supported by Estonia, Latvia, Czech Republic, Lithuania, Poland, Slovakia and Slovenia.

The Western Balkans six, comprising Albania, Serbia, Kosovo, North Macedonia, Bosnia and Herzegovina, and Montenegro, are all also pursuing the EU dream. Serbia and Montenegro lead the way, as the only ones with negotiations already underway, while Kosovo and Bosnia and Herzegovina are mere potential candidates.

A adesão da Ucrânia à União Europeia? (20)

[FONTE: Euractiv, 22/03/2021]

Enlargement remains a controversial topic, with the European Commission constantly saying it is on the table. The reality is, however, many think it has stalled as there has been virtually no concrete progress in recent years.

As for what Balkan governments think of the potential queue-jumper, the public is none the wiser.

'Enlargement is dead'

"Let's not pretend, enlargement is dead, it's going nowhere," a diplomat from the region told EURACTIV, also explaining that while it is difficult not to support Ukraine in these dramatic times, it is equally challenging to be in favour of a fast-track procedure for Kyiv given that Western Balkan countries have been standing in line for years.

EURACTIV contacted each country's European and foreign affairs ministries, but only Montenegro responded.

"Montenegro, as an EU candidate country, wholeheartedly supports the EU enlargement process. We stress that a decision to join the EU depends exclusively on the decision made by the member states," the short response read.

EURACTIV spoke to several analysts from the region for their views.

Gjergji Vurmo, program director at the Albanian Institute for Democracy and Mediation, agreed that there was some public silence on the issue but argued that Russia's aggression has actually created momentum for the Balkan's EU accession hopes.

A adesão da Ucrânia à União Europeia? (21)

[FONTE: Henrik Larsen / FP, 24/03/2021]

The EU Can Walk a Tightrope on Admitting Ukraine

Brussels should learn from its experience in the Western Balkans.

[Henrik Larsen](#) March 24, 2022, 12:25 PM



A protester holds a placard reading "Ukraine in EU" during a rally to support Ukraine in Strasbourg, France, on March 12.

A protester holds a placard reading "Ukraine in EU" during a rally to support Ukraine in Strasbourg, France, on March 12. SEBASTIEN BOZON/AFP via Getty Images

A adesão da Ucrânia à União Europeia? (22)

[FONTE: Henrik Larsen / FP, 24/03/2021]

Considering Ukraine for EU membership would be a strong way for the West to show symbolic support of the country in its existential struggle against an unprovoked aggressor. Brussels now considers it a [moral imperative](#) to grant Ukraine the status of an official “candidate for membership,” the first step in the EU [accession process](#) before formal membership negotiations begin.

But letting Ukraine directly into this waiting room of sorts would be risky and premature given that the country is currently at war and does not have the capacity to fulfill the bloc’s [membership criteria](#).

Fortunately, there is another way. The EU should consider opening its door to Ukraine through a mechanism devised for negotiations with countries in the Western Balkans, which created the status of “potential candidate” as an intermediary stage between a country’s application and official candidacy. This classification avoids raising unrealistic expectations about a pending Ukrainian EU membership while also averting outright rejection.

The reasons why Ukraine is unfit to become an EU candidate country are twofold. Most immediate and obvious is the ongoing war—and the geopolitical unpredictability that comes with it. It is too early to know what form the Ukrainian state will take after the cessation of armed hostilities—or whether it will exist at all. Russia may keep occupied territories under its control, where EU law—the adoption of which is required as part of the accession process—would be unenforceable. A Russian occupation would also raise questions about how the EU would live up to its [defense pact](#), which obliges members to assist one another against external aggression, if it were to admit Ukraine. The EU cannot seriously grant Ukraine candidate status without deciding how it would react to a continued Russian occupation or renewed aggression.

A adesão da Ucrânia à União Europeia? (23)

[FONTE: Henrik Larsen / FP, 24/03/2021]

Moreover, it is possible that granting Ukraine the status of a candidate country may cause Russia to escalate the war under the pretext of preventing Western expansionism. Russia annexed Crimea in 2014 in response to the Euromaidan revolution and may again not see the difference between EU and NATO enlargement. Russia has [consistently opposed](#) Ukrainian (and Georgian) NATO membership, and closing this possibility was a [core demand](#) in its futile negotiations with the West before the invasion.

Beyond the present impasse, Ukraine since the Euromaidan revolution has not demonstrated a reform record suggesting it can meet the EU's membership criteria in the foreseeable future. Under Yanukovych's successor, Ukraine adopted the [Association Agreement](#) with the EU in 2014, by which it formally committed to implementing the EU's vast body of laws and court rulings—which is binding for all EU member states. Although membership was not explicitly mentioned as a long-term prospect under the Association Agreement, most [Ukrainian citizens](#) welcomed the economic and rule-of-law reforms as well as the free-trade benefits that came with it, which they believed would help them to achieve higher living standards and a more accountable state.

A adesão da Ucrânia à União Europeia? (24)

[FONTE: EUR-Lex]



EUR-Lex

Critérios de adesão (critérios de Copenhaga)

O Tratado da União Europeia define as condições (artigo 49.^o) e os princípios (artigo 6.^o, n.^o 1) que qualquer país que pretenda aderir à União Europeia (UE) deve respeitar.

Para aderirem, os países têm de cumprir determinados critérios. Estes critérios (também designados critérios de Copenhaga) foram formulados pelo Conselho Europeu de Copenhaga em 1993 e reforçados pelo Conselho Europeu de Madrid em 1995.

São:

- a estabilidade das instituições que garantem a democracia, o Estado de direito, os direitos humanos e o respeito pelas minorias e a sua proteção,
- uma economia de mercado que funcione efetivamente e a capacidade de fazer face à pressão concorrencial e às forças de mercado da UE,
- a capacidade para assumir as obrigações decorrentes da adesão, incluindo a capacidade de aplicar eficazmente as regras, normas e políticas que compõem o corpo legislativo da UE (o «acervo») e a adesão aos objetivos de união política, económica e monetária.

A adesão da Ucrânia à União Europeia? (25)

[FONTE: Freedom House / Ukraine 2021 Report]

NATIONS IN TRANSIT 2021

Ukraine

TRANSITIONAL OR HYBRID REGIME

39
/100

Democracy Percentage

39.29 /100

Democracy Score

3.36 /7

LAST YEAR'S DEMOCRACY PERCENTAGE & STATUS

40 /100 ■ Transitional or Hybrid Regime

The ratings are based on a scale of 1 to 7, with 7 representing the highest level of democratic progress and 1 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The Democracy Percentage, introduced in 2020, is a translation of the Democracy Score to the 0-100 scale, where 0 equals least democratic and 100 equals most democratic.



Score changes in 2021

- Judicial Framework and Independence rating declined from 2.50 to 2.25 due to court rulings that suspended laws necessary for reforms, discredited progressive public officials, and overturned corruption verdicts; additionally, a constitutional crisis was caused by the judges of the Constitutional Court, who abolished asset declarations of public officials while acting with conflicts of interest.

As a result, Ukraine's Democracy Score declined from 3.39 to 3.36.

Executive Summary

By Oksana Huss and Oleksandra Keudel

In 2020, Ukraine witnessed active resistance to major reforms, which essentially erased the democratic achievements of the previous year. President Volodymyr Zelenskyy initiated changes at the beginning of the year among key political staff, from the government to the Prosecutor General and the President's Office. Most of these promising reformers were replaced by controversial personalities associated with different informal interest groups. Significant achievements of Ukraine's special anticorruption institutions were torn down by a judiciary that worked to undermine the basic government principle of checks and balances. In particular, the Constitutional



On Ukraine

See all data, scores & information on this country or territory.

[See More >](#)

Country Facts

Global Freedom Score

61 /100 ■ Partly Free

Internet Freedom Score

62 /100 ■ Partly Free

In Other Reports

[Freedom in the World 2021](#)

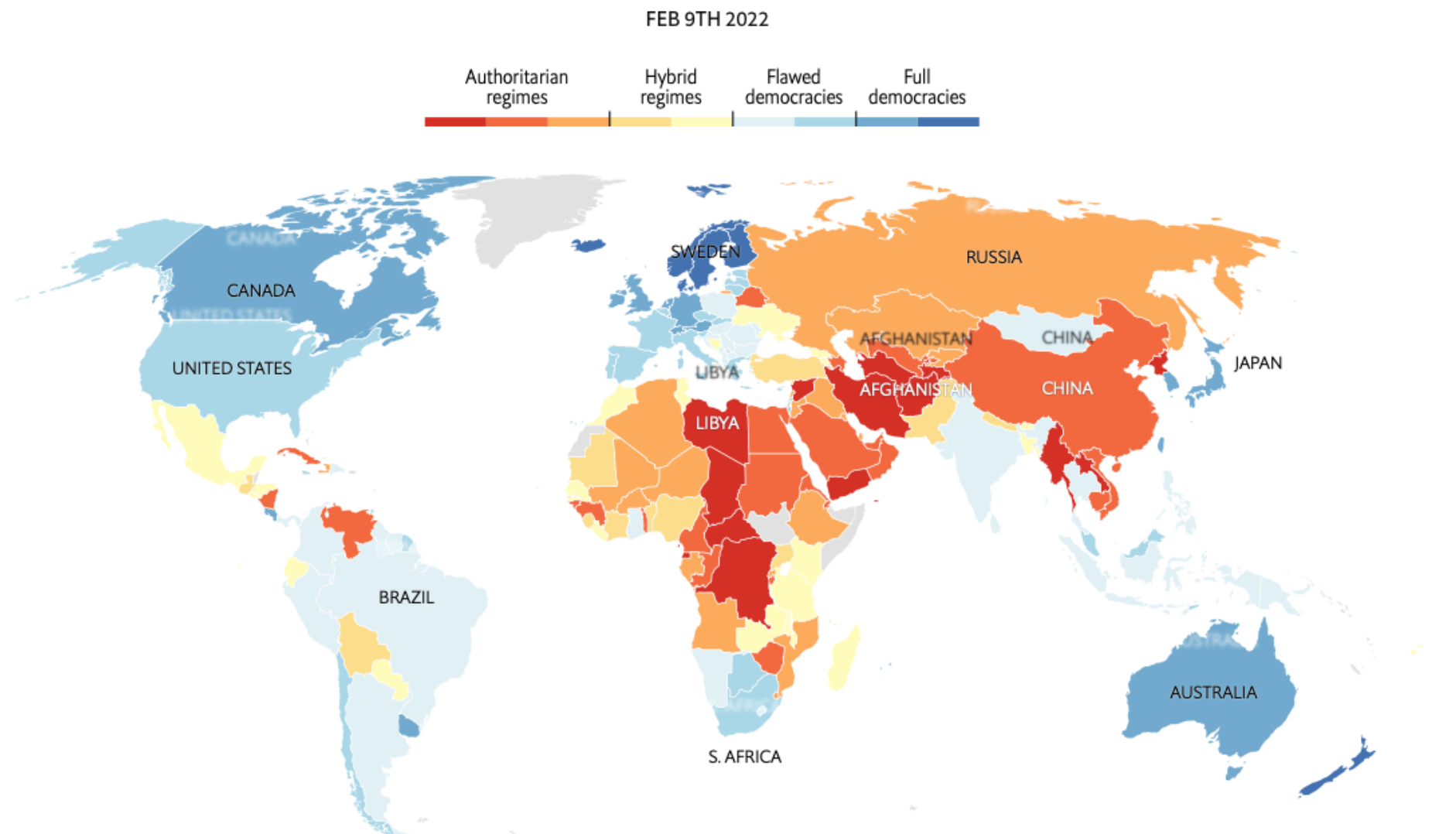
A adesão da Ucrânia à União Europeia? (26)

[FONTE: The Economist 9/02/2022]

The
Economist

A new low for global democracy

More pandemic restrictions damaged democratic freedoms in 2021



A adesão da Ucrânia à União Europeia? (27)

[FONTE: The Economist / Democracy Index 2021]

The
Economist

DEMOCRACY INDEX 2021

THE CHINA CHALLENGE

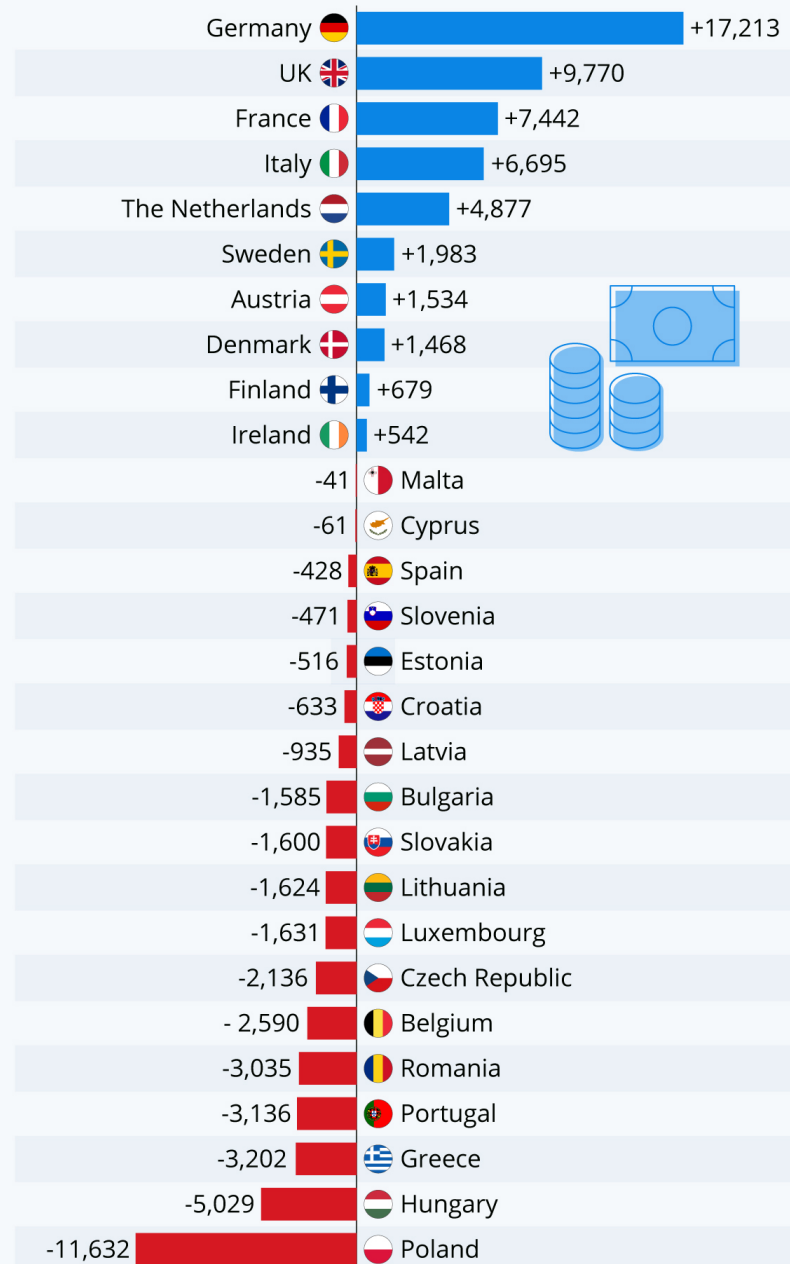
Hybrid regime							
Bangladesh	5.99	75=	7.42	6.07	5.56	5.63	5.29
Tunisia	5.99	75=	7.50	4.64	7.22	5.00	5.59
Paraguay	5.86	77	8.75	5.36	5.00	3.13	7.06
Malawi	5.74	78	7.00	4.29	5.00	6.25	6.18
El Salvador	5.72	79=	9.17	3.93	5.56	3.75	6.18
Zambia	5.72	79=	7.50	3.64	5.00	6.88	5.59
Bhutan	5.71	81=	8.75	6.79	3.33	5.00	4.71
Ecuador	5.71	81=	8.75	5.00	6.11	2.50	6.18
Madagascar	5.70	83	7.92	3.57	6.67	5.63	4.71
Fiji	5.61	84	6.58	5.00	5.56	5.63	5.29
Hong Kong	5.60	85	2.75	3.64	5.56	7.50	8.53
Mexico	5.57	86=	6.92	5.00	7.22	3.13	5.59
Ukraine	5.57	86=	8.25	2.36	6.67	5.00	5.59
Senegal	5.53	88	5.67	5.71	4.44	6.25	5.59
Armenia	5.49	89	7.50	5.71	6.11	3.13	5.00
Liberia	5.43	90	7.42	2.71	6.11	5.63	5.29
Georgia	5.12	91	7.42	3.57	5.56	3.75	5.29
Honduras	5.10	92=	8.75	3.93	4.44	2.50	5.88
Tanzania	5.10	92=	4.83	5.00	5.00	6.25	4.41
Kenya	5.05	94	3.50	5.36	6.67	5.63	4.12
Bosnia and Hercegovina	5.04	95=	7.00	3.29	5.56	3.75	5.59
Morocco	5.04	95=	5.25	4.64	5.56	5.63	4.12
Sierra Leone	4.97	97	6.58	2.86	3.89	6.25	5.29
Bolivia	4.65	98	4.75	4.29	6.11	2.50	5.59
Guatemala	4.62	99	6.92	3.93	3.89	2.50	5.88
Uganda	4.48	100	3.42	3.21	3.89	6.88	5.00
Gambia	4.41	101=	3.58	4.29	4.44	5.63	4.12

A adesão da Ucrânia à União Europeia? (28)

[FONTE: Statista, 2018]

Which Countries are EU Contributors and Beneficiaries?

Net contributions to the EU budget,
by member state (2018, in million euros)*



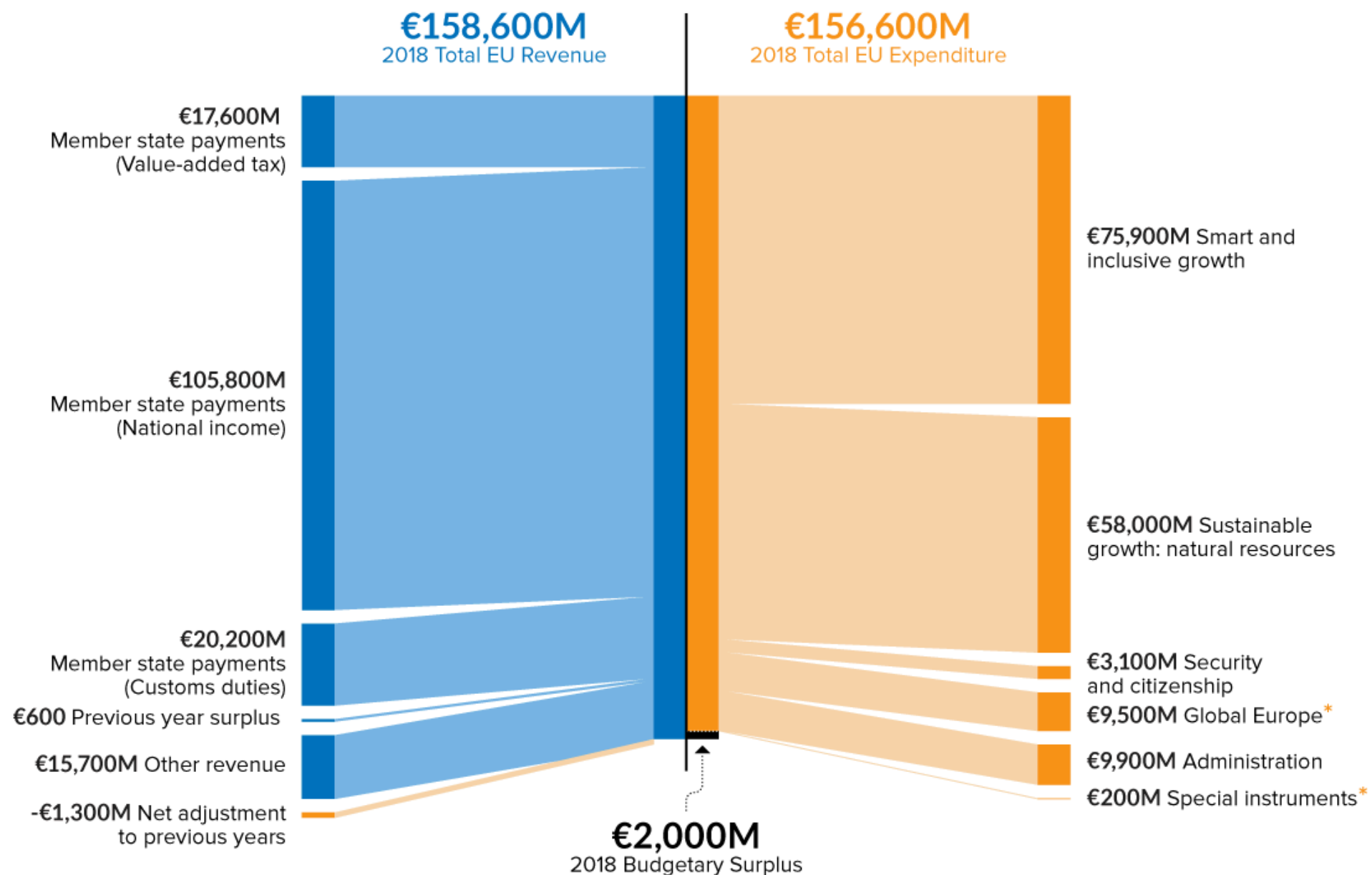
* contributions minus money received
Source: European Commission



A adesão da Ucrânia à União Europeia? (29)

[FONTE: Visual Capitalist, 20/09/2019]

It's clear who the top beneficiaries and contributors are—but how does the EU collect its revenue, and what does the Union spend its money on?



A adesão da Ucrânia à União Europeia? (30)

[FONTE: The Economist, 11/04/2022]

What will it cost to rebuild Ukraine?

Economists put the price tag so far at \$220bn-540bn. Reforms will be needed, too

Apr 11th 2022

WHEN THE war ended, the country resembled a wasteland. Almost all industrial structures had been flattened by air raids, infrastructure rendered unusable and large cities bombed out. Russian-led forces occupied the east, with millions fleeing their brutality. But West Germany's economy recovered strongly after 1945, in what would soon be coined the *Wirtschaftswunder* (economic miracle).

Unlike Nazi Germany, Ukraine is not the aggressor, and may yet be victorious. Nonetheless, rebuilding will be a monumental task. Vladimir Putin's war has so far claimed the lives of thousands of innocents and displaced millions; it has laid waste to houses and hospitals, bridges and ports. With no end to the hostilities in sight, more destruction will surely follow. Officials and economists are assessing the damage and, drawing on lessons from Germany and elsewhere, thinking about how to manage the eventual recovery.

Researchers from the Centre for Economic Policy Research (CEPR), a network of economists, put the total cost of rebuilding Ukraine in the region of €200bn-500bn (\$220bn-540bn), roughly in line with the government's own calculations. The way in which reconstruction happens, and the reforms that accompany it, will be just as important as the money spent. Done well, it could transform an economy that was once captured by oligarchic interests into something more open and dynamic.

A adesão da Ucrânia à União Europeia? (31)

[FONTE: The Economist, 11/04/2022]

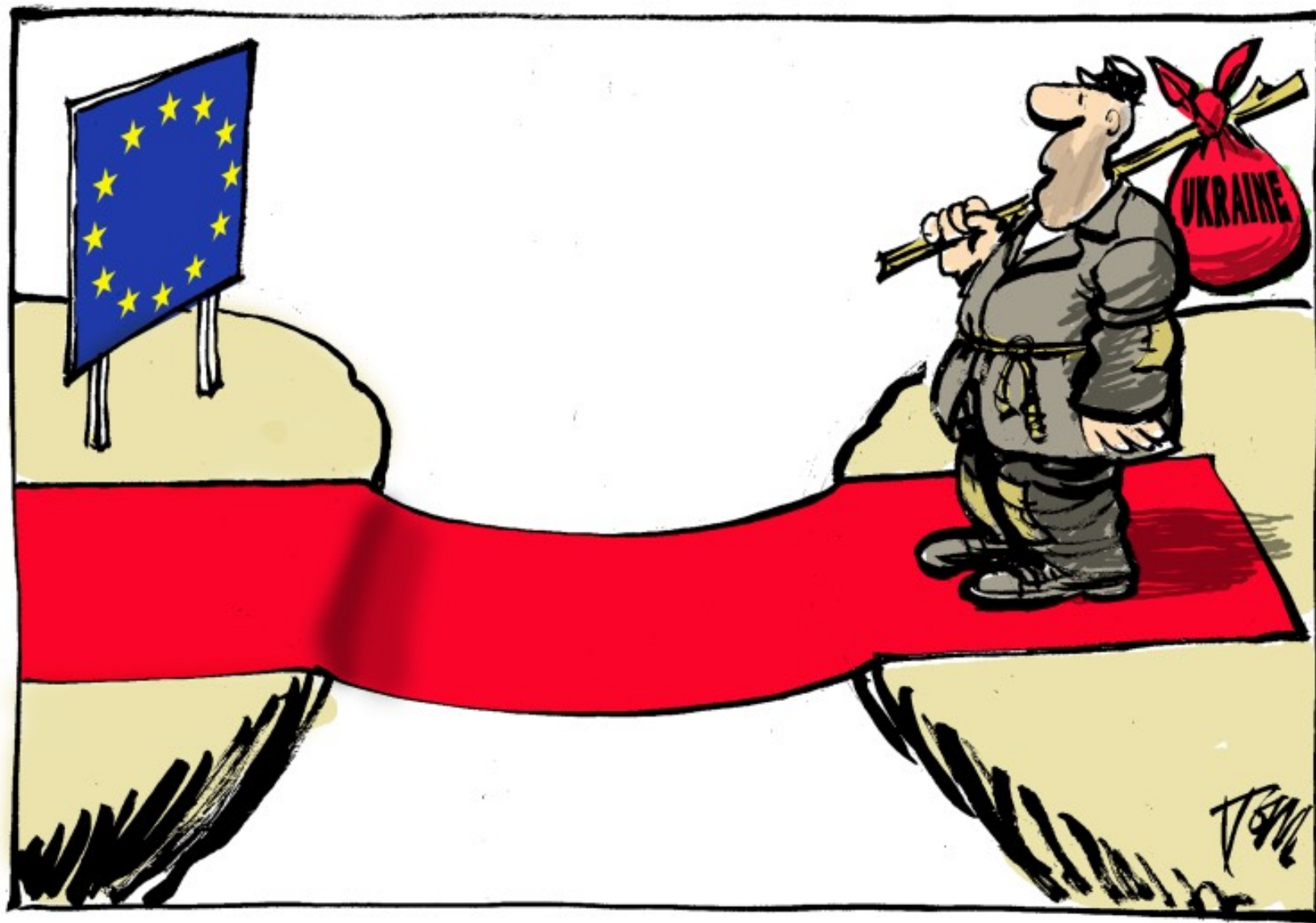
Reconstruction will require a plan, finance and a process for allocating money to projects. Ukraine's government has set up a recovery fund, and ministries are putting forward proposals for what needs rebuilding. With the finance ministry losing revenues of about \$2bn a month, some money will be needed to prop up the public finances. Reconstruction will only add to the strain. The government, which is already highly indebted, may prove unable to borrow or repay its loans. A combination of debt relief and grants seems likely to be needed.

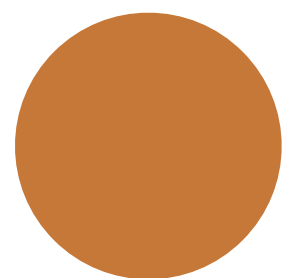
Funding will have to come from Western governments, international organisations and private investors. (A proposal to use frozen Russian assets has been floated, but seems unlikely unless decided as part of a peace settlement.) Grant funding, especially from the EU, is not unheard of: Poland, with a population similar in size to Ukraine's, received €106bn in agricultural and investment funds between 2014 and 2020. Financing for private businesses could take the form of subsidised loans, such as from the European Bank for Reconstruction and Development (EBRD). It has invested about \$18bn in Ukraine over the years.

The next question is allocating the money, a tricky task in an economy that has long been dominated by vested interests. Ukraine has made its process for tenders more competitive since 2014, but the contracts this time will be much larger. The CEPR suggests the use of framework agreements—standing contracts with firms to deliver a certain product for a fixed price—and open contracts that, even without tenders, ensure transparency.

A adesão da Ucrânia à União Europeia? (32)

[FONTE: Cartoon de Tom Janssen / Cagle]





PARTE II – NOTAS BREVES

A suspensão da Rússia do Conselho dos Direitos Humanos (1) [FONTE: United Nations]



United Nations

Peace, dignity and equality
on a healthy planet



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[UN Charter](#)

[UDHR](#)

[ICJ Statute](#)

[Nobel Peace Prize](#)

Universal Declaration of Human Rights

The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (General Assembly resolution 217 A) as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected and it has been translated into over 500 languages. The UDHR is widely recognized as having inspired, and paved the way for, the adoption of more than seventy human rights treaties, applied today on a permanent basis at global and regional levels (all containing references to it in their preambles).

Universal Declaration of Human Rights

[Text of the Declaration](#)

[History of the Declaration](#)

[Drafters of the Declaration](#)

[The Foundation of International Human Rights Law](#)

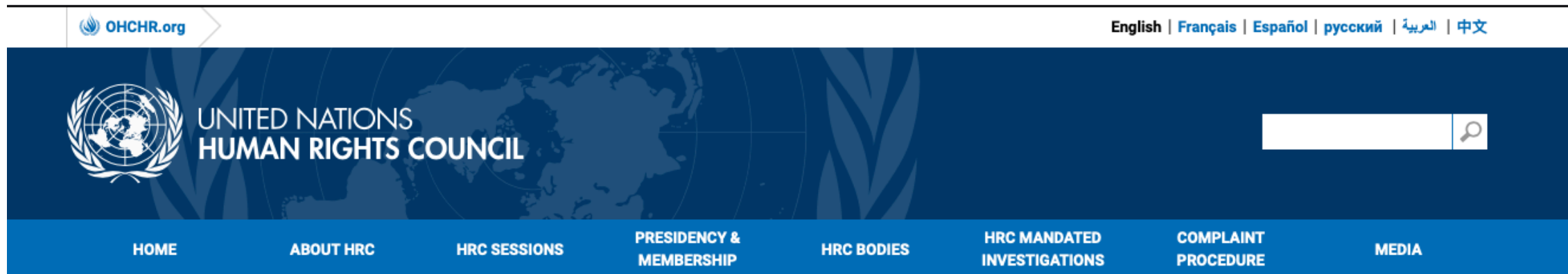
[Human Rights Law](#)

UDHR Illustrated



[Read the Illustrated edition of the Universal Declaration of Human Rights](#)

A suspensão da Rússia do Conselho dos Direitos Humanos (2) [FONTE: United Nations Human Rights Council]



Default title

United Nations Human Rights Council

The Human Rights Council is an inter-governmental body within the United Nations system made up of 47 States responsible for the promotion and protection of all human rights around the globe.

It has the ability to discuss all thematic human rights issues and situations that require its attention throughout the year. It meets at the UN Office at Geneva.

Announcements

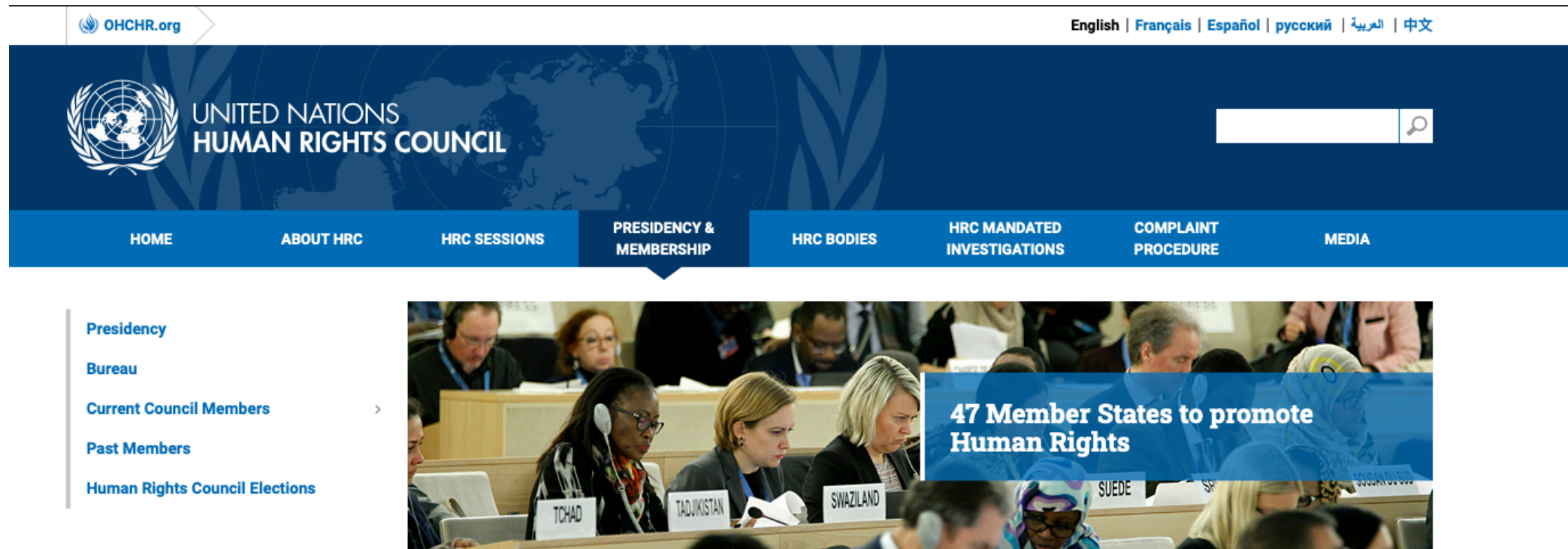
[Special session of the Human Rights Council on Afghanistan, 24 August 2021](#)

[Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and in Israel](#)

[Selection and appointments of mandate holders](#)

[2020 annual report of the Human Rights Council to the General Assembly](#)

A suspensão da Rússia do Conselho dos Direitos Humanos (3) [FONTE: United Nations Human Rights Council]



Membership of the Human Rights Council

Membership

The Council is made of 47 Member States, which are elected by the majority of members of the General Assembly of the United Nations through direct and secret ballot. The General Assembly takes into account the candidate States' contribution to the promotion and protection of human rights, as well as their voluntary pledges and commitments in this regard.

The Council's Membership is based on equitable geographical distribution. Seats are distributed as follows:

1. African States: 13 seats
2. Asia-Pacific States: 13 seats
3. Latin American and Caribbean States: 8 seats
4. Western European and other States: 7 seats
5. Eastern European States: 6 seats

Members of the Council serve for a period of three years and are not eligible for immediate re-election after serving two consecutive terms.

With membership on the Council comes a responsibility to uphold high human rights standards. This is a criteria insisted on by States themselves when they adopted [resolution 60/251](#) in March 2006 to create the Human Rights Council.

HRC Membership across the globe (2006 - 2020)

A suspensão da Rússia do Conselho dos Direitos Humanos (4)

[FONTE: United Nations Human Rights Council]

Membership of the Human Rights Council for the 16th cycle, 1 January - 31 December 2022

- [by regional groups](#)
- [by year](#)

COUNTRY	TERM EXPIRES IN		
Argentina	2024	Malawi	2023
Armenia	2022	Malaysia	2024
Benin	2024	Marshall Islands	2022
Bolivia (Plurinational State of)	2023	Mauritania	2022
Brazil	2022	Mexico	2023
Cameroon	2024	Montenegro	2024
China	2023	Namibia	2022
Côte d'Ivoire	2023	Nepal	2023
Cuba	2023	Netherlands	2022
Eritrea	2024	Pakistan	2023
Finland	2024	Paraguay	2024
France	2023	Poland	2022
Gabon	2023	Qatar	2024
Gambia	2024	Republic of Korea	2022
Germany	2022	Russian Federation	2023
Honduras	2024	Senegal	2023
India	2024	Somalia	2024
Indonesia	2022	Sudan	2022
Japan	2022	Ukraine	2023
Kazakhstan	2024	United Arab Emirates	2024
Libya	2022	United Kingdom of Great Britain and Northern Ireland	2023
Lithuania	2024	United States of America	2024
Luxembourg	2024	Uzbekistan	2023
		Venezuela (Bolivarian Republic of)	2022

A suspensão da Rússia do Conselho dos Direitos Humanos (5) [FONTE: Shannon Tiezzi / The Diplomat, 8/04/2022]

Which Asian Countries Voted to Suspend Russia's UNHRC Membership?

In the Asia-Pacific, as around the world, there was a definite shift in Russia's favor at the latest vote.

[Shannon Tiezzi](#)

I



Credit: [Flickr/ sanjitbakshi](#)

A suspensão da Rússia do Conselho dos Direitos Humanos (6) [FONTE: Shannon Tiezzi / The Diplomat, 8/04/2022]

On April 7, the United Nations General Assembly [voted on a resolution](#) to suspend Russia's membership in the U.N. Human Rights Council. The resolution was made by Ukraine after revelations of atrocities committed by the Russian military against civilian populations in Ukraine, [especially in the city of Bucha](#). Ukraine's representative told the UNGA that "thousands of peaceful residents have been killed, tortured, raped and abducted and robbed by the Russian army" and demanded Russia be removed from the UNHRC, the U.N.'s top human rights body as a result.

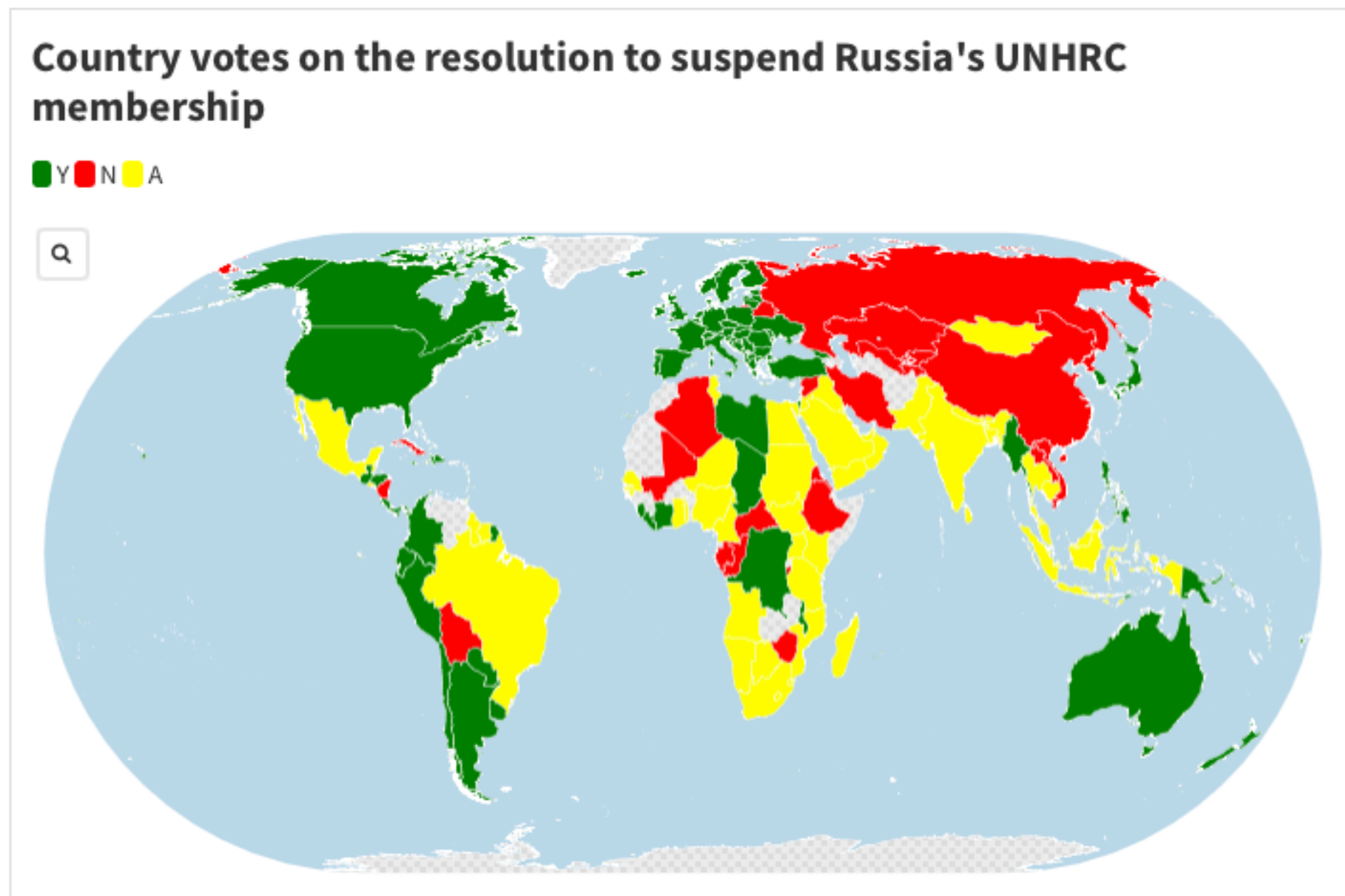
The resolution passed, as 93 countries voted in favor, 24 voted against, and 58 abstained.

As a point of comparison, in the [first UNGA vote](#) condemning Russia's invasion of Ukraine, on March 2, 141 countries voted in favor, just five voted against, and 35 abstained. The vote on Russia's UNHRC membership, then, saw a sharp increase in outright "no" votes and a rise in abstentions as well, alongside a 34 percent drop in countries voting to support the resolution.

Despite the shift, the United States was "very pleased" with the outcome, U.S. State Department Counselor Derek Chollet, a senior policy advisor to the secretary of state, told The Diplomat in an exclusive interview. "I think the bottom line is what matters the most, which is that for only the second time in history a country has been removed from the U.N. Human Rights Council," he said.

A suspensão da Rússia do Conselho dos Direitos Humanos (7)

[FONTE: Shannon Tiezzi / The Diplomat, 8/04/2022]



A suspensão da Rússia do Conselho dos Direitos Humanos (8) [FONTE: Shannon Tiezzi / The Diplomat, 8/04/2022]

*countries voted against the resolution: Russia itself and North Korea.
Ten countries abstained: Bangladesh, China, Kazakhstan, Kyrgyzstan, Laos, Mongolia, Pakistan, Sri Lanka, Tajikistan, and Vietnam.
(Turkmenistan and Uzbekistan did not vote at all.)*

In the April 7 vote, those numbers shifted drastically, matching the global trend. Nine countries in Asia voted no: China, Kazakhstan, Kyrgyzstan, Laos, North Korea, Russia, Tajikistan, Uzbekistan, and Vietnam. Other than North Korea and Russia, which voted against both resolutions, the no votes had abstained in the March 2 vote.

The number of Asia-Pacific countries abstaining also ticked upward to 15: Bangladesh*, Bhutan, Brunei, Cambodia, India*, Indonesia, Malaysia, Maldives, Mongolia*, Nepal, Pakistan*, Singapore, Sri Lanka*, Thailand, Vanuatu. (The countries marked with an * abstained on March 2 as well; the other countries supported the March 2 resolution.)

Meanwhile, Afghanistan and Solomon Islands, which had both supported the March 2 resolution, did not vote on April 7. Afghanistan's U.N. seat remains a matter of contention. It is currently held by the ousted Islamic Republic of Afghanistan government, since the Taliban regime does not have official diplomatic recognition at the United Nations. (And even within the delegation appointed by the Afghan Republic government, [there has been contention](#) about who is the rightful holder of the seat.)

For those keeping score at home, that means a total of seven Asia-Pacific countries moved from abstaining on March 2 to voting "no" on the April 7 resolution, while 12 countries went from a "yes" vote to an abstention or skipping the vote altogether.

Os Direitos Humanos universais e os seus contestatários (1) [FONTE: United Nations]



THE UNIVERSAL DECLARATION OF Human Rights

WHEREAS recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

WHEREAS disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

WHEREAS it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

WHEREAS it is essential to promote the development of friendly relations between nations,

WHEREAS the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have deter-

mined to promote social progress and better standards of life in larger freedom,

WHEREAS Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

WHEREAS a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

NOW THEREFORE THE GENERAL ASSEMBLY

PROCLAIMS This Universal Declaration Of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Os Direitos Humanos universais e os seus contestatários (2) [FONTE: United Nations]

ARTICLE 1 - All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

ARTICLE 2 (1) Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

(2) Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

ARTICLE 3 - Everyone has the right to life, liberty and security of person.

ARTICLE 4 - No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

ARTICLE 5 - No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

ARTICLE 6 - Everyone has the right to recognition everywhere as a person before the law.

ARTICLE 7 - All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

ARTICLE 8 - Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

ARTICLE 10 - Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

ARTICLE 11 (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

ARTICLE 12 - No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

ARTICLE 13 (1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

ARTICLE 14 (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

ARTICLE 15 (1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Os Direitos Humanos universais e os seus contestatários (3) [FONTE: The Canadian Encyclopedia]



John Humphrey

Article by	William Edward Kaplan , Laura Neilson Bonikowsky	Published Online	March 16, 2011
		Last Edited	February 4, 2022
Updated by	Andrew McIntosh		

John Thomas Peters Humphrey, [OC](#), lawyer, diplomat, scholar (born 30 April 1905 in Hampton, NB; died 14 Mar 1995 in Montreal, QC). John Humphrey was the director of the United Nations Human Rights Division from 1946 to 1966. He was instrumental in drafting the United Nations Universal Declaration of Human Rights in 1948. He also taught law and briefly served as dean at [McGill University](#). He was made an Officer of the [Order of Canada](#) in 1974 and received the United Nations Prize for human rights advocacy in 1988.



The Universal Declaration of Human Rights
John Humphrey with his collaborator on the Declaration of Human Rights, Eleanor Roosevelt.

Os Direitos Humanos universais e os seus contestatários (4) [FONTE: John Peters Humphrey Foundation]



Chair of the UN Human Rights Commission, Eleanor Roosevelt, and Humphrey Rights documents had existed since the Magna Carta. The Americans crafted their Declaration of Independence, and the French had incorporated the Declaration des Droits de l'Homme et du Citoyen into the fabric of their republic.

The authors of these significant documents were working to identify and highlight rights to be enjoyed by citizens within a particular country. The citizens shared, for the most part, a common ideology and goal. But to create a document that clearly defined the inalienable rights of all global citizens, one that transcended political, societal, economic, ideological and religious beliefs, was a monumental task.

By this time, in 1941, Franklin D. Roosevelt had delivered his 'Four Freedoms' address to the U.S. Congress. Roosevelt and Churchill had given the world the 'Atlantic Charter' and at the end of World War II both the Nuremberg and Tokyo Trials would draw attention to the need for identifiable human rights for all.

So, Humphrey went to work. He and his staff in the Human Rights Division compiled and examined all of the previous rights documents created throughout history. By poring over these documents they were able to get a sense of the rights traditions that had been established and by doing so began to understand the direction the United Nations Declaration of Human Rights (UNDHR) had to take. The result, after months of meticulous work, was a 408-page blueprint.

The draft was presented to the members of the Human Rights Commission:

Chair : Eleanor Roosevelt, US
Rapporteur : Charles Malik, Lebanon
Vice-Chair : P.C. Chang, China
Vice-Chair : Rene Cassin, France
Soviet Representative : V.M. Korentsky

Beginning with Humphrey's work, Rene Cassin composed the first complete draft of the UNDHR. For this contribution and for his human rights related initiatives in France, Cassin would later be awarded the Nobel Peace Prize in 1968. Many argue that if Humphrey had not been a modest man, continually revealing that the drafting success was the result of an accumulative effort of many, both he and Cassin might have been co-recipients of the prize.

Os Direitos Humanos universais e os seus contestatários (5) [FONTE: John Peters Humphrey Foundation]

In 1948 the member states were ready to vote on whether the UNDHR should be adopted by the General Assembly of the United Nations. Of the 58 members represented that day, 48 voted in favor, 8 abstained and two members were absent. None voted against the Declaration.

The following countries abstained:

6 Soviet Bloc countries
South Africa
Saudi Arabia

Because of a fear that religious and linguistic minorities would use the Declaration to obtain a stronger political position, and because of the concern that the UNDHR could possibly put more power into the hands of provincial legislatures, Canada was planning to abstain from voting. Of course, Humphrey was furious about the fact that his own country was considering the abstention.

On December 10th, 1948 the Canadian representation from the U.N. General Assembly, along with 47 others from the U.N. member nations, adopted the Universal Declaration of Human Rights each year, since 1965, global citizens have commemorated Human Rights Day on Dec. 10th.

A lot has changed since 1948. It is interesting to note that some countries of the world that have democratized since the fall of communism in the Soviet Bloc have turned to the UNDHR as a guide in constructing their new constitutions, including Russia.

In her speech on the day that the UNDHR was adopted, Eleanor Roosevelt referred to the rights document as the 'Magna Carta for all mankind.'

To find the written material of the Universal Declaration of Human Rights written out, [click here](#)

Universal Declaration of Human Rights Animated

The Hampton JPH Foundation has been a supporter of Peter Pickersgill in his efforts to animate the Universal Declaration Articles. His work can be found [here](#).

Os Direitos Humanos universais e os seus contestatários (6) [FONTE: Gouvernement / France]

Rechercher

[L'actualité](#) [Les actions du Gouvernement](#) [Le Gouvernement et les institutions](#) [EN](#)

René Cassin, rédacteur de la Déclaration universelle des droits de l'homme de 1948, entre au Panthéon

Publié le : 27/09/2017

VIDÉOS, PHOTOS, DOCUMENTS EXCLUSIFS. AVEC #ARCHIVESGOUV.

Revivez les événements qui ont marqué l'Histoire ou façonné notre pays.

René Cassin, rédacteur de la Déclaration universelle des droits de l'homme de 1948, entre au Panthéon

Os Direitos Humanos universais e os seus contestatários (7) [FONTE: Gouvernement / France]

La Déclaration universelle des droits de l'homme

Refusant ensuite l'armistice et la perspective de l'Occupation, René Cassin est l'un des premiers à rallier le général de Gaulle (à Londres, le 20 juin 1940). Chargé de rédiger les statuts des Forces françaises libres, puis de s'occuper du rétablissement de la légalité républicaine en France, il **participe également à la création de l'ONU** et **de l'UNESCO**.

En novembre 1944, René Cassin est nommé vice-président du Conseil d'État. Il joue parallèlement un rôle décisif à la Commission des droits de l'homme des Nations unies présidée par Eleanor Roosevelt. **La Déclaration universelle des droits de l'homme**, **principalement rédigée par lui, est adoptée par l'ONU le 10 décembre 1948**. Plus universelle qu'internationale, la Déclaration impose la prééminence des droits de l'individu en « **proclamant directement les droits de l'être humain au regard de tous les autres, à quelques groupes sociaux auxquels ils appartiennent les uns ou les autres** ».

Prix Nobel de la Paix

En application de cette Déclaration, **René Cassin participe à l'élaboration de la Convention européenne des Droits de l'homme** en 1950, ainsi qu'à l'établissement de la **Cour européenne des droits de l'homme** de La Haye, dont il devient le président, de 1965 à 1968.

L'attribution, en 1968, du **prix Nobel de la Paix** valorise son œuvre (lire son discours). À l'occasion du centième anniversaire de sa naissance, le 5 octobre 1987, René Cassin rejoint au **Panthéon**, comme il en avait émis le souhait, les illustres défenseurs de la liberté, de la paix et de la justice français.

Os Direitos Humanos universais e os seus contestatários (8) [FONTE: Stephen Kinzer / Guardian, 31/12/2010]

The Guardian

End human rights imperialism now

Stephen Kinzer

Fri 31 Dec 2010 11.30 GMT

Groups such as Human Rights Watch have lost their way by imposing western, 'universal' standards on developing countries



Rwanda's president, Paul Kagame, has been harshly criticised by New York-based Human Rights Watch for his government's 'authoritarian' measures. Yet, argues Stephen Kinzer, his administration has brought peace and prosperity to a nation only recently riven by ethnic violence and mass-murder. Photograph: Susan Schulman

For those of us who used to consider ourselves part of the human rights movement but have lost the faith, the most intriguing piece of news in 2010 was the appointment of an eminent foreign policy mandarin, James Hoge, as board chairman of Human Rights Watch.

Hoge has a huge task, and not simply because human rights violations around the world are so pervasive and egregious. Just as great a challenge is remaking the human rights movement itself. Founded by idealists who wanted to make the world a better place, it has in recent years become the vanguard of a new form of imperialism.

Os Direitos Humanos universais e os seus contestatários (9) [FONTE: Stephen Kinzer / Guardian, 31/12/2010]

Want to build support for American military interventions around the world? Want to undermine governments that are raising their people up from poverty because they don't conform to the tastes of upper west side intellectuals? Use human rights as your excuse!

This has become the unspoken mantra of a movement that has lost its way.

Human Rights Watch is hardly the only offender. There are a host of others, ranging from Amnesty International and Reporters Without Borders to the Carr Centre for Human Rights at Harvard and the pitifully misled "anti-genocide" movement. All promote an absolutist view of human rights permeated by modern western ideas that westerners mistakenly call "universal". In some cases, their work, far from saving lives, actually causes more death, more repression, more brutality and an absolute weakening of human rights.

Yet, because of its global reach, now extended by an amazing gift of \$100m from George Soros - which Hoge had a large part in arranging - Human Rights Watch sets a global standard. In its early days, emerging from the human rights clauses in the 1975 Helsinki Accords, it was the receptacle of the world's innocent but urgent goal of basic rights for all. Just as Human Rights Watch led the human rights community as it arose, it is now the poster child for a movement that has become a spear-carrier for the "exceptionalist" belief that the west has a providential right to intervene wherever in the world it wishes.

For many years as a foreign correspondent, I not only worked alongside human rights advocates, but considered myself one of them. To defend the rights of those who have none was the reason I became a journalist in the first place. Now, I see the human rights movement as opposing human rights.

The problem is its narrow, egocentric definition of what human rights are.

Os Direitos Humanos universais e os seus contestatários (10) [FONTE: Stephen Kinzer / Guardian, 31/12/2010]

The place where I finally broke with my former human-rights comrades was Rwanda. The regime in power now is admired throughout Africa; 13 African heads of state attended President Paul Kagame's recent inauguration, as opposed to just one who came to the inauguration in neighbouring Burundi. The Rwandan regime has given more people a greater chance to break out of extreme poverty than almost any regime in modern African history - and this after a horrific slaughter in 1994 from which many outsiders assumed Rwanda would never recover. It is also a regime that forbids ethnic speech, ethnically-based political parties and ethnically-divisive news media - and uses these restrictions to enforce its permanence in power.

By my standards, this authoritarian regime is the best thing that has happened to Rwanda since colonialists arrived a century ago. My own experience tells me that people in Rwanda are happy with it, thrilled at their future prospects, and not angry that there is not a wide enough range of newspapers or political parties. Human Rights Watch, however, portrays the Rwandan regime as brutally oppressive. Giving people jobs, electricity, and above all security is not considered a human rights achievement; limiting political speech and arresting violators is considered unpardonable.

Human Rights Watch wants Rwandans to be able to speak freely about their ethnic hatreds, and to allow political parties connected with the defeated genocide army to campaign freely for power. It has come to this: all that is necessary for another genocide to happen in Rwanda is for the Rwandan government to follow the path recommended by Human Rights Watch.

This is why the appointment of James Hoge, who took office in October, is so potentially important. The human rights movement lost its way by considering human rights in a vacuum, as if there are absolutes everywhere and white people in New York are best-equipped to decide what they are.

Hoge, however, comes to his new job after nearly two decades as editor of Foreign Affairs magazine. He sees the world from a broad perspective, while the movement of which he is now a leader sees it narrowly. Human rights need to be considered in a political context. The question should not be whether a particular leader or regime violates western-conceived standards of human rights. Instead, it should be whether a leader or regime, in totality, is making life better or worse for ordinary people.

Os Direitos Humanos universais e os seus contestatários (11) [FONTE: Eric Posner, 25/11/2014]

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The twilight of human rights law

The international human rights regime is too expansive in scope and feeble in enforcement to have any real impact; good government can't be reduced to a set of rules or rights.

By: [Eric Posner](#)

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A massive international legal effort to force countries to protect human rights has failed. It is time to think of new ways of advancing the well being of people around the world.

The international human rights project goes back more than half a century. It began with the Universal Declaration of Human Rights, a vague and aspirational document, and then incorporated itself in a series of formal treaties. These treaties—about a dozen in total—set out an extraordinary array of rights. Not just classical civil and political rights—rights to freedom of expression and religious worship, to a trial before an independent judge, to protection against unreasonable searches, not to be tortured, and not to be discriminated against on the basis of race, sex, or ethnicity. The treaties also guarantee rights to work, pensions, education, housing, and medical care. They protect the right of children to have access to the media and require accommodation for disabled people. The vast majority of countries have ratified nearly all these treaties, and also set up numerous international courts, commissions, councils, and committees to monitor the compliance of states.

Os Direitos Humanos universais e os seus contestatários (12) [FONTE: Eric Posner, 25/11/2014]

For a long time, optimism that these treaties could improve the lives of people coexisted with cynicism about the willingness of countries to comply with them. In recent years, political scientists have looked at the data. They have found little evidence that countries that ratify human rights treaties improve their human rights performance.



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The international human rights project goes back more than half a century. It began with the Universal Declaration of Human Rights, a vague and aspirational document.

Why don't countries that ratify human rights treaties do better? The cynical story was that countries never intended to comply with the treaties; they ratified them for public relations purposes. Governments then selectively complained about the human rights violations of enemy countries and ignored the human rights violations of themselves and their friends. International human rights institutions could not step in because they have been deprived of legal power and starved of funds.

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The cynical story may contain some truth but it doesn't seem right. Many countries do respect some human rights, and they often make sincere, if limited efforts, to improve rights elsewhere. They may use economic or diplomatic pressure; they occasionally launch a military strike for humanitarian purposes. Even human rights-violating countries don't admit that they violate human rights, and sometimes go to great lengths to conceal their violations, implying that they fear negative world opinion if the violations are publicized.

The real problem with the human rights regime lies elsewhere. If you sit down and read through the treaties, one thing that will quickly dawn on you is that there are an awful lot of rights. As many as 400, according to my count; and they are often quite vague,

encompassing a wide range of human interests. Many of the rights permit tradeoffs—for example, the right to freedom of expression can be restricted in the interests of public morality and social order. No country, and particularly no poor country, could really respect all of the rights in their entirety even if they wanted to. Vindicating rights to food, jobs, health care, education, due process, political freedom, and all the rest are—above all—expensive. In the west, significant resources are devoted to these goods, and this is politically possible only because people are wealthy enough to be willing to pay the taxes for them, and political and legal institutions are robust and honest enough to deliver them.

No country, and particularly no poor country, could really respect all of the rights in their entirety even if they wanted to.

Os Direitos Humanos universais e os seus contestatários (14) [FONTE: Eric Posner, 25/11/2014]

The original idea of human rights law was to identify a small number of the strongest human interests, disregard of which would justify foreign pressure in violation of traditional notions of sovereignty. But it turned out to be hard for countries to agree on what those interests should be. Political freedom? Protection of the body? Privacy? Employment and health care? In reality, governments must use limited resources to deliver these goods. When they are politically unpopular (for example, religious freedom in Saudi Arabia), there is just no way for the government to deliver them. When they are expensive (for example, investigating allegations of torture, and training local police not to engage in torture), it may be impossible to justify using resources that could do more for people if spent on education, medical care, and security.

The human rights treaty regime was a naïve effort to dictate the rules of good government for all countries, everywhere. Good government cannot be reduced to a set of rules or rights. Thus, except in unusual circumstances, it is very hard for outsiders (typically, westerners) to justifiably criticize the tradeoffs made in (usually) poor countries that favor some human interests more than others.

Os Direitos Humanos universais e os seus contestatários (15) [FONTE: Cartoon Chppatte, 2006]



Bibliografia

