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DELEGATION OF UKRAINE

STATEMENT

at the 2006 Human Dimension Implementation Meeting

“RIGHT OF MOVEMENT”

(Warsaw, October 2006)

The Constitution of Ukraine establishes that everyone who is legally present on the territory of Ukraine is guaranteed freedom of movement, free choice of place of residence, and the right to freely leave the territory of Ukraine, with the exception of restrictions established by the law.

In this way, the Constitution of Ukraine embeds the rights stipulated by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, Convention on Protecting Human Rights and Fundamental Freedoms and Protocol № 4 to the Convention and other international documents in this field.

In 2001 the Constitutional Court of Ukraine has abolished administrative institute of residence permit on the territory of Ukraine (“propyska”).

As of today, the relations connected with the freedom of movement and free choice of place of residence in Ukraine and the order of its realisation constitute the subjects of the Law “On Freedom of Movement and Free Choice of Place of Residence in Ukraine”.

A person who lives on the territory of Ukraine on legal ground has the right to register itself in the place of residence on the territory of Ukraine, and internal affairs bodies have not the right to put any obstacles in this. The term “registration” means the procedure of putting down the information about the place of residence or the place of temporary residence in the passport document indicating the address of residence of the person and placing this information to the register of the authorized registration body.

Today the process of reformation of registration mechanism of natural persons who live on the territory of Ukraine on the legal grounds is still continuing. The main aim is to abolish the provisions which may prohibit registration or put different limitations with this regard (i.e. absence of blood relations or fixed norm of living space etc.). Abolishment of the institute of residence permit is a necessary condition for the development of political, social and economical reforms.

In order to enhance the conditions for realisation of rights and freedoms of citizens and to improve the legal mechanism of registration of permanent and temporary residence of persons on the territory of Ukraine the Ministry of Justice of Ukraine has prepared a draft law on amendments to the Law of Ukraine “On Freedom of Movement and Free Choice of Place of Residence in Ukraine”. The draft law provides for the regulation of relations between citizens of Ukraine, stateless persons and foreigners concerning the freedom of movement and free choice of place of residence in Ukraine in accordance with the Constitution of Ukraine, Universal Declaration on Human Rights, International Covenant of Civil and Political Rights and other international documents.