

NGO Coalition for an Effective Human Rights Council

May 10, 2010

To: Member states of the UN General Assembly

Re: Angola's candidacy to the UN Human Rights Council

Your Excellency,

We are a diverse coalition of human rights nongovernmental organizations from all parts of the world. We write to you concerning the candidacy of Angola for re-election to the United Nations Human Rights Council.

As you know, resolution 60/251 establishing the Human Rights Council (HRC) provides that "member States shall take into account the contribution of candidates to the promotion and protection of human rights and their voluntary pledges and commitments made thereto" when electing members of the council. Council members are to "uphold the highest standards in the promotion and protection of human rights," and "fully cooperate with the Council."

We have serious concerns about Angola's human rights record, and its failure to fully cooperate with the human rights mechanisms of the Human Rights Council. We would like your government to consider these concerns before it decides how to cast its vote. An absolute majority of all the members of the General Assembly must support a candidate before it can be elected to the council.

We would like to suggest some of the measures that Angola should commit to and undertake in the course of this election campaign. We hope you will urge these steps when you meet with Angolan diplomats and representatives.

Domestic Protection of Human Rights

1. Angola should protect the right to adequate housing by immediately ceasing forced evictions and demolition of houses without transparent compensation procedures and alternative housing for the poor. Angola should enact strict safeguards related to evictions. Angola should investigate allegations of excessive force by those involved in evictions.
2. Angola should protect its citizens' right to freedom of expression by amending the press law passed in 2006 to decriminalize defamation and related offenses, and approving all legislation and regulations needed to otherwise fully implement the press law. Angola should guarantee equal access to impartial public media and diversity of information in the whole country.
3. Angola should immediately release prominent human rights defenders, such as the lawyer Francisco Luemba and the Catholic priest Raul Tati, arbitrarily detained after the January

8, 2010 attack on Togolese footballers in Cabinda. While we recognize the security threat posed by the separatist insurgency in the enclave of Cabinda, Angola should cease using the insurgency as an excuse to unjustifiably restrict the rights to freedom of expression, peaceful assembly, and association, and to crack down on peaceful government critics. Angola should assure full due process rights to all persons detained under suspicion of having committed “crimes against the security of the state.”

4. Angola should cease mass deportations of foreign migrants and take steps to ensure that any deportations are conducted with respect for the human rights and dignity of migrants.
5. Angola should immediately ratify the International Convention on the Elimination of Racial Discrimination, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the International Convention on the Rights of Migrant Workers, having specifically pledged in its 2007 campaign for HRC membership to promote and protect human rights at the national level by “[a]ccelerating the process of ratifying” these three core human rights treaties.

Greater Cooperation with the Human Rights Council

We have particular concern about Angola’s failure to fully cooperate with the Human Rights Council in a timely manner. As a member of the council running for re-election, it is especially incumbent on Angola to cooperate entirely with human rights mechanisms. We ask that you urge Angola to more fully cooperate with the council in the following respects:

1. Angola should issue a standing invitation to special procedures, especially having pledged in its 2007 campaign for HRC membership to remain “committed to inviting relevant special rapporteurs.”
2. Angola should promptly facilitate a visit by the special rapporteur on independence of judges and lawyers, who submitted a visit request in 2008, but has not yet been allowed to visit the country.
3. Angola should promptly facilitate visits by the special rapporteurs on adequate housing, the right to education, and freedom of expression, to which it had agreed in principle. A reminder was issued in 2008 by the special rapporteur on adequate housing. Nonetheless, none of these three rapporteurs has yet been able to visit the country.
4. Angola should maintain meaningful dialogue and cooperation with the Office of the High Commissioner for Human Rights. In 2007 Angola pledged to promote and protect human rights at international and regional levels by “[c]ontinuing its close collaboration and dialogue with the OHCHR.” However in 2008, OHCHR ceased its activities in Angola after the authorities informed it of their decision not to sign an agreement similar to those under which OHCHR usually operates in other countries.

Contribute to Human Rights Protection as a Member of the Council

Ultimately the standard for election is the contribution candidates will make to the promotion and protection of human rights. In this regard, Angola's performance on the council has been disappointing to us. We hope you will request that Angola participate more constructively at the council, in particular by undertaking to make the following changes in its work on the council:

1. Angola should support resolutions addressing situations of serious human rights abuse as provided in the council's mandate, and country-specific mandates for special procedures in situations of gross and systematic abuse.
2. Angola should oppose the use of "no action motions" in the proceedings of the Human Rights Council.

We appreciate your consideration of our concerns regarding Angola's candidacy. While UN members are unfortunately not able to choose among candidates given the absence of a competitive slate, each state does still have an affirmative obligation to ensure that the qualifications set for HRC membership in General Assembly resolution 60/251 are met. Unlike in many other elections for UN bodies, the General Assembly explicitly chose to require the affirmative votes of more than half of the overall UN membership in order for a state to be elected to the council. To obtain your vote, each candidate state should show that it meets the standards set by the General Assembly for membership, or at least demonstrate its willingness to address outstanding concerns such as those outlined in this letter.

Ensuring that states elected to the Human Rights Council meet the standards set by the General Assembly is important both to the effective working of the council and to its credibility. This election provides an important moment for candidate states to demonstrate an enhanced commitment to addressing human rights issues and for all member states to press them to do so.

Representatives of the coalition are available to meet with you or your staff should you have any questions.

With assurances of our highest consideration,

Advocacy Forum, Nepal
Mandira Sharma, Executive Director

African Centre for Democracy and Human Rights Studies (ACDHRS)
Hannah Forster, Executive Director

African Democracy Forum
Hannah Forster, Chairperson

Alliance of Independent Journalists (AJI), Indonesia
Nezar Patria, President and Margiyono, Coordinator of Advocacy Division

Alternative ASEAN Network on Burma (ALTSEAN-Burma)
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Asian Federation Against Involuntary Disappearances (AFAD), Philippines
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Athupopu Social Foundation, India
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Cambodian Center for Human Rights, Cambodia
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William Nicholas Gomes, Executive Director

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Community Legal Aid Institute (LBH Masyarakat), Indonesia
Ricky Gunawan, Programme Director

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Corporación Humanas - Chile
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Cecilia Barraza, Director

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Jeannette Llaja Villena, Director

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Gampaha District Citizen Committee for Human Rights, Sri Lanka
U L A Joshap, Secretary

Gender Empowerment and Development (GeED)
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Globe International, Mongolia
Hashhuu Naranjargal, President

Human Rights First Society (HRFS), Saudi Arabia
Ibrahim Almugaiteeb, President

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Peggy Hicks, Global Advocacy Director

Indonesian Human Rights Monitor (IMPARSIAL), Indonesia
Poengky Indarti, Executive Director

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People's Watch, India
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Lenin Raghuvanshi, Executive Director

Physicians for Human Rights
Cathy Fitzpatrick

Rule of Law Forum, Sri Lanka
Mr. Sanjeewa Weerawickrama, Director

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Sudhantra (Rehabilitation Centre for Victims of Domestic Violence and Torture), India
Cynthia Tiphagne, Mentor

Taiwan Association for Human Rights (TAHR)
Chi-hsun Tsai, Secretary-General

Think Centre, Singapore
Sinapan Samydorai, President

West Africa Human Rights Defenders Network (ROADDH/WAHRDN),
Solange Fiaty, Coordinator of the Secretariat

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Cecilia Tuico, International Relations Officer

Working Group on Justice for Peace (WGJP), Thailand
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