

NGO Coalition for an Effective Human Rights Council

May 10, 2010

To: Member states of the UN General Assembly

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

Your Excellency,

We represent a coalition of human rights nongovernmental organizations from all regions of the world. We write to you concerning the candidacy of Uganda for election to the United Nations Human Rights Council.

You of course know that UN General Assembly resolution 60/251 establishing the Human Rights Council states 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."

Given these standards, we believe there are important steps that Uganda should take to improve protection of human rights. We hope you will seek specific commitments from Uganda regarding its willingness to enhance human rights protection and improve its cooperation with human rights mechanisms.

Greater Protection of Human Rights at the National Level

1. Make torture a domestic criminal offense as required by the Convention against Torture (CAT), and ensure jurisdiction over Ugandan nationals who are implicated in acts of torture committed abroad.
2. Ratify the Optional Protocols to CAT, to the ICCPR (eliminating the death penalty), and to CEDAW (allowing the Committee on the Elimination of Discrimination against Women to consider complaints).
3. Oppose adoption of pending legislation that would violate international human rights standards, including the Anti-Homosexuality Bill 2009 (prescribes the death penalty for consensual sex, punishes promotion of sexual minority rights, and overrides all international human rights conventions); the HIV/AIDS Prevention and Control Bill 2009 (allows testing and disclosure of HIV status without consent); the Press and Journalist (Amendment) Bill 2010 (requires licenses for print media); the NGO Registration (Amendment) Act 2006 (allows a government-controlled board to regulate NGOs and imposes criminal liability on NGO staff); and the Regulation of Interception of

Communications Bill 2007 (contains vague and overbroad grounds for issuing warrant of interception with insufficient judicial oversight and no judicial review).

4. Allow the Uganda Human Rights Commission and independent human rights NGOs unannounced access to all detainees held in all places of detention, including military barracks, safe houses, and any other unofficial place of detention.
5. Hold to account those responsible for war crimes, genocide, and crimes against humanity by actively cooperating with international investigations, and transferring to the International Criminal Court (ICC) any surrendered or captured Lord's Resistance Army leaders named in ICC warrants.

Uganda's Cooperation with the Council

We ask that you urge Uganda to more fully cooperate with the council in the following respects:

1. Issue a standing invitation to visit to all UN special procedure mandate holders.
2. Promptly facilitate and schedule a visit by the special rapporteur on freedom of expression, who requested permission to visit in 2006.
3. Submit the second periodic report – currently two years late – to the Committee Against Torture, the second periodic review to the Human Rights Committee, and the initial report to the Committee on Economic, Social and Cultural Rights; and otherwise fully cooperate with human rights treaty monitoring bodies by submitting reports in a timely fashion and implementing concluding observations of such bodies.

We appreciate your consideration of our concerns regarding Uganda'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 respect,

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)
Debbie Stothard, Coordinator

Angikar Bangladesh Foundation, Bangladesh
Muhammad Hilaluddin, Chief Director

Asian Federation Against Involuntary Disappearances (AFAD), Philippines
Mary Aileen Diez-Bacalso, Secretary-General

Asian Legal Resource Centre (ALRC), Hong Kong, China
Basil Fernando, Executive Director

Athupopu Social Foundation, India
Mr. Sunil Mow, Director

Cairo Institute for Human Rights Studies (CIHRS), Egypt
Moataz El Fegiery, Executive Director

Cambodian Center for Human Rights, Cambodia
Virak Ou, President

Cambodian Human Rights Action Committee (CHRAC), Cambodia
Suon Sareth, Executive Secretary

Center for Human Rights and Development (CHRD), Mongolia
Urantsooj Gombosuren, Chairperson

Christian Development Alternative (CDA), Bangladesh
William Nicholas Gomes, Executive Director

Commonwealth Human Rights Initiative (CHRI)

Iniyan Ilango, Consultant, Human Rights Advocacy Programme

Community Action Network, Malaysia
Adrian Pereira, Coordinator

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

Coordinadora de la Mujer - Bolivia
Katia Uriona, Coordinador

Corporación Humanas - Chile
Lorena Fries, President

Corporación Humanas - Colombia
Cecilia Barraza, Director

Democracy Coalition Project
Dokhi Fassihian, Executive Director

DEMUS, Estudio para la Defensa de los Derechos de la Mujer - Perú
Jeannette Llaja Villena, Director

East and Horn of Africa Human Rights Defenders (EHAHRDP)
Hassan Shire Sheikh, Executive Director

ELA - Equipo Latinoamericano de Justicia y Género
Natalia Gherardi, Executive Director

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

Gender Empowerment and Development (GeED)
Tilder Kumichii Ndichia, Program Coordinator

Ghana Coalition
Prize McApreko, Coordinator

Globe International, Mongolia
Hashhuu Naranjargal, President

Human Rights Initiative (FHRI), Uganda
Livingstone Sewanyana, Executive Director

Human Rights Institute of South Africa

Corlett Letlojane

Human Rights Watch
Peggy Hicks, Global Advocacy Director

Human Rights Working Group (HRWG), Indonesia
Rafendi Djamin, Coordinator

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

HURINET, Uganda
Mohammed Ndifuna, Executive Director

Imparsial, Indonesia
Poengky Indarti, Executive Director

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

Information Monitor (INFORM), Sri Lanka
Sunila Abeysekera, Executive Director

Institute for Defense, Security and Peace Studies (IDSPPS), Indonesia
Mufti Makaanim A., Executive Director

International NGO Forum on Indonesian Development (INFID)
Don K. Marut, Executive Director

Jacob Blaustein Institute for Human Rights
E. Robert Goodkind, Chair

Janasansadaya, Sri Lanka
Chitral Perera, Secretary

Justice Foundation, Bangladesh
Jahangir Alam Akash, Executive Director

Lawyers Rights Watch Canada
Gail Davidson, Executive Director

NGO Forum, Uganda
Richard Ssewakiryanga, Executive Director

Pax Romana ICMICA/MIIC

Laurence Kwark, Secretary General

People's Watch, India
Henri Tiphagne, Executive Director

Peoples Vigilance Committee for Human Rights (PVCHR), India
Lenin Raghuvanshi, Executive Director

Physicians for Human Rights
Cathy Fitzpatrick

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

SANLAKAS Sugbo, the Philippines
Jose Aaron Pedrosa, Jr., Vice-President Internal

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

Workers Assistance Center, the Philippines
Cecilia Tuico, International Relations Officer

Working Group on Justice for Peace (WGJP), Thailand
Angkhana Neelapaijit, Chairperson