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Emmanuel Issoze-Ngondet
Minister of Foreign Affairs
Ministry of Foreign Affairs, International Cooperation and
Francophony
Vallée Sainte Marie
BP 2245 Libreville
Gabon

5 November 2012

Dear Minister,

OPEN LETTER: GABON'S CANDIDACY FOR ELECTION TO THE UN HUMAN RIGHTS COUNCIL

We write on the occasion of your country's candidacy for membership of the UN Human Rights Council in the elections scheduled for 12 November 2012. We welcome your election pledges to promote and protect human rights at the national and international levels, as indicated in the Annex to the *note verbale* dated 18 October 2012 from the Permanent Mission of Gabon to the United Nations addressed to the UN Secretariat.¹ We encourage you to ensure that these pledges are promptly made available on the UN Human Rights Council elections web site.

We recall that, according to General Assembly resolution 60/251, members of the Council shall uphold the highest standards in the promotion and protection of human rights and fully cooperate with the Council.² On the occasion of Gabon's candidacy, we take the opportunity to comment on your election pledges and to note additional opportunities for your government to promote and protect human rights. In doing so, we refer to the guidance of the Office of the High Commissioner for Human Rights on presenting voluntary human rights pledges and commitments, including that such pledges and commitments should be specific, measurable and verifiable.³

Commitments at the international level

Ratification of international human rights instruments

We take this opportunity to encourage you to ratify the international human rights instruments that are still outstanding, including the First and Second Optional Protocols to the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

Cooperation with the Special Procedures

We note that the Special Rapporteur on trafficking in persons, especially in women and children, visited Gabon in May 2012, and we encourage you to implement her recommendations. We also note that the Special Rapporteur on the right to education is currently requesting permission to visit, and we

¹ A/67/530.

² A/RES/60/251, para 9.

³ Office of the High Commissioner for Human Rights, *Suggested Elements for Voluntary Pledges and Commitments by Candidates for Election to the Human Rights Council*, available at <http://www2.ohchr.org/english/bodies/hrcouncil/docs/pledges.pdf>.

urge your government to facilitate this visit without further delay. We further encourage you to extend a standing invitation to all Special Procedures.

Cooperation with the treaty monitoring bodies

We urge you to promptly submit the periodic reports that are due to the Human Rights Committee; the Committee on the Elimination of Racial Discrimination; the Committee on the Rights of the Child, including in relation to the Optional Protocol on the sale of children, child prostitution and child pornography; and the Committee on the Rights of Persons with Disabilities.

Engagement with the Universal Periodic Review

We welcome your pledge to implement the recommendations made to you during your second Universal Periodic Review on 23 October 2012. In this regard, we note your acceptance of recommendations to ratify a number of human rights instruments, including the Optional Protocols to the two International Covenants;⁴ to strengthen the National Commission on Human Rights in line with the Paris Principles;⁵ to establish a national mechanism for the prevention of torture;⁶ to issue a standing invitation to the Special Procedures;⁷ and to guarantee the right to freedom of expression including the plurality and freedom of the press.⁸ We encourage you to ensure the prompt and full implementation of these recommendations and to provide regular updates on such efforts to the Council.

Participation in the deliberations of the Human Rights Council

We note your pledges to cooperate fully with the Human Rights Council in all the areas within its purview, with a view to promoting and strengthening human rights protection mechanisms.

In this regard, we urge your government to work with delegations from all regions to ensure that the Council addresses situations of human rights violations, including gross and systematic violations and human rights emergencies, without selectivity or double-standards. We also urge your government to support efforts to ensure that all credible allegations of reprisals or intimidation against persons and groups who have engaged or have sought to engage with the UN human rights machinery are brought to the urgent attention of the Council; that the Council demands the government concerned to ensure that any alleged reprisals are investigated in a prompt, impartial, transparent and effective manner and that perpetrators are held to account; and that the Council requests the government concerned to inform it of measures taken in this regard.

We welcome the pledges and commitments already made by Gabon, and we urge your government to use this opportunity to further strengthen its election pledges by including the additional elements listed above. We also encourage your government to announce the steps it will take to fulfil its electoral pledges and to regularly inform the General Assembly and the Human Rights Council of progress in implementing these commitments. This could be done, for example, in the form of an oral or written statement to these bodies.

We would be pleased to receive your comments and responses to the issues raised in this letter.

⁴ Draft Report of the Working Group on the Universal Periodic Review, Gabon, 25 October 2012 (A/HRC/WG.6/14/L.3), recommendations 101.2 (Portugal), 101.3 (Australia), 101.4 (France), and 101.5 (Spain).

⁵ A/HRC/WG.6/14/L.3, recommendations 101.20 (Portugal), 101.21 (Republic of Moldova), and 101.22 (South Africa).

⁶ A/HRC/WG.6/14/L.3, recommendation 101.23 (Tunisia).

⁷ A/HRC/WG.6/14/L.3, recommendations 101.33 (Czech Republic), 101.34 (Belgium), 101.35 (France), 101.36 (Latvia), and 101.37 (Portugal).

⁸ A/HRC/WG.6/14/L.3, recommendations 101.75 (United States of America), 101.76 (Czech Republic), 101.77 (Canada), 101.78 (Australia), and 101.79 (Spain).

A copy of this letter has been sent to your country's permanent missions in Geneva and New York.

Yours sincerely,

Paule Rigaud
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Africa Programme
Amnesty International