



Ratification Kit

Angola

Why is it important for Angola to ratify the United Nations Protocol to abolish the death penalty?

Angola has abolished the death penalty in 1992. In January 2010, the Angolan Parliament approved a new Constitution that explicitly prohibits the death penalty in article 59.

As the Constitution is the legislative reflection of a country's supreme values, those which restrict application of the death penalty in their Constitutions demonstrate the importance they attach to this issue.

Ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights is extremely important, both nationally and locally, because it is the only text with worldwide reach aiming to abolish the death penalty.

Ratification of the Protocol is a very symbolic act, reflecting the universal trend towards abolition of capital punishment, considered to be cruel, inhuman or degrading treatment. **It is essential that the world's abolitionist countries ratify this Protocol.**

What are the international commitments already taken by Angola to ratify the Protocol?

Angola recently committed to ratify the United Nations Protocol to abolish the death penalty by signing it on 24 September 2013.

Angola also demonstrated its commitment as regards abolition of the death penalty by voting in favour and co-sponsoring the six **UNGA Resolutions** of 2007, 2008, 2010, 2012, 2014 and 2016 for a moratorium on the use of the death penalty.

Angola participated to the **Universal Periodic Review** of the **Human Rights Council** in 2010 and 2014 and accepted the recommendations to ratify the Second Optional Protocol.

Angola's second report to the **African Commission on Human and People's Rights** was examined in 2012. In its Concluding Observations, the African Commission recommended that the

Government of Angola ratify the Second Optional Protocol to the ICCPR.

What are the steps to be taken as regards internal law?

According to Article 7.2 of the Protocol, “The present Protocol is subject to ratification by any State that has ratified the Covenant or acceded to it.” **Angola acceded to the International Covenant on Civil and Political Rights in 1992 and signed its Second Optional Protocol in 2013.**

It is therefore competent to ratify to this Protocol.

Among the obligations incumbent upon Angola following ratification of the Protocol are the **prohibition of executions and withdrawal of the death penalty from internal criminal law.** These two obligations have already been fulfilled by the country.

It may therefore now unreservedly ratify the Protocol.

According to the new constitution, treaties are negotiated by the President (art.121). International treaties have to be approved ratified or acceded to by the Parliament (art.161). Once approved, the President has the power to submit it to the constitutional court to guarantee the constitutional validity of the treaty (art.119.2).

What are the legal obstacles to accession?

There is **no legal obstacle** as the death penalty has been abolished in Angola Constitution.

We therefore encourage Angola to ratify this Protocol as soon as possible.

How can ratification of the Protocol be applied?

The Protocol shall come into force three months after the instruments of ratification have been deposited with the UN Secretary General (Article 8.2 of the Protocol).

According to Article 3 of the Protocol, Angola must submit reports to the Human Rights Committee covering the measures it has adopted to give effect to the Protocol.

The World Coalition Against the Death Penalty also encourages Angola to support the adoption of an **African Protocol** on the abolition of the death penalty.

For more information, contact the World Coalition Against the Death Penalty and visit its website: www.worldcoalition.org/protocol