

Angola

The government's announcement that national elections will be held in late 2006 is a positive step towards Angola's reconstruction after twenty-seven years of civil war. Serious human rights abuses, however, continue to be committed. Deepening poverty combined with the government's lack of transparency and commitment to human rights could undermine Angola's hard-won peace enjoyed in all provinces, except Cabinda. The most pressing human rights concerns are: high levels of government corruption; the armed conflict in Cabinda; lack of respect for women's human rights; the return and resettlement process; violations of freedoms of expression, association, and assembly; and expulsions of foreign migrant workers.

Corruption and Lack of Government Transparency in Public Financial Matters

Mismanagement of public finances is a major problem that negatively impacts on Angolans' enjoyment of human rights. As previously documented by Human Rights Watch, U.S. \$4.2 billion disappeared from government coffers between 1997 and 2002—roughly equal to all of the social and humanitarian spending in Angola during the same time. The government has been forced to take steps to improve transparency, as international donors were largely unwilling to provide new assistance until the government became more accountable. In May 2004, it released the complete report of the Oil Diagnostic study that sought to determine how much of Angola's oil revenue is deposited into the central bank and, for the first time, publicly disclosed a large bonus payment of about U.S. \$300 million from ChevronTexaco for the extension of the Block 0 oil concession. By October 2004, the government reportedly started to audit Sonangol, the state owned oil company. Despite these steps, the government has not taken commensurate steps to account for expenditures. As a result of the government's limited efforts, institutions such as the International Monetary Fund maintains a cautious stance towards the government and refuses to engage in a formal lending program until there is greater transparency in both revenues and expenditures.

Armed Conflict in Cabinda

The armed conflict in Cabinda, an oil-rich enclave separated from the rest of Angola by the Democratic Republic of the Congo (DRC), is one of the world's longest but least reported conflicts. For more than forty years, Cabindans have been subjected to low intensity guerilla warfare, as factions of the Front for the Liberation of the Cabinda Enclave (FLEC) have fought for independence. The conflict escalated in late 2002 when the government deployed some 30,000 soldiers to Cabinda, which led to an increase in violations of international humanitarian law and human rights abuses against the civilian population by the Angolan Armed Forces (FAA) and to the virtual destruction of FLEC's military forces by mid-2003.

During 2004, the human rights situation improved due to a decrease in military operations, but the FAA continues to commit violations against the civilian population, including killing, arbitrary detention, torture, sexual violence, and the denial of access to agricultural areas, rivers, and hunting grounds through restrictions on civilians' freedom of movement. Human Rights Watch found little evidence of recent abuses against civilians by FLEC factions, probably as the result of FLEC's weakened capacity. The police and judiciary in Cabinda have also violated due process rights guaranteed in Angola's constitution.

Women's Human Rights

Angolan women and girls are subjected to structural discrimination by law, practice, and custom. Angola has no specific laws for domestic violence or marital rape. Its outdated Penal Code imposes only lenient sanctions for crimes of a sexual nature. Sexual and domestic violence against women and girls is widespread but few cases are reported to the police and/or prosecuted. Women are reluctant to report cases to the police given their attitude towards domestic and sexual violence, and the judiciary is virtually non-existent in the provinces. Unmarried rape victims in rural areas are often expected to marry the perpetrator as otherwise they might not find a husband. Customary laws, which govern the majority of the Angolan population, are discriminatory on family law issues, including property and inheritance rights.

Lack of respect for Angolan women's human rights is also evidenced in the field of education, politics and the work place. Only 54 percent of women and girls over fifteen years are literate compared to 82 percent of men in the same age group. This gender disparity is compounded in older age groups and in rural areas. Only sixteen percent of parliamentarians and three of the twenty-nine ministers are female. Women are also often paid less than men for the same work and are frequently fired when they become pregnant.

Women and girls (as well as boys) associated with the National Union for the Total Independence of Angola (UNITA) forces were also excluded from the Angolan Demobilization and Reintegration Program until mid-2004, when a pilot project for a limited number of female ex-combatants was implemented.

Return and Resettlement

Since the end of the war in April 2002, four million internally displaced persons (IDPs) and over 250,000 refugees have resettled in Angola. The majority, however, were resettled in ways that did not fully comply with Angolan, international human rights, and refugee law, as areas of return lacked basic social services and had often not been de-mined. By September 2004, about 190,000 refugees remained outside of Angola, and according to the government, there are still 340,000 IDPs. The government's commitment to voluntary return appeared questionable following its announcement in September 2004 that remaining IDP centers will be closed by the end of the year. At year's end, the return and reintegration process remained highly problematic.

Freedom of Expression, Association, and Assembly

In the run-up to the scheduled 2006 elections, the promotion and respect of the rights to freedom of expression, association, and assembly are crucial. In Luanda and other coastal regions, these freedoms are generally more respected than in the provinces. Journalists criticizing the government have been physically abused, threatened, sued, and had defamation campaigns brought against them. Journalists have also been denied access to official information, including data on public expenditure. Opposition activists in the provinces were the target of violence by the police, army, the Civil Defense Organization, and supporters of the government. Angolan police broke up some demonstrations violently but allowed a peace march to go ahead in Cabinda in July 2004. The state-owned media as well as national radio and television stations routinely exclude critical voices from their reports and are tightly controlled by the government. The latter also continue to prevent Rádio Ecclésia, the Catholic broadcasting station, from extending its signal outside of Luanda and place excessive administrative and bureaucratic burdens on civil society, which interfere with their work.

Expulsions of Foreign Migrant Workers

Since December 2003, the Angolan government has expelled about 60,000 foreign migrants from Angola. The migrants are predominantly from the DRC and work illegally in the diamond mines in the Lundas. In April 2004, FAA soldiers conducted brutal body searches of Congolese migrant workers being expelled. The searches included degrading vaginal and anal searches, beatings, and the looting of their goods. Some who refused searches were raped or arbitrarily detained. The government temporarily suspended the expulsions following widespread criticism, but resumed them in August 2004. Expulsions of Congolese continue in smaller numbers conducted by the police, without the involvement of the FAA. Fewer human rights abuses were reported, but Congolese have been arrested and expelled without being able to collect their family members or personal belongings. Police also reportedly raped five Congolese women in September 2004 before they were expelled.

Key International Actors

Donor fatigue has resulted in cut-backs to humanitarian assistance in 2004. By October 2004, less than 60 percent of the original U. N. appeal of U.S. \$262 million for humanitarian assistance to Angola had been donated, which negatively affected the resettlement and reintegration of returnees and IDPs. The funding situation is likely to deteriorate as donors may be more reluctant to finance development programs given the high levels of government corruption.

The role of the U.N. is gradually being reduced and by the end of 2005, the government will take over the responsibility for coordinating Angola's development programs from the U.N. Transitional Coordination Unit (TCU) created in July 2004. The TCU is also responsible for coordinating the U.N. agencies and its partners until the end of 2005.