



January 2008

country summary

Angola

Elections in Angola—the first since 1992—were postponed yet again in 2007. Legislative elections are now scheduled to take place in 2008 and a presidential election in 2009, but no specific dates have been announced.

Since the end of the civil war in 2002, increasing oil revenues, trade, and foreign investment, along with a greater role in international and regional affairs, have helped insulate Angola from international criticism regarding good governance and human rights. Despite the nation's strong economic growth—forecast to be the world's highest in 2007—the majority of Angolans continue to live in dire poverty. Since 2001 thousands of Angolans have been forcibly evicted from their homes by the government to make way for development projects. As of yet, most have not received compensation or alternative housing. The environment for civil society organizations and the media grew increasingly hostile in 2007, despite participation of civil society organizations in civic education and observation of voter registration.

Election Preparations

Voter registration ended on September 15, 2007, with approximately 8 million voters registered. In May the government cancelled the registration of expatriates, contrary to the electoral laws. The National Electoral Commission (CNE), which supervises the registration process, issued a resolution recommending that the government reverse the decision, to which the government has not responded.

Voter registration is carried out by the Inter-ministerial Commission for the Electoral Process (CIPE), coordinated by the Ministry for Territorial Administration under the supervision of the CNE. A delegation of the Parliamentary Forum of the Southern Africa Development Community (SADC) found in March 2007 that the division of responsibility between electoral bodies at both national and local levels lacks transparency. Under Angolan law, elections must be announced at least 90 days in

advance, but the SADC delegation urged the government to announce the date as soon as possible, to leave sufficient time for political parties to campaign and civil society organizations to carry out voter education.

The CNE still lacks resources to carry out its mandate at national, provincial, and municipal levels. The president of the CNE is a Supreme Court judge. Since the Supreme Court reviews appeals of CNE decisions on complaints arising from the electoral process, his two functions may clash.

Cabinda

Since 1975, rebels in the oil-rich enclave of Cabinda have been fighting for independence from Angola. In August 2006 the government and the leader of the Cabindan Forum for Dialogue (FCD, a joint commission of the rebels and local civil society representatives) signed a Memorandum of Understanding that purportedly ended the conflict. However, a considerable part of local society claims the peace talks were not inclusive and the FCD signatory of the MOU was not a legitimate representative. Although the conflict has not reignited, armed clashes did occur in the territory in 2007.

Freedom of association and expression in Cabinda continue to be highly restricted. Mpalabanda, a human rights NGO and member of the FCD, was shut down by the government in July 2006. The group has appealed the decision, but has been unable to operate while the verdict is pending. Roman Catholic groups have continued to express dissatisfaction at the appointment of the current bishop of Cabinda, who for the first time is not a Cabinda native. On July 14, 2007, four men were arrested for demonstrating against the bishop. They were brought before the public prosecutor and formally charged on July 17—beyond the 48 hours required by Angolan law—and released on July 23, after summary procedures. One was released without charge, while the other three were given prison sentences that were converted into fines and suspended for two years.

Freedom of Expression

On May 15, 2006, a new Angolan press law came into force, but its specific implementing regulations have yet to be published. Consequently, provisions of the law that are crucial to ensuring freedom of expression and access to information cannot be implemented. For example, private radio stations still cannot broadcast nationwide and community radio stations are not in operation. This situation, in conjunction with the very limited circulation of private newspapers outside of the capital, seriously hinders the dissemination of diverse points of view in the pre-election period.

Several provisions of the press law, the electoral laws, the Law on Access to Administrative Documents, and the Criminal Code, are highly restrictive. Defamation is still criminalized and journalists can incur prison sentences of up to two years if found guilty. Many of the legal limitations on media freedom and access to information are vaguely formulated and can easily intimidate journalists and hamper their ability to criticize the government.

On October 3, 2007, the editor of the private weekly *Semanario Angolense* was sentenced for defamation and “injúria” of the former justice minister (and current ombudsman) to eight months’ imprisonment and ordered to pay damages equivalent to US\$250,000. The Supreme Court ordered him released on November 8 pending appeal.

Housing Rights and Forced Evictions

Human Rights Watch and the Angolan organization SOS Habitat have documented the forced eviction of an estimated 30,000 people between 2002 and 2006. Throughout 2007 Human Rights Watch continued to receive reports of residents whose houses were demolished without notice or compensation in Luanda and other cities. In August police evicted approximately 70 people, including street children, from an informal settlement in Lobito, Benguela province, without notice or stated reason or any provision for their relocation. The Public Prosecutor’s Office initiated an investigation into allegations of police brutality connected to the eviction; the results of the investigation are still pending at this writing.

The legal framework for housing rights in Angola remains problematic. The Land Law and the Law on Urban Management do not explicitly forbid forced evictions and do not adequately ensure security of tenure. In 2007 the government announced further plans for an extensive development and infrastructure program in and around Luanda. Unless this and other projects are accompanied by strong measures to protect the right to adequate housing, forced evictions are likely to continue.

Human Rights Defenders

The environment for civil society organizations worsened during 2007. In February a researcher from the international nongovernmental organization (NGO) Global Witness was arrested in Cabinda. She was detained for three days, and was not allowed to retain a lawyer of her choice but was assigned a court clerk to defend her. She was charged with violating state security under an "open norm" that allows for the criminal prosecution of "any act not foreseen within the law, which endangers or could endanger state security." Such "open norms" are contrary to basic criminal law principles. She was eventually released and allowed to leave Angola after providing assurances that she would return for court proceedings if necessary. At this writing, a trial date has not been set, but nor have the charges against her been formally withdrawn.

On July 10 the head of the government's Technical Unit for the Coordination of Humanitarian Aid (UTCAH), Pedro Walipi Kalenga, accused several national and international civil society organizations of carrying out illegal activities. In previous statements he had indicated that some organizations registered with UTCAH might even be shut down. The local groups named by Walipi all have strong records of defending human rights in Angola. None has ever been formally notified of any violation of Angolan law. Statements such as this amount to harassment and intimidation of human rights groups and are particularly worrying ahead of elections.

The Constitutional Law grants freedom of association. The Law on Associations and a decree-law enacted in 2003 regulate the activity of NGOs. Several provisions of the decree-law on NGOs impose obligations that may excessively restrict freedom of association, such as an extensive list of duties including reporting duties to government bodies, and provision for the government to order an NGO to be audited

whenever the government sees fit. Local human rights groups claim the decree-law is also unconstitutional because it was enacted by the government whereas legislation on fundamental rights should only be enacted by the National Assembly. The government is currently revising the Law on Associations and has requested suggestions from a limited number of civil society organizations. However, the government has not so far disclosed the final draft.

Key International Actors

Throughout 2007 Angola continued to raise its profile in international and regional affairs. In May it was elected to the United Nations Human Rights Council and in August took over the presidency of the SADC's Organ on Politics, Defense and Security. Numerous high-level government and military officials from Africa and other regions, as well as international organizations, have visited Angola in the past year.

This increasing international role, along with major investment and trade opportunities mainly from the oil, diamond, and reconstruction sectors, has helped to insulate Angola from criticism on good governance and human rights. The World Bank and other donors have attempted to make lending to Angola conditional on transparency and good governance, but the government has been able to avoid these conditions by obtaining large unconditional loans from China.

Representatives of the UN Human Rights Office in Angola and the European Union have approached the government concerning harassment of human rights defenders but neither has issued a public statement of concern about it, nor has any foreign government or intergovernmental organization publicly condemned forced evictions. International partners have also generally failed to pressure Angola to set election dates.