

**HUMAN RIGHTS WATCH
ANGOLA BRIEFING UNDER THE ARRIA FORMULA TO THE UNITED
NATIONS SECURITY COUNCIL
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The death of Jonas Savimbi, leader of the National Union for the Total Independence of Angola (UNITA) last week has again drawn international attention to Angola's plight. Angola has experienced conflict for over thirty years with a consistently poor human rights record. Unfortunately, peace has been elusive and is not a forgone conclusion in Angola.

Impact of the War

Human rights abuses and violations of international humanitarian law are widespread in this conflict. Fighting between government forces and UNITA rebels has included the deliberate targeting of civilians, indiscriminate shelling and bombing of civilians, and the widespread use of anti-personnel landmines. Since the resumption of fighting in 1998, the climate of fear and terror among Angolans has increased, because of the volatility of the situation in the war-affected areas and a rise in abuses and violence against civilians.¹

Humanitarian aid only reaches approximately 10 to 15 percent of the country in limited zones in and around the major provincial towns where security can be guaranteed. In UNITA-held areas, humanitarian access is virtually nonexistent. Humanitarian workers face extremely difficult, and even dangerous, working conditions. Armed attacks, acts of banditry, and landmines are a constant risk. The lack of access is exacerbated by the fact that Angola's infrastructure is almost entirely destroyed by fighting, looting, lack of maintenance, and landmines.

The Plight of the Internally Displaced Persons (IDPs)

The protection of IDPs is the most urgent human rights issue in Angola. Today the number of internally displaced persons has grown to over four million people—approximately 31 percent of the population. Additionally, some 435,000 refugees live outside the country.

Control of the civilian population is an important part of the military strategy driving this conflict and has led to displacement. Both the government and UNITA force people from their homes in order to depopulate areas furthering their military objectives, or to punish the locals for their perceived support of the enemy. Combatants often consider civilians in enemy territory as collaborators of the enemy and view them with suspicion and distrust. As a result, much of the Angolan population, largely small-scale subsistence farmers, have been forcibly moved or fled their homes *en masse* after attacks or in fear of being attacked.

The Government of Angola

The Angolan government has failed to fulfill its primary responsibility to protect the human rights of IDPs. Forced relocations, killings, and looting by government forces have been reported. IDPs also serve as a source of exploitable labor. The government took the welcome steps of incorporating the 1998 U.N. Guiding Principles on Internal Displacement into Angolan law in 2001 and created several working groups and plans of action to ensure protection of IDPs. However, these initiatives have not yet improved conditions for the displaced. The weak justice system is a further constraint for victims of human rights abuses who have no place to seek redress.

UNITA

Millions of Angola's internally displaced have suffered killings, mutilations, rapes, abduction for fighting and forced labor, torture, and pillage at the hands of UNITA. However, UNITA held areas are virtually inaccessible, so we do not yet know the full scope of civilian abuses.

The United Nations (U.N.)

Two fundamental obstacles that impede the protection of IDPs are the failure of the U.N. to monitor individual cases of abuses, and its apparent unwillingness to confront the Angolan government about abuses. To help remedy this problem, UNHCR should assume an enhanced role for the protection of the internally displaced. UNHCR should also take full responsibility for the IDP Protection Working Group established in late 2001. Other steps should include posting U.N. officers to the provinces to monitor individual protection problems and to raise cases with the government; and creating informal groups of civil society actors, including representatives from both the displaced and resident communities to analyze protection issues.

Landmines

Landmines continue to be a pressing problem in Angola. 70 percent of landmine casualties were civilians in 2001. More than half of the victims were displaced people fleeing fighting. Although the government's use of antipersonnel mines appeared to have declined, there are still reports of new procurement of mines. UNITA continues to lay mines to prevent residents from fleeing to government-held areas and have been using anti-vehicle mines to disrupt transportation.²

Freedom of Expression and Association

In areas under firm government control such as Luanda and along the coast, there is more tolerance of discussions about human rights and public affairs, particularly by the private, Luanda-based media. However, this has not translated into greater tolerance of organized political activities and the government continues to crack down on opposition parties by denying them freedom of association and assembly.

The government continues to suppress or discourage detailed discussion on how the government manages its oil and diamond revenues. Currently the government refuses

to allow a full audit of the diamond industry despite its support of the Kimberley diamond process. It is equally difficult to obtain transparency about the key source of revenue in Angola, oil.

Transparency and Accountability

The government's lack of transparency and accountability generally, and in its use of oil revenues, in particular are key impediments to further long-term rights improvements. Increased government respect for human rights, a durable peace, and meaningful development hinges on the government's commitment to make its activities transparent and accountable to its own population. Transparency is something that is firmly within the government's control—even in the absence of peace.

Angola is the second largest oil producer in sub-Saharan Africa, behind Nigeria. Oil revenue has been and remains the Angolan government's principal source of income. On February 23, 2001, for example, the Angolan government announced that oil revenues would account for 90.5 percent of the 2001 budget, or approximately U.S. \$3.18 billion. Oil production could grow considerably as newer offshore oil blocks come on line. With a population of approximately 13 million people, Angola has the natural wealth to become a model of development. Yet, the country ranks 146th out of 162 countries in the United Nations Development Programme's latest Human Development Index.

Moreover, the opaqueness of the Angolan government's budget and expenditures has generated concern among multilateral financial institutions, nongovernmental organizations, corporations, and governments, as well as within Angola itself that these revenues are being grossly mismanaged.

Some of the problems include the use of public funds, derived from oil revenues, to secretly finance arms purchases and the mortgaging of future oil revenues in return for immediate oil-backed loans to the government. In some cases in the recent past, oil revenues bypassed the Ministry of Finance and the Angolan central bank and instead

went through the state-owned oil company, Sonangol, or through the Presidency, and were used secretly to procure weapons. This has also sparked allegations of official corruption. Recent scandals involving arms-for-oil deals with French and Czech companies have only highlighted these problems.

When groups or individuals try to gain further information about the state of the government's finances, they have been met with arrests or other forms of harassment. For example, on January 24, 2001, police beat and arrested eight members of the opposition Party for Democracy and Progress in Angola (PADPA) who staged a peaceful hunger strike outside the Luanda residence of President dos Santos, calling for him to resign on grounds of economic mismanagement and corruption. The protestors also called for disclosure of the details of the French arms-for-oil deal, and criticized the government's discontinuation of peace negotiations with UNITA. Following this incident, the state Rádio Nacional de Angola broadcast an official statement warning people not to demonstrate against the government. Two of the eight demonstrators were quickly released but the six others were charged with holding an "illegal protest," but the charges were dismissed when they appeared in court on January 29, 2001.

To help address these problems and to embark on a program of economic reform generally, the International Monetary Fund (IMF) and the Angolan government announced the beginning of a Staff Monitored Program (SMP) on April 3, 2000. The program was an ambitious agreement to implement a wide range of economic and institutional reforms in Angola that could lead to further lending and cooperation with the IMF and World Bank. The program included a provision to monitor oil revenues known as the "Oil Diagnostic."³ Human Rights Watch believes that should the Oil Diagnostic be properly implemented, it could mark a limited, but positive first step toward promoting transparency, accountability, and ultimately, greater respect for human rights.⁴

However, the government's implementation of this program has been dismal. In particular, there has been no meaningful public disclosure of data regarding oil revenues, either in terms of the Oil Diagnostic reports or in terms of accounting for its overall use

of oil revenues and related expenditures. Things became so bad that in August 2001, the IMF announced that the SMP program had been allowed to expire because so many of the objectives outlined in the SMP were not met. No data on the results of the Oil Diagnostic studies or other information was made publicly available by the government. The government and IMF agreed that “publishing data on oil and other government revenues and expenditures, as well as on external debt” and audits of the central bank would be some of the preconditions for further cooperation with the IMF. It is our belief that the IMF appropriately insisted on these steps before considering further cooperation with the government.⁵

Unfortunately, the government did not comply with these basic measures. Following their most recent mission to Angola in February 2002, the IMF announced that there was little progress on reforms and that the economic situation had actually worsened from the end of 2001 into early 2002. The IMF reiterated the need for the government to “publish data on oil and other government revenues and expenditures, as well as on external debt; and conduct independent financial audits of the 2001 accounts of Sonangol and of the central bank.”⁶

Within this context, we believe that public disclosure of data regarding the amount and use of oil revenues is critical for bringing improvements in the human rights situation. Specifically, the following steps should be taken by the government of Angola:

- Make publicly available existing and future Oil Diagnostic reports.
- Provide a detailed breakdown of its expenditures on a regular basis, particularly those involving oil and oil-backed debt. This should include the specific amount and use of the estimated \$500 million bonus payment made by oil companies that were awarded deepwater block 34.
- Conduct and publish audits of the Central Bank and Sonangol.

These basic measures could have a very positive effect on governance in Angola and could help lay the foundations for further improvements in human rights.

Summary

We would like to thank the Security Council again for providing us this opportunity to brief the members on the situation in Angola. We hope that progress can be made, specifically in the areas of IDP protection and transparency in the government's use of revenues.

¹ For a full summary see, the Angola chapter in the Human Rights Watch, *World Report 2002*, January 2002, available at <http://www.org/wr2k2/africa1.html>

² See, the Angola chapter in the *Landmine Monitor*, September 2001, available at <http://www.icbl.org/lm/2001/angola/>

³ In addition to the Oil Diagnostic, the monitoring program sets out a series of ambitious reforms that the government must undertake before becoming eligible for Enhanced Structural Adjustment Facility loans from the international financial institutions, including: creating an integrated financial management system; eliminating domestic fuel subsidies; limiting subsidies to indebted state-owned enterprises; eliminating tax exemptions that are not a part of international agreements; eliminating import licenses and non-tariff barriers; simplifying commercial licensing; progressively adjusting tariffs for public services such as water and electricity to market levels; liquidate the *Caixa de Credito Agropecuria* (CAP); defining a strategy to deal with the country's external debt; clearing arrears payments to multilateral financial institutions; gradually eliminating external commercial credits to the central bank; creating a register of debt service payments, including oil-backed loans; preparing a restructuring of the financial system, including privatization of state banks; revising of the special foreign exchange regime; presenting a policy document on privatization; implementing a pilot program involving the privatization of five state-owned companies; publishing comprehensive statistics on government accounts and macroeconomic indices; and preparing a plan for tax reform.

⁴ See, Human Rights Watch, "The Oil Diagnostic in Angola: An Update," March 2001, available at <http://www.hrw.org/background/africa/angola/index.htm>.

⁵ International Monetary Fund, "Preliminary Conclusions of the IMF Mission, August 14, 2001, available at <http://www.imf.org/external/np/ms/2001/081401.htm>

⁶ International Monetary Fund, "Angola Article IV Consultation: Preliminary Conclusions of the IMF Mission," February 19, 2002, available at <http://www.imf.org/external/np/ms/2002/021902.htm>.