
HUMAN RIGHTS WATCH ARMS PROJECT

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ANGOLA

BETWEEN WAR AND PEACE

ARMS TRADE AND HUMAN RIGHTS ABUSES SINCE THE LUSAKA PROTOCOL

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Following the signing in Lusaka, Zambia on November 20, 1994 of a cease-fire protocol between the Angolan government, led by the Movement for the Popular Liberation of Angola (MPLA), and the rebel National Union for the Total Independence of Angola (UNITA), Angola has entered an uneasy period somewhere between war and peace. Sporadic fighting continues, including the laying of mines by both sides and attacks on U.N. and humanitarian agencies. Widespread human rights abuses by the government and UNITA continue, including restrictions on freedom of movement, conscription of child soldiers, and the intimidation, detention and killing of journalists. The government and UNITA continue to acquire new arms, in contravention of the Lusaka Protocol, the 1991 Bicesse Accords, and U.N. Security Council resolutions. Weapons flows have facilitated the fighting and human rights abuses by both sides.

The U.N. Security Council agreed in February 1995 to mount a new peacekeeping operation in Angola, United Nations Angola Verification Mission III (UNAVEM III), authorizing a military contingent of up to 7,000 personnel. U.N. Security Council Resolution 1008 of August 7, 1995 extended UNAVEM III's mandate for six months, to February 9, 1996.

The Lusaka Protocol formally marked the end of Angola's brutal and costly "Third War." Most major cities were besieged in the two years of conflict. Starvation and disease, as well as deaths and injuries from bombing, shelling and landmines, took a heavy toll. It is estimated that 300,000 Angolans, about 3 percent of the population, died as a result of the fighting since October 1992—probably more than in the preceding sixteen years of warfare. The U.N. reported that as many as 1,000 people were dying daily between May and October 1993, more than in any other conflict in the world at that time.

This report is an update of the Human Rights Watch book, *Angola: Arms Trade and Violations of the Laws of War Since the 1992 Elections*,¹ published in November 1994, just prior to the Lusaka Protocol. Human Rights Watch conducted a fact-finding mission to Angola in March 1995 and additional missions to southern Africa and Zaire later in the year, in order to continue to monitor the human rights situation and the arms flows into Angola.

Despite the signing of the Lusaka Protocol, extensive human rights abuses have continued by both sides. Human rights did not feature prominently in the Lusaka Protocol, which in its Annex 6, no. 1 effectively advocated impunity for past abuses. Indeed, a general amnesty for "illegal acts" perpetrated before a cease-fire was the first issue agreed to by both sides in the 1993-1994 Lusaka peace talks. Nevertheless, in Annex 9, Agenda II.3, 10, the government and UNITA commit themselves "to implement the 'Acordos de Paz para Angola' (also known as the Bicesse Accords), the relevant resolutions of the United Nations Security Council and the Lusaka Protocol, respecting the principles of the rule of law, the general principles of internationally recognized human rights, more particularly, the Universal Declaration of Human Rights and the fundamental freedoms of the individual, such as defined by the national legislation in force and various international legal instruments to which Angola adheres."²

¹ Human Rights Watch Arms Project and Human Rights Watch/Africa, *Angola: Arms Trade and Violations of the Laws of War Since the 1992 Elections* (New York: Human Rights Watch, 1994).

The Lusaka Protocol provides for a cease-fire, the integration of UNITA generals into the government's armed forces (which were to become non-partisan and civilian controlled), demobilization (later amended to demilitarization) under UNAVEM supervision, the repatriation of all mercenaries, the incorporation of UNITA troops into the Angolan National Police under the Interior Ministry, and the prohibition of any other police or surveillance organization.³

The major political issues covered in the Lusaka Protocol were the U.N.'s mandate, the role of peacekeepers, the completion of the electoral process, and national reconciliation. Under the provisions for reconciliation between the parties, UNITA's leadership would receive private residences, political offices in each province and one central headquarters. UNITA would also hold a series of posts as ministers, deputy ministers, ambassadors, provincial governors and deputy governors, municipal administrators and deputy administrators, and commune administrators. The government would retain all other positions of power and patronage.

Despite the protocol, localized fighting has continued. Even U.N. personnel and humanitarian agencies have not been spared. A U.N. World Food Program plane was hit by several bullets in Malanje on December 9, 1994. In March 1995, UNITA fighters shot down a UNAVEM III helicopter in Quibave, fired on two International Committee of the Red Cross (ICRC) aircraft near Ganda and ambushed an ICRC truck convoy just west of Ganda, on the central plateau. In separate incidents on October 24 and 25, UNAVEM and U.N. Humanitarian Assistance Coordination (UCAH) convoys were detained and subjected to harassment by UNITA in Benguela province.

A meeting of military leaders on January 10, 1995 failed to bring the fighting to an end. A second meeting in Waku Kungo in Kwanza Sul on February 2 and 3 made more progress towards consolidating the cease-fire. Still, the U.N. recorded nearly 1,500 cease-fire violations in 1995, including 235 in March, 110 in July, and seventy-one in November. Most of the incidents consisted of small-scale attacks, ambushes and looting. In many areas, government and UNITA troops are still in close proximity and their aggressive patrolling undermines attempts to increase confidence between sides. In late 1995 the most tense provinces were Uige, Cabinda, Lunda Norte and Lunda Sul, where large troop movements and inflows of new weapons are reported.

Demobilization and integration of troops have been areas of major disagreement, and deadlines continue to slip by. Both sides are to blame: UNITA is frequently accused of insincerity on these issues, and a government military offensive in November was a major setback to the process. The two sides have nevertheless agreed on the incorporation of all UNITA forces into the Angolan Armed Forces (FAA), bringing its numbers to about 160,000, the largest standing army in Africa. Demobilization is to take place gradually, except for child soldiers and the handicapped, who are to be demobilized quickly. Some of the surplus troops are to be channeled into a fourth branch of the armed forces (not the army, navy or air force) to be employed on reconstruction work, such as building roads and repairing bridges.

The two sides have agreed on fourteen of the fifteen quartering areas where troops are to assemble for disarmament. However, only four quartering areas were operational by February 1996. The quartering of UNITA forces began on November 20, 1995 in Vila Nova, Huambo province. By December 1, just 363 soldiers had reported for cantonment; many of these were "boy soldiers" with unserviceable weapons. Only several hundred more had reported when, in late January, Jonas Savimbi promised U.S. Ambassador to the U.N. Madeleine Albright, who was visiting Angola at the time, that 16,500 UNITA troops would be quartered by February 9, the deadline for renewal of UNAVEM.⁴ As of January 31, 1996, the total stood at 4,300.⁵

Despite the signing of the Lusaka Protocol, both the government and UNITA continue to acquire additional weapons. The Bilateral Cease-Fire Modalities Timetable, which accompanies the Lusaka Protocol, prohibits the resupplying of military forces with "any military equipment, lethal or otherwise." Moreover, the "Acordos de Paz para Angola" (1991 Bicesse agreements) are still applicable under the terms of the Lusaka Protocol, and Bicesse contains the so-called "Triple Zero" clause banning both the government and UNITA from acquiring lethal weapons. In addition, U.N. Security Council Resolution 964 of September 1993 clearly prohibits the sale and supply of any military or petroleum products to UNITA, and U.N. Security Council Resolution 976 of February 1995 "calls upon the government of Angola and UNITA during UNAVEM III's presence in Angola to cease any acquisition of arms and war material."

³ Ibid.

⁴ New York Times, January 22, 1996.

⁵ Human Rights Watch telephone interview with U.S. government official, Washington, D.C., February 1, 1996. This official stated that most of these UNITA soldiers were logisticians who came without weapons.

ALTHOUGH ARMS SHIPMENTS DECLINED IN THE PAST YEAR, NEW WEAPONRY, ESPECIALLY FROM RUSSIA AND THE UKRAINE, REACHED THE GOVERNMENT, ALBEIT ON AN IRREGULAR BASIS. IN 1995, THE GOVERNMENT NOT ONLY RECEIVED DELIVERIES ON PRE-LUSAKA PROTOCOL ORDERS; AS THE YEAR PROGRESSED IT WAS EVIDENT THAT THE GOVERNMENT WAS STILL PURCHASING NEW ARMS AND MILITARY EQUIPMENT.

UNITA HAS INCREASED ITS CROSS-BORDER, SANCTION-BUSTING OPERATIONS, BRINGING IN NEW WEAPONS AND SUPPLIES BOTH OVER LAND AND ON SECRET FLIGHTS FROM ZAIRE AND CONGO TO AIRSTRIPS IN THE DIAMOND-RICH LUNDA PROVINCES. UNITA APPEARS DETERMINED TO MAINTAIN ITS GRIP ON ITS REMAINING DIAMOND ASSETS. NEITHER SIDE IS PREPARED TO CONCEDE THIS LUCRATIVE AREA. SPORADIC BUT FIERCE FIGHTING CONTINUED IN THE DIAMOND AREAS THROUGHOUT 1995.

HUMAN RIGHTS WATCH BELIEVES THAT THE U.N. SECURITY COUNCIL SHOULD INSTITUTE A CLEAR, UNAMBIGUOUS ARMS EMBARGO ON ANGOLA, APPLICABLE TO BOTH THE GOVERNMENT AND UNITA. ATTEMPTS BY THE U.S., U.K., AND OTHERS IN EARLY 1995 TO PUSH FOR A NEW BAN WERE OPPOSED MOST NOTABLY BY RUSSIA. MASSIVE ARMS INFLOWS HAVE FUELED THE CONFLICT IN ANGOLA, AND THE ACCOMPANYING HUMAN RIGHTS ABUSES, FOR MANY YEARS AND WILL CONTINUE TO DO SO UNLESS STEMMED. NEW WEAPONS SHIPMENTS UNDERMINE THE DEMOBILIZATION AND DEMILITARIZATION EFFORT WHICH IS AT THE HEART OF THE PEACE PROCESS.

BOTH THE GOVERNMENT AND UNITA HAVE USED FOREIGN "SECURITY SPECIALISTS" (USUALLY A EUPHEMISM FOR MERCENARIES) DURING THEIR CONFLICT. THESE FOREIGN SECURITY PERSONNEL HAVE NOT JUST TRAINED AND ASSISTED ANGOLAN FORCES, THEY HAVE OFTEN PARTICIPATED DIRECTLY IN COMBAT. THEY HAVE BOTH CONTRIBUTED TO AND COMMITTED HUMAN RIGHTS ABUSES AND VIOLATIONS OF THE LAWS OF WAR. A SOUTH AFRICAN FIRM, EXECUTIVE OUTCOMES (EO), WAS DEEPLY INVOLVED IN THE CONFLICT FROM 1992 THROUGH 1995. ALTHOUGH THE LUSAKA PROTOCOL DEMANDS THE "REPATRIATION OF ALL MERCENARIES," EO MAINTAINED SOME 400-500 MEN IN ANGOLA, MOSTLY UNDER CONTRACT TO THE ANGOLAN ARMED FORCES. THIS BECAME A VERY CONTENTIOUS ISSUE, AND UNDER PRESSURE FROM THE U.S. AND OTHERS, THE ANGOLAN GOVERNMENT FINALLY TOLD EO TO WITHDRAW IN JANUARY 1996. IT HAS, HOWEVER, BEEN REPORTED THAT SOME EO MEN ARE BEING REDEPLOYED INTO FRONT COMPANIES.

THE GOVERNMENT'S ONGOING SUPPRESSION OF FREEDOM OF THE PRESS HAS HEIGHTENED THE FEELING OF ANXIETY, FEAR AND CONFUSION IN THE COUNTRY. THE KILLING ON JANUARY 10, 1995 OF RICARDO DE MELLO, THE EDITOR AND PUBLISHER OF THE INDEPENDENT LUANDA-BASED DAILY *IMPARCIAL FAX*, BY AN UNKNOWN ASSAILANT, HAD A PROFOUND IMPACT ON THE FLEDGLING PRESS. *IMPARCIAL FAX* CLOSED, AND MOST OF ITS REMAINING STAFF LEFT THE COUNTRY. MANY OTHER JOURNALISTS HAVE RECEIVED WARNINGS ABOUT FILING REPORTS CRITICAL OF THE GOVERNMENT. HUMAN RIGHTS WATCH HAS LEARNED THAT JOURNALISTS IT VISITED IN 1995 ALSO RECEIVED ANONYMOUS WARNINGS. CONDITIONS ARE THE SAME IN THE PROVINCES.

THE U.N.'S ATTEMPT TO SET UP AN INDEPENDENT RADIO STATION WAS ALSO BLOCKED BY THE GOVERNMENT, WHICH REFUSED THROUGHOUT 1995 TO ALLOCATE BROADCASTING FREQUENCIES OR TO PERMIT IT TO OPERATE. FREEDOM OF EXPRESSION IS EVEN MORE TIGHTLY CONTROLLED IN UNITA DOMINATED AREAS, WITH NO CRITICISM OF THE PARTY TOLERATED.

FREE CIRCULATION OF PERSONS AND GOODS, AS REQUIRED IN THE LUSAKA PROTOCOL, CONTINUES TO BE ABUSED BY BOTH SIDES. DOZENS OF ANGOLANS INTERVIEWED BY HUMAN RIGHTS WATCH IN 1995 COMPLAINED OF NOT BEING ABLE TO MOVE FREELY TO THEIR HOMES AND THAT SOLDIERS HEAVILY "TAXED" THEM WHEN THEY TRAVELED.

A DISTURBING CHARACTERISTIC OF THE ANGOLAN CONFLICT HAS BEEN THE USE OF CHILD SOLDIERS. INTERNATIONAL LAW FORBIDS THE USE OF CHILDREN UNDER THE AGE OF FIFTEEN AS SOLDIERS IN ARMED CONFLICT. HUMAN RIGHTS WATCH BELIEVES THAT NO CHILD UNDER THE AGE OF EIGHTEEN SHOULD TAKE PART DIRECTLY OR INDIRECTLY IN ARMED CONFLICT.⁶ BOTH SIDES CONTINUE TO USE CHILD COMBATANTS, INCLUDING THOSE LESS THAN FIFTEEN YEARS OF AGE. UNITA HAS REDEPLOYED SOME CHILD SOLDIERS TO WORK AS BONDED LABOR IN ITS DIAMOND AREAS. THERE ARE NO PRECISE FIGURES ON THE NUMBERS, BUT SOME ESTIMATES SUGGEST THOUSANDS.

STREET CHILDREN ALSO SUFFER ABUSES IN ANGOLA'S URBAN AREAS. UNICEF ESTIMATES THAT LUANDA ALONE HAS 4,000 STREET CHILDREN, MOSTLY BOYS. THEIR DAILY LIFE ON THE STREETS IS CHARACTERIZED BY SEXUAL EXPLOITATION, FORCED LABOR, AND ARBITRARY, UNDERAGE MILITARY CONSCRIPTION.

⁶ SEE, HUMAN RIGHTS WATCH CHILDREN'S RIGHTS PROJECT, "CHILDREN IN COMBAT," *A HUMAN RIGHTS WATCH SHORT REPORT*, VOL. 9, NO. 1(G), JANUARY 1996. THE AFRICAN CHARTER ON THE RIGHTS OF THE CHILD, THOUGH NOT YET IN EFFECT, PROHIBITS THE RECRUITMENT OF ANYONE UNDER THE AGE OF EIGHTEEN.

RELEASE OF PRISONERS HELD BY BOTH PARTIES TO THE CONFLICT HAS BEEN SLOW. IN MARCH, BOTH SIDES PROVIDED THE ICRC WITH LISTS OF DETAINEES. BY JANUARY 29, 1996, THE GOVERNMENT HAD HANDED OVER 346 UNITA PRISONERS TO THE ICRC AND UNITA HAD RELEASED ONLY FORTY-FOUR. THE LUSAKA PROTOCOL PROVIDES THAT THE PRISONERS SHOULD ALL BE RELEASED, AND NOT EXCHANGED ON A RECIPROCAL BASIS.

ARBITRARY DETENTION AND ASSAULT ON SUSPECTS BY THE POLICE REMAIN WIDESPREAD. PRISON CONDITIONS ACROSS ANGOLA ARE APPALLING. THE GOVERNMENT HAS SEVERAL TIMES ANNOUNCED THAT IT WILL IMPROVE OVER-CROWDED PRISON CONDITIONS, BUT THERE HAS BEEN NO EVIDENCE OF THIS HAPPENING.

THROUGHOUT MOST OF 1995, THE U.N. WAS VIRTUALLY SILENT ON HUMAN RIGHTS ISSUES IN ANGOLA. UNAVEM'S HUMAN RIGHTS DIVISION HIRED FIVE COMPETENT HUMAN RIGHTS MONITORS, WHO APPEAR TO HAVE CARRIED OUT SERIOUS INVESTIGATIONS, BUT THEIR REPORTING HAS NOT BEEN MADE PUBLIC. UNAVEM HAS NOT PUBLICLY DENOUNCED ABUSES BY EITHER SIDE, NOR MADE AN EFFORT TO ESTABLISH ACCOUNTABILITY FOR ABUSES. UNAVEM HAS GIVEN A LOW PRIORITY TO HUMAN RIGHTS, AND HAS SEEMED UNCLEAR ABOUT THE ROLE OF THE HUMAN RIGHTS DIVISION. THERE IS LITTLE INDICATION THAT THE WORK OF THE HUMAN RIGHTS DIVISION HAS BEEN APPRECIATED OR TAKEN SERIOUSLY.

IN NOVEMBER 1995, THE DIVISION WAS EXPANDED TO EIGHT MONITORS AND BECAME MORE ACTIVE. WITH THIS EXPANSION, IT WILL SOON BECOME EVIDENT WHETHER HUMAN RIGHTS MONITORING AND REPORTING IS GIVEN A HIGH PRIORITY BY THE REST OF UNAVEM. U.N. STAFF WITNESS HUMAN RIGHTS VIOLATIONS AGAINST CIVILIANS DAILY. ONE CLEAR LESSON FROM UNAVEM II WAS THAT HUMAN RIGHTS ABUSES NEED TO BE CONFRONTED. UNAVEM III HAS THE MANDATE TO DO THIS THROUGH ITS POLICE AND MILITARY PERSONNEL AND CIVILIAN HUMAN RIGHTS MONITORS. IT WOULD BE PARTICULARLY DISAPPOINTING IF UNAVEM III FAILS TO ADEQUATELY INVESTIGATE AND MAKE PUBLIC HUMAN RIGHTS ABUSES—AS HAS BEEN THE CASE WITH MANY OTHER U.N. OPERATIONS⁷—BECAUSE THE U.N. SPECIAL REPRESENTATIVE FOR ANGOLA, ALIOUNE BEYE, IS ALSO A COMMISSIONER OF THE AFRICAN COMMISSION ON HUMAN RIGHTS AND PEOPLES.

II. RECOMMENDATIONS

ANGOLAN GOVERNMENT

HUMAN RIGHTS WATCH CALLS ON THE ANGOLAN GOVERNMENT TO:

- PERMIT FREEDOM OF MOVEMENT;
- PERMIT FREE AND UNHINDERED JOURNALISTIC COVERAGE IN STATE ADMINISTERED TERRITORY;
- ALLOW IMMEDIATELY THE U.N. TO SET UP ITS INDEPENDENT RADIO STATION IN ACCORDANCE WITH SECURITY COUNCIL REQUESTS;
- FACILITATE U.N. STAFF IN CONDUCTING THEIR HUMAN RIGHTS MANDATE;
- ENCOURAGE GOVERNMENT OFFICIALS TO ATTEND U.N. HUMAN RIGHTS TRAINING SEMINARS;
- BRING TO JUSTICE MILITARY AND SECURITY PERSONNEL SUSPECTED OF VIOLATIONS OF HUMAN RIGHTS AND HUMANITARIAN LAW IN OPEN TRIALS BEFORE INDEPENDENT TRIBUNALS AND PUNISH THOSE FOUND GUILTY IN A MANNER CONSISTENT WITH INTERNATIONAL STANDARDS;
- REINFORCE THE CODE OF MILITARY CONDUCT AMONG TROOPS, EMPHASIZING THAT LOOTING AND OTHER ILLEGAL CONDUCT WILL RESULT IN DISCIPLINARY PROCEEDINGS AND PUNISHMENT;
- STOP IMPORTING WEAPONS;
- STOP RECRUITMENT OF MINORS AND USE OF CHILD SOLDIERS; REFRAIN FROM SEIZING THOSE UNDER THE AGE OF EIGHTEEN FOR MILITARY SERVICE OR PERMITTING THEM TO PARTICIPATE IN HOSTILITIES;
- ENSURE THAT GOVERNMENT TROOPS STOP LAYING ANTI-PERSONNEL LANDMINES AND ENSURE THAT MINE CLEARANCE INITIATIVES ARE NOT BLOCKED BY GOVERNMENT OFFICIALS; SUPPORT THE GROWING INTERNATIONAL MOVEMENT TO BAN ALL PRODUCTION, STOCKPILING, TRANSFER AND USE OF ANTI-PERSONNEL MINES;
- RELEASE ALL PRISONERS OF WAR TO THE INTERNATIONAL COMMITTEE OF THE RED CROSS.

UNITA

HUMAN RIGHTS WATCH CALLS ON UNITA TO:

- PERMIT FREEDOM OF MOVEMENT AND FACILITATE VOLUNTARY FAMILY REUNIFICATION;
- PERMIT FREE AND UNHINDERED JOURNALISTIC COVERAGE IN UNITA ZONES;

⁷ SEE HUMAN RIGHTS WATCH, *THE LOST AGENDA: HUMAN RIGHTS AND U.N. FIELD OPERATIONS* (NEW YORK: HUMAN RIGHTS WATCH, 1993).
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- COOPERATE WITH RELIEF EFFORTS AND HUMAN RIGHTS SPECIALISTS AND EDUCATORS, AND FACILITATE THEIR ACCESS TO ALL PARTS OF THE COUNTRY;
- STOP UNLAWFUL KILLINGS AND OTHER ABUSES, AND TAKE STEPS TO INSURE THOSE RESPONSIBLE WILL BE BROUGHT TO JUSTICE; UNITA'S LEADERSHIP SHOULD BE MADE PUBLICLY ACCOUNTABLE FOR SUCH KILLINGS AND OTHER ABUSES BY THOSE UNDER THEIR AUTHORITY;
- REINFORCE THE CODE OF MILITARY CONDUCT AMONG TROOPS, EMPHASIZING THAT LOOTING AND OTHER ILLEGAL CONDUCT WILL RESULT IN DISCIPLINARY PROCEEDINGS AND PUNISHMENT;
- STOP FORCED PORTERING;
- RESPECT THE "TRIPLE ZERO" CLAUSE OF THE 1991 BICESSE ACCORDS AND U.N. SECURITY COUNCIL RESOLUTION 864, PROHIBITING THE IMPORTATION OF WEAPONS AND PETROLEUM PRODUCTS;
- REFRAIN FROM INVOLUNTARY RECRUITMENT; STOP RECRUITMENT AND USE OF CHILD SOLDIERS; REFRAIN FROM SEIZING THOSE UNDER THE AGE OF EIGHTEEN FOR MILITARY SERVICE OR PERMITTING THEM TO PARTICIPATE IN HOSTILITIES;
- STOP LAYING ANTI-PERSONNEL LANDMINES AND ASSIST INTERNATIONAL AND DOMESTIC INITIATIVES TO CLEAR MINES;
- RELEASE ALL PRISONERS OF WAR TO THE INTERNATIONAL COMMITTEE OF THE RED CROSS.

United Nations

Human Rights Watch recommends that the U.N. Security Council:

- INSTITUTE AN ARMS EMBARGO ON ANGOLA, APPLICABLE CLEARLY TO BOTH THE GOVERNMENT AND UNITA;
- STRONGLY ENCOURAGE ALL MEMBER STATES TO SUBMIT INFORMATION ON PAST WEAPONS EXPORTS TO ANGOLA TO THE U.N. REGISTER ON CONVENTIONAL ARMS;
- ENSURE THAT U.N. HUMAN RIGHTS SPECIALISTS OBSERVE, INVESTIGATE, BRING TO THE ATTENTION OF RESPONSIBLE AUTHORITIES, AND MAKE PUBLIC VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW AND INTERNATIONALLY RECOGNIZED HUMAN RIGHTS PRINCIPLES BY ALL PARTIES; WHEN U.N. MONITORS OBTAIN INFORMATION, IT SHOULD BE MADE HIGHLY TRANSPARENT, SO THAT IT IS EVIDENT, AS QUICKLY AS POSSIBLE, WHEN INFRINGEMENTS HAVE BEEN COMMITTED AND BY WHOM;
- CONTINUE TO PRESSURE THE GOVERNMENT TO PERMIT AN INDEPENDENT U.N. RADIO STATION.

THE OBSERVING TROIKA (Portugal, Russia, United States)

Human Rights Watch recommends that Portugal, Russia and the U.S., as observers in the peace process, should:

- IMPOSE IMMEDIATE NATIONAL ARMS EMBARGOES, APPLICABLE TO BOTH THE ANGOLAN GOVERNMENT AND UNITA;
- RELEASE DETAILS IMMEDIATELY ON ANY WEAPONS TRANSFERS TO ANY PARTY IN ANGOLA;
- MAINTAIN PRESSURE ON THE ANGOLAN GOVERNMENT AND UNITA TO RESPECT HUMAN RIGHTS AND PERMIT FREEDOM OF MOVEMENT ACROSS THE COUNTRY;
- ENCOURAGE THE U.N. TO PUT A HIGH PRIORITY ON HUMAN RIGHTS MONITORING, INCLUDING PUBLIC REPORTING AND DENUNCIATIONS OF ABUSES;
- SUPPORT MINE CLEARANCE EFFORTS WITH FUNDS AND LOGISTICAL AID.

SOUTH AFRICA, ZAIRE, CONGO AND OTHER GOVERNMENTS IN THE REGION

Human Rights Watch calls on South Africa, Zaire, Congo and other governments in the region to:

- ASSIST THE U.N. IN ITS ATTEMPTS TO MONITOR UNITA SANCTION-BUSTING;
- STOP MERCENARY SUPPORT WHICH CONTRIBUTES TO CONTINUED HUMAN RIGHTS VIOLATIONS IN ANGOLA;
- IN PARTICULAR, THE GOVERNMENT OF ZAIRE SHOULD TAKE ALL MEASURES TO STOP THE USE OF ZAIRE AS A CONDUIT FOR ILLEGAL ARMS TRADE, AND SHOULD NOT ALLOW UNITA TO MAINTAIN REAR BASES IN ZAIRIAN BORDER AREAS.

III. BACKGROUND

THE OCTOBER 1992-NOVEMBER 1994 "THIRD WAR" STARTED WITHIN ONE MONTH OF ANGOLA'S FIRST NATIONWIDE ELECTIONS, HELD ON THE LAST TWO DAYS OF SEPTEMBER 1992. THESE ELECTIONS PROVIDED THE FIRST OPPORTUNITY FOR ANGOLANS TO EXPRESS THEIR POLITICAL WILL IN WHAT THE U.N. AND OTHER FOREIGN OBSERVERS CONCLUDED WAS A "GENERALLY FREE AND FAIR" PROCESS. WITH A TURNOUT OF OVER 91 PERCENT (4.4 MILLION) OF REGISTERED VOTERS, PRESIDENT DOS SANTOS, THE GOVERNMENT'S CANDIDATE, RECEIVED 49.6 PERCENT OF THE VOTE AGAINST 40.7 PERCENT FOR UNITA LEADER JONAS SAVIMBI. IN THE LEGISLATIVE ELECTION, THE MPLA OBTAINED 54 PERCENT OF THE VOTE AGAINST UNITA'S 34 PERCENT. UNDER ANGOLAN

law, failure of the top finisher in the presidential election to receive over 50 percent of the votes cast required an election run-off. This did not occur because UNITA rejected the results and returned the country to civil war by remobilizing its forces across the country. However, in December 1993, UNITA announced that it accepted the election results, and in the Lusaka Protocol UNITA recognizes the legitimacy of the government.

In addition to the appalling levels of death and destruction, this war was notable for widespread and systematic violations of the laws of war by both the government and the UNITA rebels. In particular, indiscriminate shelling of starving, besieged cities by UNITA resulted in massive destruction of property and the loss of untold numbers of civilian lives. Indiscriminate bombing by the government also took a high civilian toll.

In October 1994, government units began their final push toward Huambo, the major UNITA-occupied city in Angola. Within a month UNITA had lost most of its significant urban and strategic strongholds: Soyo, Huambo, Mbanza Congo and Uige. Retreating from these towns, UNITA's troops looted extensively and killed a number of civilians. UNITA also forcibly conscripted hundreds of civilians from these urban areas. Many are still unaccounted for.

Military gains by the government forced UNITA to concede further in the Lusaka peace talks and accept proposals on national reconciliation. In return, the U.N. agreed that a new set of international trade sanctions and travel restrictions on UNITA would not be implemented. As its territorial losses quickened, UNITA tried to bargain its promise to sign the protocol against a government promise not to press further militarily. Although both sides initialed the Lusaka Protocol on October 31, with President dos Santos promising the U.S. and U.N. that government forces would not capture Huambo, government forces continued to push forward. Because UNITA forces had pulled out, the government captured the city quickly. By November 1994, government offensives had reduced UNITA's territorial control from 60 percent to 40 percent of the country.⁸

Despite continuing fighting, both sides finally signed the Lusaka cease-fire protocol on November 20. But, significantly, neither leader signed it himself, leaving it to Foreign Minister Venacio de Moura to sign for the government and Secretary General Eugenio Manuakola for UNITA, thereby suggesting a continuing lack of confidence in the stability of the peace process.⁹

It is estimated that 300,000 Angolans, about 3 percent of the population, died in the two years of fighting—probably more than in the preceding sixteen years of conflict. The U.N. reported that as many as 1,000 people were dying daily from May to October 1993 from conflict, starvation, and disease—more than in any other conflict in the world at that time.¹⁰

Following the signing of the protocol, Angola entered an uneasy period of peace, marred by continued skirmishing between the rival forces. The U.N. Security Council agreed in February 1995 to mount a new peacekeeping operation in Angola (UNAVEM III), and authorized a military contingent of up to 7,000 personnel.¹¹ U.N. Security Council Resolution 1008 of August 7, 1995 extended UNAVEM III's mandate for another six months to February 9, 1996.

Human rights did not feature prominently in the Lusaka Protocol, which advocated impunity for gross abuses by either side under Annex 6, No.1. A general amnesty for "illegal acts" perpetrated before a cease-fire was the first issue agreed to by both sides in the 1993-1994 Lusaka peace talks, and was one of the first actions mandated by the protocol.

The Lusaka Protocol provides for the reestablishment of the cease-fire; the integration of UNITA generals into the government's own forces (which are to become nonpartisan and civilian controlled); demobilization (later amended to demilitarization)

⁸ See, Christine Messiant, "MPLA et UNITA: processus de paix et logique de guerre," *Politique Africaine*, No.57, "L'Angola dans la guerre," March 1995, pp.40-58, and, Alex Vines, "La troisième guerre angolaise," *Ibid.*, pp.27-40.

⁹ Alex Vines, *Angola and Mozambique: The Aftermath of Conflict*, *Conflict Studies* 280, May/June 1995 (London: Research Institute for the Study of Conflict and Terrorism, 1995).

¹⁰ See, *Angola in Strife*, Situation Report No. 6, U.S. Agency for International Development, April 7, 1994.

¹¹ U.N. Security Council Resolution 976, February 9, 1995.

UNDER THE UNITED NATIONS ANGOLA VERIFICATION MISSION; THE REPATRIATION OF ALL MERCENARIES; THE INCORPORATION OF UNITA TROOPS INTO THE ANGOLAN NATIONAL POLICE (WHICH WILL COME UNDER THE MINISTRY OF HOME AFFAIRS, BUT WILL RETAIN ITS OWN ORGANIZATIONAL STRUCTURE FROM THE NATIONAL TO LOCAL LEVEL); AND THE PROHIBITION OF ANY OTHER POLICE OR SURVEILLANCE ORGANIZATION.

THE MAJOR POLITICAL ISSUES COVERED IN THE LUSAKA PROTOCOL WERE THE U.N.'S MANDATE, THE ROLE OF PEACEKEEPERS, THE COMPLETION OF THE ELECTORAL PROCESS, AND NATIONAL RECONCILIATION. UNDER THE PROVISIONS FOR RECONCILIATION BETWEEN THE PARTIES, UNITA'S LEADERSHIP WOULD RECEIVE UP TO EIGHTY-EIGHT PRIVATE RESIDENCES, POLITICAL OFFICES IN EACH PROVINCE AND ONE CENTRAL HEADQUARTERS. UNITA WOULD ALSO HOLD THE MINISTERIAL POSTS OF GEOLOGY AND MINES, TRADE, HEALTH, AND HOTEL AND TOURISM; THE DEPUTY MINISTER POSTS OF DEFENSE, HOME AFFAIRS, FINANCE, AGRICULTURE, PUBLIC WORKS, SOCIAL REINTEGRATION, AND MASS COMMUNICATION; SIX AMBASSADORSHIPS; THREE PROVINCIAL GOVERNORSHIPS; SEVEN DEPUTY GOVERNORSHIPS; THIRTY MUNICIPAL AND THIRTY-FIVE DEPUTY MUNICIPAL ADMINISTRATORSHIPS; AND SEVENTY-FIVE COMMUNE ADMINISTRATORSHIPS. THE GOVERNMENT WOULD RETAIN ALL OTHER POSITIONS OF POWER AND PATRONAGE.¹²

A JOINT COMMITTEE, COMPRISED OF U.N., GOVERNMENT AND UNITA REPRESENTATIVES, WITH THE U.S., PORTUGAL AND RUSSIA AS OBSERVERS (KNOWN AS THE TROIKA), OVERSEES THE IMPLEMENTATION OF THE LUSAKA PROTOCOLS. THE PRESIDENTIAL RUN-OFF, WHICH WAS TO HAVE BEEN CONCLUDED AFTER THE SEPTEMBER 1992 ELECTIONS, WAS SCHEDULED TO BE HELD IN 1997. IN JULY 1995, HOWEVER, THE NATIONAL ASSEMBLY VOTED TO POSTPONE THE ELECTIONS INDEFINITELY.

DESPITE THE PROTOCOL, LOCALIZED FIGHTING HAS CONTINUED. EVEN U.N. AND HUMANITARIAN AGENCIES HAVE NOT BEEN SPARED. A U.N. WORLD FOOD PROGRAM PLANE WAS HIT BY SEVERAL BULLETS IN MALANJE ON DECEMBER 9, 1994. IN MARCH 1995, UNITA FIGHTERS SHOT DOWN A UNAVEM HELICOPTER IN QUIBAYE, FIRED ON TWO ICRC AIRCRAFT NEAR GANDA AND AMBUSHED AN ICRC TRUCK CONVOY JUST WEST OF GANDA, ON THE CENTRAL PLATEAU. IN SEPARATE INCIDENTS ON OCTOBER 24 AND 25 IN BENGUELA PROVINCE, UNAVEM AND UCAH CONVOYS WERE DETAINED AND SUBJECTED TO HARASSMENT BY UNITA. ON MARCH 29, A MILITARY AIRCRAFT ATTACKED A UNITA CONTROLLED AIRPORT IN ANDULO. UNITA TROOPS RETURNED FIRE WITH ANTI-AIRCRAFT WEAPONS BUT NO CASUALTIES WERE REPORTED.

IN THE FIRST SIX MONTHS AFTER THE LUSAKA PROTOCOL, UNITA'S LEADERSHIP WAS IN CRISIS, WITH ITS MILITARY LEADERS UNHAPPY ABOUT THE PEACE AGREEMENT. UNITA'S FEBRUARY 8-11 EIGHTH CONGRESS IN BAILUNDO WAS USED BY SAVIMBI TO REESTABLISH CONTROL. IN MANY WAYS, THE MPLA-LED GOVERNMENT WAS EVEN MORE DIVIDED, UNABLE EVEN TO HOLD ITS OWN CONGRESS TO DISCUSS THE PEACE PROCESS. SENIOR ANGOLAN ARMED FORCES (FAA) OFFICIALS WERE SPLIT OVER THE STRATEGY FOR PURSUING PEACE. CHIEF OF STAFF JOAO DE MATOS STATED IN FEBRUARY 1995 THAT "ONLY THE TOTAL DEFEAT OF SAVIMBI CAN ENSURE PEACE....STRICTLY FROM THE MILITARY POINT OF VIEW IT [THE LUSAKA PROTOCOL] WAS A MISTAKE."¹³

GENERAL DE MATOS AND UNITA'S ARMY CHIEF OF STAFF, GENERAL ARLINDO PENA "BEN BEN", MET IN CHIPIPA (HUAMBO PROVINCE) ON JANUARY 10, 1995. AT THIS MEETING THEY AGREED TO AN IMMEDIATE CESSATION OF HOSTILITIES THROUGHOUT THE COUNTRY AND THE IMMEDIATE DISENGAGEMENT OF TROOPS IN SENSITIVE AREAS, IN THE FOLLOWING PRIORITY: FIRST, HUAMBO AND UIGE; SECOND, MOXICO AND LUNDA NORTE AND SUL; THIRD, MALANJE; AND FOURTH, BAILUNDO. THEY ALSO AGREED AT CHIPIPA TO PERMIT THE IMMEDIATE FREE MOVEMENT OF PERSONS AND GOODS THROUGHOUT THE COUNTRY, AND TO PERMIT CLEARANCE OF THE LARGEST CONCENTRATIONS OF LANDMINES AND TO PREVENT PUBLIC ACCESS TO THOSE MINED AREAS. THEY ALSO PLEDGED TO CEASE DISSEMINATION AND BROADCASTING OF ALL PROPAGANDISTIC INFORMATION THAT COULD COMPROMISE THE PEACE PROCESS. ALTHOUGH A SECOND MEETING IN WAKU KUNGO IN KWANZA SUL, ON FEBRUARY 2 AND 3, MADE MORE PROGRESS TOWARDS CONSOLIDATING THE CEASE-FIRE, VIOLATIONS CONTINUED.

BETWEEN JANUARY AND APRIL 1995 BOTH SIDES CONTINUED TO BREAK THE LUSAKA PROTOCOL BY OCCUPYING FORWARD POSITIONS, SPORADICALLY ATTACKING THE LOCAL POPULATION AND CONDUCTING TROOP MOVEMENTS. TENSIONS ALSO ROSE IN FEBRUARY BECAUSE OF ALLEGATIONS MADE BY COLONEL "ZAVARRA," A UNITA DEFECTOR, WHO CLAIMED THAT UNITA WAS PREPARING FOR A MAJOR MILITARY OFFENSIVE. IN AN ATTEMPT TO DEFUSE TENSIONS U.N. SPECIAL REPRESENTATIVE BEYE VISITED BAILUNDO, UNITA'S HEADQUARTERS, IN DECEMBER 1994 TO MEET JONAS SAVIMBI. THE FOLLOWING DAY HE MET WITH PRESIDENT DOS SANTOS IN LUANDA. BY MAY THE SITUATION HAD STABILIZED, WITH FEW REPORTS OF ARMED EXCHANGES AND A DECLINE IN WEAPONS IMPORTS BY BOTH SIDES.

¹² U.N. DOCUMENT DPI/1552, PP.95-111.

¹³ *LE MONDE* (PARIS), FEBRUARY 16, 1995.

THE THREE OBSERVER STATES (Troika) met in Lisbon on March 24 to review progress in the implementation of the Lusaka Protocol. While noting that the peace process generally held, they also expressed their concern about delays in U.N. deployment and violations of "certain aspects of the Lusaka Protocol." The U.N. eventually recorded nearly 1,500 cease-fire violations in 1995, including 235 in March, 110 in July, fifty-two in September, seventy-seven in October and seventy-one in November.¹⁴

Most of the incidents consisted of small-scale attacks, ambushes and looting. In many areas, government and UNITA troops are still in close proximity and their aggressive patrolling undermines attempts to increase confidence between the two sides. In late 1995 the most tense provinces were Uíge, Cabinda, Lunda Norte and Lunda Sul, where large troop movements and inflows of new weapons took place.

UNITA appeared determined to maintain its grip on its remaining diamond assets, and fighting continued in the diamond areas throughout 1995. Neither side is prepared to concede this lucrative asset. In July, government forces lost 153 soldiers in fighting against UNITA along a small stretch of the Chicapa River. Full-scale war nearly erupted in Lunda Norte and Lunda Sul in September 1995 following a three-month build-up of troops and war material by the FAA. General João de Matos announced the imminent start of "operation clean-up," ostensibly aimed at halting illegal mining. There had been no advance notification for UNITA or the U.N. Diplomatic pressure on President dos Santos from the U.N. and the U.S. led to the suspension of the operation.

The first meeting between President dos Santos and UNITA leader Savimbi in two years occurred in Lusaka on May 6, a symbolic step forward in the peace process. Dos Santos had been pressured by hardliners in the military and party not to attend, but immense counterpressure from the U.N. and U.S. convinced dos Santos to go ahead. All aspects of the peace process were discussed and both leaders pledged their cooperation in consolidating peace in Angola and implementing the provisions of the Lusaka Protocol. Dos Santos personally guaranteed Savimbi's safety in Luanda and announced that their next meeting would be in the Angolan capital.

On May 11 the Joint Commission overseeing implementation of the protocol formally set the future strength of the FAA at 90,000 soldiers, of which 74,000 would be ground troops. Subsequently, the issues of demobilization and integration of troops have been causes of major disagreements. The two sides have agreed to incorporate all UNITA forces into the FAA, bringing its numbers to about 160,000, which would constitute the largest standing army in Africa. However, it was not until January 13, 1996 that UNITA agreed to begin integrating 26,300 UNITA soldiers into the FAA.

The two sides agreed to demobilize gradually, except for child soldiers and the handicapped who are to be demobilized without delay. Some of the surplus troops are to be channeled into a fourth branch of the armed forces (not the army, navy or air force) to be employed on reconstruction work, such as building roads and repairing bridges.

¹⁴ A diplomatic source in Luanda told Human Rights Watch that there were on average 120 cease-fire violations per month during 1995, but that the number had decreased dramatically in January 1996. Human Rights Watch telephone interview, January 31, 1996.

AGREEMENT WAS ALSO REACHED IN 1995 ON THE LOCATION OF FOURTEEN OF THE FIFTEEN QUARTERING AREAS, WHERE TROOPS ARE TO ASSEMBLE FOR DISARMAMENT. HOWEVER ONLY FOUR QUARTERING AREAS WERE OPERATIONAL BY FEBRUARY 1996. THE QUARTERING OF UNITA FORCES BEGAN ON NOVEMBER 20, 1995 IN VILA NOVA, HUAMBO PROVINCE. BY DECEMBER 1, JUST 363 SOLDIERS HAD REPORTED FOR CANTONMENT, MANY OF THESE "BOY SOLDIERS" WITH UNSERVICEABLE WEAPONS. BY JANUARY 20, 1996, THE NUMBER OF QUARTERED UNITA SOLDIERS HAD EDGED UP TO ONLY 595, BUT JONAS SAVIMBI PROMISED U.S. AMBASSADOR TO THE U.N. MADELEINE ALBRIGHT, WHO WAS VISITING ANGOLA AT THE TIME, THAT 16,500 UNITA TROOPS WOULD BE QUARTERED BY FEBRUARY 9, THE DEADLINE FOR RENEWAL OF UNAVEM.¹⁵ AS OF JANUARY 31, 1996, THE TOTAL STOOD AT 4,300.¹⁶

IN LATE JUNE 1995 THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR) LAUNCHED A THIRTY MONTH VOLUNTARY REPATRIATION PROGRAM FOR ANGOLAN REFUGEES. ZAIRE HOSTS ABOUT 200,000 ANGOLAN REFUGEES, ZAMBIA 96,000, CONGO 12,000 AND NAMIBIA 1,000. THIS COMPARES WITH AT LEAST 1.2 MILLION INTERNALLY DISPLACED PEOPLE.

MEANWHILE IN JUNE, BUILDING ON THE MOMENTUM OF THE MAY 6 SUMMIT BETWEEN THE TWO LEADERS, THE GOVERNMENT OFFERED SAVIMBI THE POSITION OF VICE-PRESIDENT OF THE ANGOLAN REPUBLIC, AND ON JUNE 19 A POLITICAL AND MILITARY DELEGATION HEADED BY ABEL CHIVUKWUKU AND CHIEF OF STAFF GENERAL ARLINDO CHENDA "BEN BEN" ARRIVED IN LUANDA TO MEET THE GOVERNMENT AND DISCUSS OUTSTANDING ISSUES RELATED TO THE LUSAKA PROTOCOL. IN AUGUST, FOLLOWING A SECOND SUMMIT IN GABON, SAVIMBI ACCEPTED THE POSITION ON BEHALF OF UNITA. A THIRD MEETING BETWEEN THE LEADERS OCCURRED IN BRUSSELS ON SEPTEMBER 25 AND 26 AT A ROUND TABLE DONORS CONFERENCE IN WHICH BOTH LEADERS ONCE AGAIN PLEDGED THEIR CONFIDENCE IN PEACE AND RECONSTRUCTION. THE ROUND TABLE RESULTED IN PLEDGES OF CONTRIBUTIONS TOTALING \$993 MILLION. THIS EXCEEDED THE \$700 MILLION ORIGINALLY REQUESTED BY ANGOLA. HOWEVER, LITTLE OF THE PLEDGED FUNDS HAD BEEN DEPOSITED BY THE END OF 1995.

TENSIONS INCREASED FOLLOWING A SHOOTING INCIDENT ON OCTOBER 14 AT THE LUANDA RESIDENCE OF UNITA GENERAL ARLINDO "BEN-BEN," IN WHICH ONE OF HIS BODYGUARDS WAS INJURED. UNITA CONSIDERED THE INCIDENT TO BE AN ATTEMPT ON "BEN-BEN'S" LIFE AND SHORTLY AFTERWARDS, MILITARY TALKS BETWEEN THE GOVERNMENT AND UNITA ON THE TOTAL INCORPORATION OF UNITA TROOPS INTO THE FAA WERE SUSPENDED. ONLY ON NOVEMBER 13, WHEN GENERAL ARLINDO "BEN-BEN" RETURNED TO LUANDA DID TALKS START AGAIN. AT THE SAME TIME UNITA APPOINTED ABEL CHIVUKWUKU TO BE UNITA'S REPRESENTATIVE BEFORE THE ANGOLAN PRESIDENCY.

THIS PROGRESS WAS SHORT LIVED. ON NOVEMBER 29 THE GOVERNMENT LAUNCHED AN OFFENSIVE FROM SOYO AND OCCUPIED PARTS OF THE LOCALITIES OF SUMBA, KIKANDI, QUINZAU, MANGA GRANDE, NENGA AND QUELO. ON DECEMBER 4, UNITA ONCE AGAIN CEASED CANTONMENT OF ITS FORCES, BLAMING THE OFFENSIVE BY GOVERNMENT FORCES IN ZAIRE PROVINCE AND OTHER MILITARY ACTIONS IN HUILA, BENGUELA AND THE LUNDA PROVINCES. UNITA'S RESPONSE ALSO APPEARED DESIGNED TO UNDERMINE PRESIDENT DOS SANTOS' OFFICIAL VISIT TO WASHINGTON.

UNITA ALSO ACCUSED UNAVEM III OF "UNACCEPTABLE BEHAVIOR IN THE AREAS UNDER UNITA CONTROL WHERE MARRIED WOMEN AND MINORS ARE OFTEN RAPED." THIS WAS A REFERENCE TO A STAND-OFF IN ANDULO BETWEEN THE U.N. AND UNITA WHICH RESULTED IN UNITA BESIEGING 200 BRAZILIAN PEACEKEEPERS. UNITA ALLEGED THAT SOME OF THE BRAZILIANS HAD RAPED WOMEN AND CHILDREN.

THE GOVERNMENT OFFENSIVE AND UNITA'S RESPONSE CREATED A CRISIS FOR PRESIDENT DOS SANTOS DURING HIS FIRST EVER OFFICIAL VISIT TO WASHINGTON ON DECEMBER 7-9. AT THE WHITE HOUSE HE CONFIRMED THAT GOVERNMENT TROOPS WOULD WITHDRAW FROM RECENTLY CAPTURED AREAS NEAR SOYO AND ALLOW U.N. FORCES TO OCCUPY THOSE AREAS; THAT THE GOVERNMENT WAS TERMINATING ITS CONTRACT WITH THE SOUTH AFRICAN SECURITY FIRM, EXECUTIVE OUTCOMES; THAT IT WOULD RELEASE ALL REMAINING PRISONERS OF WAR; THAT IT WOULD PULL BACK ITS FORCES FROM SENSITIVE ZONES; AND THAT IT WOULD CONFINE TO BARRACKS THE PARAMILITARY RAPID INTERVENTION POLICE, KNOWN AS "NINJAS."¹⁷

IN JANUARY 1996 THE WITHDRAWAL OF THE MAJORITY OF PERSONNEL FROM THE SOUTH AFRICAN FIRM EXECUTIVE OUTCOMES AND THE START OF QUARTERING OF SOME GOVERNMENT "NINJA" PARAMILITARY FORCES MARKED A MORE POSITIVE PHASE. BY JANUARY 20, UNITA HAD CONFINED 595 TROOPS. UNITA INDICATED THAT IT WOULD QUARTER 16,500 OF ITS TROOPS BY FEBRUARY 9.

THE U.N.

ON FEBRUARY 9, 1995 THE U.N. SECURITY COUNCIL AUTHORIZED UNAVEM III TO START DEPLOYING SOME 7,000 PERSONNEL AS U.N. PEACEKEEPERS, MONITORS AND CIVILIAN POLICE TO ACT AS A BUFFER BETWEEN THE TWO SIDES AND TO PREVENT THE CONTINUATION OF SKIRMISHES AND CEASE-FIRE

¹⁵ NEW YORK TIMES, JANUARY 22, 1996.

¹⁶ HUMAN RIGHTS WATCH TELEPHONE INTERVIEW WITH U.S. GOVERNMENT OFFICIAL, WASHINGTON, D.C., FEBRUARY 1, 1996. THIS OFFICIAL STATED THAT MOST OF THESE UNITA SOLDIERS WERE LOGISTICIANS WHO CAME WITHOUT WEAPONS.

HUMAN RIGHTS WATCH REPORT BY THE PRESS SECRETARY," OFFICE OF THE PRESS SECRETARY, THE WHITE HOUSE, WASHINGTON, DECEMBER 9, 1995, VOL. 9, NO. 1 (A)

violations. It is envisioned that this force will eventually be composed of some 6,771 military staff, 350 military observers, 260 civilian police, and 343 international civilian staff. The expected annual cost would be \$383.1 million.

The U.N. deployment was contingent on Savimbi accepting the peace process and other conditions, such as an effective cessation of hostilities, disengagement of government and UNITA forces, and the establishment of communication links between the government, UNITA and UNAVEM. By issuing these conditions the U.N. also created time for itself to raise international funds and prepare for deployment. Donors — the U.S. in particular — were badly divided about whether to support UNAVEM III and whether both sides were serious about peace. The Republicans in the U.S. Congress were split on providing some \$100 million for the Angolan operation at a time when they were pushing for reductions in overall U.S. peacekeeping contributions globally. At a donor conference on February 23, 1995 in Geneva participating countries nevertheless pledged \$170 of the \$230 appealed for. The U.S. pledged \$106 million, Portugal \$5 million, Germany, \$10 million and Sweden \$4 million. Angola pledged a \$50 million contribution through subsidized fuel prices and the waiving of customs and port dues.

By April 1995, the U.N. was finally able to press ahead with expanded deployment because of the improved security situation on the ground and its better financial and logistical situation. Delays in deployment continued, however, into late 1995, with U.N.-supervised quartering and demobilization efforts many months behind schedule.

Between July 14 and 16, U.N. Secretary General Boutros Boutros-Ghali traveled to Angola, visiting both Luanda and UNITA's headquarters in Bailundo in an attempt to get both sides to cooperate more fully in the peace process. On August 7, the U.N. Security Council extended the mandate of UNAVEM III until February 9, 1996. By December, UNAVEM was almost up to its full military capacity. Six infantry battalions (from Brazil, India, Uruguay, Romania and Zimbabwe), as well as numerous support units, were deployed in five of six operational areas by mid-December 1995. The arrival of infantry units from Argentina, Zambia and Namibia will bring UNAVEM up to full strength by the end of January 1996.¹⁹ The military will be responsible for monitoring the fourteen agreed quartering areas and eight main weapons storage locations in the country. Military observers are stationed at fifty-four sites in the country, including all quartering areas, airports, border areas and other strategic locations.

UNAVEM III's Human Rights Division was ineffective until it was upgraded in late November 1995. The Division initially had five human rights specialists, four funded by European Union member states (two French, one Dane, one Portuguese) and one provided by the U.N. (from Equatorial Guinea). This number has been expanded to eight. Further expansion with E.U. funding is expected in mid-1996.

IV. ARMS TRADE

¹⁹ United Nations Security Council, S/1995/1012, "Report of the Secretary-General on the United Nations Angola Verification Mission." *Human Rights Watch* February 1996, Vol. 9, No. 1 (A)

The October 1992–November 1994 "Third War" and accompanying human rights abuses and violations of the laws of war were fueled by fresh arms reaching the country. The government spent an estimated \$2.5–\$3.5 billion on weapons in 1993 and 1994, initially in violation of the 1991 Bicesse Accords and its "Triple Zero" clause prohibiting arms transfers to either side. Weapons were bought from numerous sources. Russia appears to have inherited from the former Soviet Union the distinction of being the largest arms supplier to Angola in this period. Other nations apparently involved in arming the government include Brazil, Ukraine, Bulgaria, Uzbekistan, North Korea, Portugal, and Spain. During this period the government of Angola became unquestionably the largest arms purchaser in Sub-Saharan Africa.¹⁹ The government mortgaged between five and seven years of oil production to purchase these weapons. Heritage Oil and Coastal Oil are reported to have provided loans for the government to purchase weapons during this period.²⁰ During the war UNITA engaged in significant illegal imports of weapons, in contravention of U.N. imposed sanctions. Initially most of UNITA's weapons came via South Africa, but as the war progressed, and South Africa changed, UNITA shifted the brunt of its sanction busting operations to Zaïre.

Continued Weapons Flows

Despite the signing of the Lusaka Protocol, both the government and UNITA continue to acquire additional weapons. The Lusaka Protocol itself does not directly mention the importing of weapons, although the resupplying of military forces with "any military equipment, lethal or otherwise," is prohibited under the terms of the Bilateral Cease-Fire Modalities Timetable, which accompanies the Lusaka Protocol.²¹ Moreover, the "Acordos de Paz para Angola" (1991 Bicesse agreements) are still applicable under the terms of the Lusaka Protocol, and Bicesse contains the so-called "Triple Zero" clause banning both the government and UNITA from acquiring lethal weapons.²²

In addition, U.N. Security Council Resolution 864 of September 1993 clearly prohibits the sale and supply of any military or petroleum products to UNITA. However, the resolution's paragraph 19 also appears to allow the government to import arms and petroleum products, so long as they come in "through named points of entry on a list supplied by the Government of Angola to the Secretary-General, who shall promptly notify the Member States of the United Nations."

In a clear statement on the issue, U.N. Security Council Resolution 976 of February 1995: "Reaffirms the obligation of all States to implement fully the provisions of paragraph 19 of resolution 864 (1993), and calls upon the Government of Angola and UNITA during UNAVEM III's presence in Angola to cease any acquisition of arms and war material, as agreed upon in the 'Acordos de Paz', and to devote their resources instead to priority humanitarian and social needs."

Still, there is ambiguity over the standing of weapons transfers to the government, which insists that as a legitimate government it has the right to defend national security, including through arms imports. In April 1993, the government unilaterally declared that the "Triple Zero" clause of the Bicesse Accords was obsolete and that it would not abide by the arms embargo. Then, during the summer of 1993, all the members of the Observing Troika (U.S., Russia, and Portugal), as well as other nations, including the U.K., announced a lifting of their national prohibitions on military supply to the government, thereby legitimizing the unilateral opting out of "Triple Zero" by the government. Yet, the U.S. and U.K. have continued to refrain from providing arms, and have encouraged others to do the same.

Venancio de Moura, the Angolan Foreign Affairs Minister, declared in early 1995 at the time of the Security Council debate on Resolution 976, that paragraph 12 advocating an arms embargo on the government "amounted to a violation of Angola's sovereignty."

¹⁹ See, Human Rights Watch, *Angola: Arms Trade and Violations of the Laws of War Since the 1992 Elections* (New York: Human Rights Watch, 1994).

²⁰ *Africa Confidential*, February 17, 1995.

²¹ "Military forces can be supplied with food and medicines under the verification and monitoring of the United Nations. They cannot receive any military equipment, lethal or otherwise." U.N. Document DPI/1552, p.66.

²² "The cease-fire will obligate the People's Republic of Angola and UNITA to refrain from acquiring lethal material. The United States and the Union of Soviet Socialist Republics informed the Government of the People's Republic of Angola that they will support implementation of the cease-fire by ceasing to supply lethal material to any Angolan party and encouraging other countries to act in a similar fashion." Bicesse Accord, Human Rights Watch Document DPI/1552, p.64.

THE U.S. AND U.K. ATTEMPTED TO PUSH FOR A NEW TOTAL BAN ON WEAPONS IMPORTS TO ANGOLA BUT FOUND THAT RUSSIA AND BRAZIL, ONE OF THE ROTATING MEMBERS OF THE SECURITY COUNCIL AT THE TIME, OPPOSED THIS.

ASKED BY HUMAN RIGHTS WATCH ABOUT THIS, A RUSSIAN DIPLOMAT ADMITTED THAT RUSSIAN MILITARY SALES TO ANGOLA WERE SIGNIFICANT AND THAT THIS WAS WHY RUSSIA, BRAZIL AND PORTUGAL LOBBIED HARD—AND SUCCESSFULLY—AGAINST A TOTAL EMBARGO BY THE SECURITY COUNCIL.²³ HE STATED THAT IN MID-1995 RUSSIA INFORMED THE ANGOLAN GOVERNMENT THAT NEW PURCHASES OF RUSSIAN MILITARY HARDWARE WERE NOT CONDUCTIVE TO PEACE AND THAT SERVICING AND MAINTENANCE DEALS FOR THE EQUIPMENT ALREADY DELIVERED SHOULD BE THE NEW PRIORITY. PORTUGUESE AND BRAZILIAN OFFICIALS DECLINED TO COMMENT TO HUMAN RIGHTS WATCH ABOUT THEIR POSITION ON A NEW ARMS EMBARGO.

THUS, WEAPONS FLOWS INTO ANGOLA HAVE CONTINUED DESPITE THE PEACE ACCORD. IN MARCH 1995 TROOPS AND MILITARY HARDWARE DESTINED FOR HUAMBO AND SAURIMO IN CONTRAVENTION OF THE LUSAKA PROTOCOL MOVED THROUGH LUANDA'S QUATRO DE FEVEREIRO AIRPORT. THIS EQUIPMENT WAS RECENTLY DELIVERED FROM RUSSIA ACCORDING TO AIRPORT STAFF AND INCLUDED TEN T-55 TANKS AND FIVE M-46 130MM ARTILLERY PIECES.²⁴ U.N. OFFICIALS SAID THAT THERE WAS LITTLE THEY COULD DO BUT WATCH. REQUESTS TO INVESTIGATE SUSPECTED NEW IMPORTS OF WEAPONS REQUIRED FORTY-EIGHT HOURS NOTICE, WHICH PERMITTED THE GOVERNMENT TO REMOVE ANY OFFENDING MATERIAL BEFORE INSPECTION. ALTHOUGH THE GOVERNMENT HAS INFORMED THE U.N. PRIOR TO DELIVERY OF SOME WEAPON SHIPMENTS, THIS IS MORE EXCEPTIONAL THAN NORMAL PRACTICE.

BETWEEN JANUARY AND MARCH 1995, TWO SHIPS DOCKED IN LOBITO CONTAINING A SUBSTANTIAL ASSORTMENT OF WEAPONRY FROM EAST EUROPEAN NATIONS AND RUSSIA.²⁵ THESE WERE DELIVERIES OF ARMS PURCHASES MADE PRIOR TO THE LUSAKA PROTOCOL. BETWEEN MARCH AND JULY THERE WAS A DECLINE IN MILITARY IMPORTS BY THE GOVERNMENT, ALTHOUGH U.N. OFFICIALS HAVE ACKNOWLEDGED FIVE SIGNIFICANT SHIPMENTS MONITORED BY ITS PERSONNEL.

²³HUMAN RIGHTS WATCH INTERVIEW, NEW YORK, JULY 19, 1995.

²⁴HUMAN RIGHTS WATCH INTERVIEWS, LUANDA, MARCH 17, 1995. PILOTS ALSO PROVIDED DETAILS.

EVIDENCE OF INCREASED ARMS DELIVERIES APPEARED MID-YEAR IN 1995. A SHIPMENT OF WEAPONS ARRIVED ON JULY 26 IN AN ANTONOV-32 TRANSPORT PLANE AT KATUMBELA AIRPORT NEAR BENGUELA, CONTAINING TWENTY UKRAINIAN 250 KILOGRAM BOMBS.²⁶ AN ILYUSHIN TRANSPORT PLANE LANDED ON SEPTEMBER 22 AT CABO LEDO BASE, AND UNLOADED CRATES CONTAINING PARTS FOR SIX UKRAINIAN MI-17 HELICOPTERS.²⁷ THESE SHIPMENTS APPEARED TO REPRESENT NEW, POST-LUSAKA ACCORD PURCHASES, AND NOT DELIVERIES ON OLDER DEALS. THE ANGOLAN GOVERNMENT HAS ACKNOWLEDGED THAT IT IS WAITING TO TAKE DELIVERY ON A SIGNIFICANT PRE-LUSAKA DEAL WITH RUSSIA, INCLUDING MI-17 HELICOPTERS, BUT THE GOVERNMENT HAS THUS FAR RESPONDED TO PRESSURE NOT TO ACCEPT DELIVERY.

UNITA PROCUREMENT

THE FLOW OF WEAPONS INTO UNITA ZONES HAS NOT STOPPED WITH THE SIGNING OF THE LUSAKA PROTOCOL. AS DURING THE 1992-94 WAR, UNITA CONTINUES TO PROCURE WEAPONS FOR ITS FORCES, ITS PURCHASES VIOLATING BOTH THE 1991 BICESSE ACCORDS AND THE INTERNATIONAL ARMS AND OIL EMBARGO AGAINST UNITA IMPOSED BY THE UNITED NATIONS SECURITY COUNCIL IN SEPTEMBER 1993. DURING THE WAR, UNITA WAS EFFECTIVE IN "SANCTIONS-BUSTING" THROUGH NEIGHBORING COUNTRIES, ESPECIALLY SOUTH AFRICA, NAMIBIA AND ZAIRE. TODAY, UNITA APPEARS TO OBTAIN MUCH OF ITS WEAPONRY FROM PRIVATE SOURCES, RATHER THAN FOREIGN GOVERNMENTS, ALTHOUGH THERE IS SOME EVIDENCE THAT ZAIRE HAS PROVIDED ARMS. ZAIRE HAS BECOME THE MOST IMPORTANT SOURCE OF SUPPORT FOR UNITA. UNITA CONTINUES TO USE ZAIRE AS A TRANSIT AREA AND CONDUIT FOR WEAPONS TRANSFERS, AND MAINTAINS A NUMBER OF SMALL BASES IN ZAIRE.

UNITA HAS FUNDED ITS MILITARY CAMPAIGN AND ITS ILLEGAL ARMS IMPORTS WITH ANGOLA'S DIAMOND WEALTH. THE DE BEERS DIAMOND CARTEL AND OTHER INTERNATIONAL DEALERS HAVE BOUGHT DIAMONDS IN UNITA-HELD TERRITORY MINED IN VIOLATION OF ANGOLAN LAW. MOST DIAMONDS WERE SMUGGLED ACROSS ZAIRE'S SOUTHERN BORDER, AND TO A LESSER EXTENT, THE ZAMBIAN BORDER. DE BEERS ADMITS SPENDING \$500 MILLION TO BUY LEGALLY AND ILLEGALLY MINED DIAMONDS FROM ANGOLA IN 1992. MONEY FROM THE DIAMOND TRADE IS REPLACING ASSISTANCE UNITA PREVIOUSLY RECEIVED FROM THE UNITED STATES AND SOUTH AFRICA. U.S. COVERT AID TO UNITA TOTALED ABOUT \$250 MILLION BETWEEN 1986 AND 1991.²⁸

PURCHASES SINCE THE LUSAKA PROTOCOL

UNITA'S PROCUREMENT PATTERN HAS NOT CHANGED SINCE THE SIGNING OF THE LUSAKA PROTOCOL. ON THE AFTERNOON OF MARCH 7, 1995, A PLANE BELONGING TO THE CARGO COMPANY ATO, LOADED WITH WEAPONS FOR UNITA, WAS SEEN TAKING OFF FROM KINSHASA'S N'DJILI INTERNATIONAL AIRPORT BOUND FOR ANGOLA. USE OF ATO BY UNITA IS NOT NEW. ATO FLEW THREE LOADS OF RIFLES AND PISTOLS FOR UNITA DIRECT FROM PRETORIA IN 1994. IN EARLY FEBRUARY 1995 ATO CARRIED SENIOR UNITA MILITARY COMMANDERS TO BURKINO FASO AND COTE D'IVOIRE. ATO OWNS SHARES IN A BRITANNIA PLANE AND ALSO OPERATES DC-4S, DC-6S AND AN ILYUSHIN TRANSPORT AIRCRAFT.²⁹

FLIGHTS INTO UNITA ZONES DO NOT ONLY CARRY WEAPONS. THEY ALSO SUPPLY THE MOVEMENT WITH FUEL, FOOD, BEER AND MEDICAL EQUIPMENT AND CARRY PASSENGERS. BECAUSE OF THE SENSITIVITY OF SUCH OPERATIONS, HUMAN RIGHTS WATCH WAS INFORMED THAT CARGO COMPANIES AS A MATTER OF PRACTICE FILE FALSE FLIGHT PLANS WHEN TRANSPORTING MATERIAL FROM SOUTH AFRICA. A TYPICAL FLIGHT PLAN WOULD BE LIBREVILLE TO EITHER JOHANNESBURG, PRETORIA OR SWAZILAND. IN 1995, DUE TO THE INCREASED SENSITIVITY ABOUT FLYING INTO UNITA ZONES, IT HAD BECOME MORE COMMON TO FILE FALSE FLIGHT PLANS TO NIGERIA.

IN ADDITION TO ATO, A NUMBER OF OTHER COMPANIES CONTINUED TO TRANSPORT SUPPLIES INTO UNITA ZONES FROM KINSHASA'S N'DJILI INTERNATIONAL AIRPORT IN THE FIRST SIX MONTHS OF 1995.³⁰ IN THE SECOND SIX MONTHS THE NUMBER OF FLIGHTS OUT OF KINSHASA TO UNITA ZONES DECLINED. HOWEVER, THE CRASH ON DECEMBER 19, 1995 OF A TRANS-SERVICE AIRLIFT FLIGHT CARRYING UNITA PERSONNEL ON BOARD, JUST AFTER TAKE-OFF FROM JAMBA'S AIRPORT, SHOWS THE CONTINUED USE OF SUCH KINSHASA-BASED COMPANIES. COMPANIES OPERATING OUT OF KINSHASA THAT HAVE FLOWN INTO UNITA ZONES ARE:

- TRANS-SERVICE AIRLIFT (TSA)

²⁶HUMAN RIGHTS WATCH INTERVIEW WITH DIPLOMATIC SOURCE, LUANDA, AUGUST 1, 1995.

²⁷ HUMAN RIGHTS WATCH INTERVIEW WITH U.N. SOURCE, LUANDA, SEPTEMBER 27, 1995.

²⁸ SEE, HUMAN RIGHTS WATCH, *ANGOLA: ARMS TRADE AND VIOLATIONS OF LAWS OF WAR*, PP.48-59.

²⁹EYEWITNESS REPORTS: HUMAN RIGHTS WATCH INTERVIEWS, KINSHASA, MARCH 1995.

³⁰ *Ibid.*

- TRANS-AIR CARGO (TAC)
- TSA
- GUILA AIR
- EXPRESS CITY CARGO
- SKYDECK
- FIL AIR
- WALT AIR

QUESTIONS HAVE BEEN RAISED REGARDING THE DESTINATION AND CARGO OF THE AIRCRAFT THAT DEPARTED KINSHASA'S NDULO AIRPORT ON JANUARY 9, THEN SUDDENLY CRASHED INTO SIMBAZIKITA MARKET IN KINSHASA, KILLING SOME 350 PEOPLE IN ONE OF THE WORST AIR DISASTERS IN HISTORY. DIPLOMATIC SOURCES HAVE TOLD HUMAN RIGHTS WATCH THAT THEY BELIEVE THE AIRCRAFT WAS BOUND FOR A UNITA ZONE IN ANGOLA, AND THAT WHILE IT WAS NOT CARRYING WEAPONS, IT WAS CARRYING PETROLEUM PRODUCTS, WHICH WOULD CONSTITUTE A VIOLATION OF U.N. SECURITY COUNCIL RESOLUTION 864 OF SEPTEMBER 1993. *LE MONDE* HAS REPORTED THAT THE ANTONOV 32 TRANSPORT PLANE BELONGED TO A COMPANY NAMED AFRICAN AIRWAYS, WHICH OPERATES IN ZAIRE UNDER LICENSE FROM SCIBE-ZAIRE, A COMPANY OWNED BY ZAIRIAN BUSINESSMAN BEMBA-SALONA.³¹

WEAPONS ARE ALSO FLOWN INTO UNITA AREAS FROM BRAZZAVILLE IN CONGO, ACCORDING TO PILOTS, AIRPORT PERSONNEL AND OTHER SOURCES INTERVIEWED BY HUMAN RIGHTS WATCH. ADDITIONAL INVESTIGATION INTO THIS ACTIVITY IS NEEDED.

SOME ARMS FOR UNITA ARE TRANSPORTED ACROSS THE ANGOLAN BORDER BY LAND. THEY ARRIVE NOT ONLY BY VEHICLE, BUT IN ROUGH TERRAIN ARE ALSO TRANSPORTED BY HUMAN CARAVANS, OFTEN WOMEN. MARIA CALAMBA PORTERED FOR UNITA IN UIGE PROVINCE IN 1995. SHE TOLD HUMAN RIGHTS WATCH:

I WORKED FOR UNITA FOR A WHILE, CARRYING THINGS FOR THEM. FOOD, CLOTHES, BLANKETS, CHAIRS, GUNS AND AMMUNITION. I CARRIED WEAPONS TO SANTA CRUZ IN JUNE FROM A BASE INSIDE ZAIRE. THE SUPPLIES THERE HAD ARRIVED BY TRUCK. THE WALK WAS SOME WEEKS, BUT NOT DIFFICULT. WE DO IT ALL THE TIME. YOU ASKED ME WHAT TYPE OF GUNS? AKS. SOLDIERS LOVE TO SHOW OFF TO US THIS GUN. THERE WERE LOTS OF NEW AND SHINY GUNS COVERED IN GREASE WHEN THEY UNPACKED THE BIG BOYES. INSIDE WAS PAPER WITH FUNNY WRITING ON IT. I COULD NOT MAKE OUT ANYTHING. IT'S NOT LIKE PORTUGUESE WRITING. I KNOW WHAT THAT LOOKS LIKE. THIS WRITING WAS SQUARE WITH HORNS AND THINGS. I HADN'T SEEN THIS WRITING BEFORE, WHICH IS WHY I NOTICED IT. THE GUNS AND OTHER SUPPLIES ARE THEN MADE INTO SMALLER PACKAGES AND SENT OUT TO OTHER UNITA BASES. SANTA CRUZ IS JUST A PLACE TO START FROM. THERE IS TOO MUCH WORK AND TOO LITTLE FOOD WHICH IS WHY I LEFT TO SEE IF THINGS ARE BETTER WITH THE GOVERNMENT.³²

TRANSPARENCY IN ARMS TRANSFERS

HUMAN RIGHTS WATCH BELIEVES THAT STATES SHOULD BE WILLING TO PROVIDE DETAILS ABOUT THEIR WEAPONS TRANSFERS AND OTHER MILITARY ASSISTANCE TO OTHER COUNTRIES. AS A RULE, IF A COUNTRY BELIEVES THAT IT IS IN ITS NATIONAL INTEREST TO MAKE A PARTICULAR ARMS SALE, IT SHOULD BE WILLING TO DIVULGE THE DETAILS OF THE SALE AND PROVIDE ITS JUSTIFICATION. THIS IS PARTICULARLY NECESSARY IN THE CASE OF ARMS TRANSFERS TO HUMAN RIGHTS VIOLATORS, WHEN THE POSSIBILITY OF MISUSE OF WEAPONRY IS HIGH.

³¹ *LE MONDE* (PARIS), JANUARY 10, 1996. HUMAN RIGHTS WATCH TELEPHONE INTERVIEWS WITH DIPLOMATIC SOURCES IN LONDON AND WASHINGTON, D.C., FEBRUARY 1, 1996.

RECOGNITION OF THE NEED FOR DISCLOSURE, OR "TRANSPARENCY" AS IT IS CALLED IN THE INTERNATIONAL SECURITY COMMUNITY, LED TO THE ESTABLISHMENT OF THE UNITED NATIONS CONVENTIONAL ARMS REGISTER IN DECEMBER 1991 TO PROMOTE "TRANSPARENCY SO AS TO ENCOURAGE PRUDENT RESTRAINT BY STATES IN THE ARMS EXPORT AND IMPORT POLICIES AND TO REDUCE THE RISKS OF MISUNDERSTANDING, SUSPICION OR TENSION RESULTING FROM A LACK ON INFORMATION."³³ NATIONS ARE REQUESTED TO VOLUNTARILY SUBMIT DATA ON THEIR ARMS IMPORTS AND ARMS EXPORTS, BUT ONLY FOR SEVEN CATEGORIES OF MAJOR WEAPONS SYSTEMS: TANKS, ARMORED VEHICLES, LARGE CALIBER ARTILLERY SYSTEMS, COMBAT AIRCRAFT, ATTACK HELICOPTERS, WARSHIPS, AND MISSILES AND MISSILE LAUNCHERS.

ANGOLA HAS YET TO SUBMIT AN ENTRY TO THE REGISTER IN ITS THREE YEARS OF OPERATION (1993, 1994 OR 1995). IN THE FIRST REGISTER IN 1993 (COVERING 1992 ARMS TRADE), NOT A SINGLE NATION LISTED AN ARMS TRANSFER TO ANGOLA. IN THE 1994 REGISTER (COVERING 1993 ARMS TRADE) ONLY RUSSIA, BULGARIA, AND THE CZECH REPUBLIC REPORTED ARMS DELIVERIES TO THE ANGOLAN GOVERNMENT. IN THE 1995 REGISTER (COVERING 1994 ARMS TRADE), POLAND LISTED THE DELIVERY OF FIFTY BWP-2 ARMORED VEHICLES TO ANGOLA, AND SLOVAKIA LISTED DELIVERY OF NINE OT-64 ARMORED VEHICLES AND FORTY 122MM ARTILLERY PIECES.

SMALL ARMS AND LIGHT WEAPONS ARE PRESENTLY NOT PART OF THE REGISTER. HUMAN RIGHTS WATCH STRONGLY BELIEVES THAT THE U.N. REGISTER SHOULD BE EXPANDED TO INCLUDE LIGHT WEAPONS AND SMALL ARMS. THESE WEAPONS OFTEN CAUSE THE GREATEST DEVASTATION AMONG CIVILIANS.

V. FOREIGN SECURITY PERSONNEL

BOTH THE GOVERNMENT AND UNITA HAVE USED FOREIGN "SECURITY SPECIALISTS" (USUALLY A EUPHEMISM FOR MERCENARIES) DURING THEIR CONFLICT. THESE FOREIGN SECURITY PERSONNEL HAVE NOT JUST TRAINED AND ASSISTED ANGOLAN FORCES, THEY HAVE OFTEN PARTICIPATED DIRECTLY IN COMBAT. THEY HAVE BOTH CONTRIBUTED TO AND COMMITTED HUMAN RIGHTS ABUSES AND VIOLATIONS OF THE LAWS OF WAR.

A SOUTH AFRICAN FIRM, EXECUTIVE OUTCOMES (EO), WAS DEEPLY INVOLVED IN THE CONFLICT FROM 1992 THROUGH 1995. EO APPARENTLY PROVIDED ARMED PERSONNEL TO ASSIST BOTH UNITA AND GOVERNMENT FORCES DURING THE 1992-1994 WAR. AN OIL INDUSTRY SOURCE TOLD HUMAN RIGHTS WATCH THAT IN LATE 1992 AND IN EARLY 1993 EO WAS PROVIDING ASSISTANCE TO UNITA ON CONTRACT. IN FEBRUARY 1993, THE GOVERNMENT ALSO HIRED ONE HUNDRED EXPATRIATE ARMED PERSONNEL THROUGH EO TO PROTECT PRIVATELY-OWNED OIL INSTALLATIONS IN SOYO. THUS EO EMPLOYEES FOUND THEMSELVES ASSISTING OPERATIONS AGAINST EACH OTHER IN THE FIRST QUARTER OF 1993. IN APRIL 1993 EO REPORTEDLY ENDED ITS WORK WITH UNITA.

EO EXPANDED ITS ACTIVITIES IN ANGOLA DURING 1994 UNDER CONTRACT TO THE GOVERNMENT.³⁴ IN SEPTEMBER 1994 EO WAS AWARDED A NEW CONTRACT BY THE GOVERNMENT REPORTEDLY WORTH SOME \$40 MILLION PER YEAR.³⁵ BETWEEN SEPTEMBER 1995 AND JANUARY 1996, EO'S CONTRACT WAS EXTENDED BY THE GOVERNMENT ON A MONTH-TO-MONTH BASIS.³⁶ IN THE POST-LUSAKA PERIOD, EO HAD SOME 400-500 MEN IN ANGOLA, MOSTLY UNDER CONTRACT TO THE ANGOLAN ARMED FORCES AND PROVIDING SERVICES IN LUANDA, CABINDA, ZAIRE, LUNDA SUL, BENGUELA AND HUILA. UNDER PRESSURE FROM THE U.S. AND OTHERS, THE ANGOLAN GOVERNMENT FINALLY TOLD EO TO WITHDRAW IN JANUARY 1996.

³³ U.N. DOCUMENT A/46/301, REPORT OF THE SECRETARY-GENERAL, "STUDY ON WAYS AND MEANS OF PROMOTING TRANSPARENCY IN INTERNATIONAL TRANSFERS OF CONVENTIONAL ARMS," SEPTEMBER 9, 1991, P.11.

³⁴ SEE, HUMAN RIGHTS WATCH, *ANGOLA: ARMS TRADE AND VIOLATIONS OF THE LAWS OF WAR*, PP.30-34.

³⁵ *THE WEEKLY MAIL AND GUARDIAN* (JOHANNESBURG), SEPTEMBER 16-22, 1994.

UNITA CALLS EO PERSONNEL MERCENARIES. THE GOVERNMENT LABELS THEM "SECURITY SPECIALISTS." LATRAS LUITINGH, THE DEPUTY DIRECTOR OF EO, DEFENDED WHAT HIS COMPANY ACHIEVED IN ANGOLA: "CALL THEM [EO] WHAT YOU LIKE—MERCENARIES, PROFITEERS, SOLDIERS OF FORTUNE, OR SIMPLY SOLDIERS—EO IS A PROFESSIONAL ORGANIZATION. IT WAS THROUGH OUR EFFORTS IN ANGOLA THAT JONAS SAVIMBI WAS FORCED TO COME TO THE NEGOTIATING TABLE. AS A CONSEQUENCE OF THAT, WE HAVE PEACE OR, RATHER, RELATIVE PEACE, IN ANGOLA. EVEN THE ANGOLAN GOVERNMENT WILL ATTEST TO THAT."³⁷

BETWEEN MID-1993 AND LATE 1994 EO TRAINED 4,000 TO 5,000 GOVERNMENT TROOPS AND ABOUT THIRTY PILOTS. EO EMPLOYEES FLEW COMBAT SORTIES IN SOVIET MI-17 HELICOPTERS AND MIG-23 FIGHTERS. THEIR MAIN CONTRIBUTION WAS IN ASSISTING IN THE RECAPTURE OF THE DIAMOND AREAS OF CAFUNFO AND THE OIL INSTALLATIONS AT SOYO IN 1994. EO PILOTS ALSO UNDERTOOK RECONNAISSANCE AND PHOTOGRAPHIC MISSIONS INCLUDING INFRARED PHOTOGRAPHY. ALTHOUGH MOST OF EO'S OFFICERS AND LEADERSHIP ARE WHITES, 70 PERCENT OF EO'S PERSONNEL ARE BLACK AFRICANS, MOSTLY FROM SOUTH AFRICA AND NAMIBIA.³⁸

AN EO MEMBER ADMITTED ON SOUTH AFRICAN TELEVISION IN 1995 THAT HIS ORGANIZATION DID NOT JUST TRAIN SOLDIERS BUT ENGAGED IN AGGRESSIVE MILITARY OPERATIONS:

A TEAM WENT AHEAD TO CLEAN UP CAFUNFO. WE FOLLOWED UP LATER AND, ON THE WAY TO CAFUNFO, WE KILLED ABOUT 300 ENEMY SOLDIERS. EXECUTIVE OUTCOMES WAS ENGAGED IN ATTACKS ALL THE TIME. IT DID GIVE SOME TRAINING AS WELL, BUT THE SUCCESSSES OF THE MPLA COULD BE DIRECTLY ATTRIBUTED TO EXECUTIVE OUTCOMES' INVOLVEMENT.³⁹

A FORMER EO EMPLOYEE DESCRIBED HIS WORK TO HUMAN RIGHTS WATCH IN JUNE 1995:

WE ARE PROFESSIONALS. WE DON'T ENGAGE IN UNNECESSARY VIOLENCE. WE ARE SPECIALISTS IN COUNTER-INSURGENCY OPERATIONS. MOST OF OUR WORK WAS TRAINING BUT WE ALSO ENGAGED DIRECTLY IN OPERATIONS THAT HAD DIRECT COMMERCIAL CONSEQUENCE. SOME CIVILIANS GET HURT IN THESE OPERATIONS BUT THEY WERE NOT OUR TARGET. IN THE CAFUNFO OPERATION WE DID ENCOUNTER PROBLEMS AND THINGS WENT OUT OF CONTROL FOR A SHORT TIME. THAT WAS UNUSUAL.⁴⁰

UNITA SOLDIERS HAVE ADMITTED THAT NIGHT FLYING AND NOCTURNAL INTELLIGENCE AND OPERATIONS LED BY EO DENIED THEIR FORCES SLEEP AND ERODED MORALE. ONE UNITA SOLDIER TOLD HUMAN RIGHTS WATCH:

WE USED TO KNOW WE COULD SLEEP WELL AT NIGHT. IN THIS RECENT WAR NEW TACTICS MEANT THAT FIGHTING CONTINUED AT NIGHT AND THAT LIGHT INFANTRY UNITS LED BY THESE EXECUTIVE OUTCOMES GUYS WOULD COME FROM DEEP BEHIND OUR LINES. WE COULD NO LONGER REST. IT WEAKENED US VERY MUCH. IT IS THE NEW TACTICS THEY TRAINED THE FAA IN THAT MADE THE DIFFERENCE. THEY INTRODUCED A NEW STYLE OF WARFARE TO ANGOLA. WE WERE NOT USED TO THIS.⁴¹

³⁷THE SUNDAY INDEPENDENT (JOHANNESBURG), AUGUST 27, 1995.

³⁸ ALAN ROKE, "DANGEROUS DOGS OF WAR," NEW AFRICAN, NOVEMBER 1995, PP.10-15.

³⁹ SABC TV (JOHANNESBURG), IN AFRIKAANS, 1800 GMT, NOVEMBER 17, 1995.

⁴⁰HUMAN RIGHTS WATCH INTERVIEW, JOHANNESBURG, JUNE 9, 1995.

THREE EO EMPLOYEES WERE KILLED IN COMBAT WITH UNITA IN EARLY MARCH 1994 AND THREE MORE WERE WOUNDED AND FLOWN TO WINDHOEK, NAMIBIA ON MARCH 7 FOR MEDICAL TREATMENT. UNITA CLAIMED TO HAVE KILLED OVER 125 "FOREIGN MERCENARIES" AS OF LATE 1994. EO'S EXECUTIVE DIRECTOR EEBEN BARLOW ADMITTED THAT FIFTEEN OF HIS EMPLOYEES DIED IN ANGOLA FROM MALARIA, TRAINING ACCIDENTS AND UNITA ATTACKS SINCE MID-1993. IN SEPTEMBER 1994, ANOTHER EO REPRESENTATIVE SAID FOURTEEN EMPLOYEES HAD DIED IN ANGOLA IN THE LAST TWELVE MONTHS.⁴²

UNITA TOOK EO EMPLOYEES PRISONER AND, ACCORDING TO A UNITA OFFICIAL, EXECUTED THEM. TWO EO PERSONNEL WERE CAPTURED IN EASTERN ANGOLA IN MARCH 1994. TWO MORE WERE CAPTURED ON JULY 15, 1994 WHEN THEIR PC-7 PLANE WAS SHOT DOWN BY UNITA SHORTLY BEFORE GOVERNMENT FORCES RECAPTURED THE STRATEGIC DIAMOND TOWN OF CAFUNFO. ONE OF THESE WAS IDENTIFIED BY UNITA AS D.C. O'CONNELL, A SOUTH AFRICAN. UNITA HAD PUBLICLY THREATENED TO EXECUTE ANY CAPTURED MERCENARIES. ALTHOUGH SOUTH AFRICAN DEPUTY PRESIDENT THABO MBEKI MADE AN APPEAL FOR CLEMENCY IN JULY 1994, A UNITA OFFICIAL TOLD HUMAN RIGHTS WATCH THAT THEY WERE EXECUTED SHORTLY AFTER CAPTURE. HE JUSTIFIED THE EXECUTIONS BY SAYING, "THESE ARE MERCENARIES. THEY FIGHT FOR MONEY NOT IDEOLOGY. THEY HAVE NO RIGHTS IN UNITA EYES. BOTH BLACK AND WHITE MERCENARIES DID NOT HAVE THE RIGHT TO LIVE. THEY DESIGNED AND CONDUCTED OPERATIONS THAT KILLED OUR PEOPLE. WE HAVE NO RESPONSIBILITY TO THEM UNDER INTERNATIONAL LAW. THEY EARNED THOUSANDS OF US [DOLLARS] A MONTH TRYING TO KILL US."⁴³ THE JULY/AUGUST 1994 EDITION OF UNITA'S JOURNAL *TERRA ANGOLANA* INCLUDED PHOTOS OF THREE WHITE SOLDIERS KILLED BY UNITA; TWO WERE IDENTIFIED FROM THE PHOTOS AS EO EMPLOYEES BY THEIR FAMILIES.

UNDER THE LUSAKA PROTOCOL, "REPATRIATION OF ALL MERCENARIES IN ANGOLA" IS DEMANDED.⁴⁴ THIS BECAME A CONTENTIOUS SUBJECT AND THE PRESENCE OF EO PERSONNEL IN ANGOLA PROMPTED UNITA TO SUBMIT TO THE CHAIRMAN OF THE JOINT COMMISSION A DOCUMENT ENTITLED "REPATRIATION OF ALL MERCENARIES IN ANGOLA" IN WHICH IT ALLEGED THAT THE GOVERNMENT HAD RECRUITED AND WAS USING MERCENARIES. THE GOVERNMENT RESPONDED BY ISSUING A STATEMENT IN NOVEMBER 1995 WHICH ASSERTED THAT THE EO PERSONNEL DID NOT FALL UNDER THE DEFINITION OF MERCENARY AS IN THE INTERNATIONAL CONVENTION AGAINST THE RECRUITMENT, USE, FINANCING AND TRAINING OF MERCENARIES ADOPTED AT THE 45TH SESSION OF THE U.N. GENERAL ASSEMBLY IN 1989. IT CALLED THEM "FOREIGN MILITARY AND INDUSTRIAL SECURITY SPECIALISTS" IN THE ANGOLAN ARMED FORCES AND INDUSTRIAL SECURITY FIRMS, HIRED ON A COOPERATION BASIS. THE GOVERNMENT ARGUED THAT THE COOPERATION AGREEMENTS AND CONTRACTS SIGNED WITH THE MINISTRY OF DEFENSE WERE LEGAL AS THEY WERE IN ACCORDANCE WITH ARTICLE 15 OF PRESIDENTIAL DECREE NO 2/93 ON MILITARY POLICY.

HOWEVER, IN AN INTERVIEW ON JANUARY 10, 1995, FAA CHIEF OF STAFF GEN. JOAO BAPTISTA DE MATOS GAVE A LESS GUARDED DESCRIPTION OF THESE SPECIALISTS. HE SAID, "SOME 300 SOUTH AFRICAN MERCENARIES SERVE WITH THE GOVERNMENT FORCES AND SLIGHTLY LESS WITH UNITA."⁴⁵

⁴² THE WEEKLY MAIL AND GUARDIAN (JOHANNESBURG), SEPTEMBER 16-22, 1994.

⁴³ HUMAN RIGHTS WATCH INTERVIEW, LUANDA, MARCH 14, 1995.

⁴⁴ LUSAKA PROTOCOL ANNEX 3, AGENDA ITEM II.1, MILITARY ISSUES (1) II-6.

AFTER U.S. PRESSURE ON PRESIDENT DOS SANTOS PRIOR TO THE FIRST EVER OFFICIAL ANGOLAN PRESIDENTIAL VISIT TO WASHINGTON, THE ANGOLAN GOVERNMENT FINALLY RELENTED AND ANNOUNCED ON DECEMBER 12, 1995 THAT EO WOULD WITHDRAW. EO HAD BEEN COMPETING WITH OTHER FIRMS, SUCH AS THE U.S.-BASED MILITARY PROFESSIONAL RESOURCES INC., FOR A LUCRATIVE GOVERNMENT CONTRACT TO TRAIN THE NEW FAA ARMY. ON JANUARY 2, 1996, EO ANNOUNCED FROM PRETORIA THAT, "IN TERMS OF AN AGREEMENT BETWEEN THE ANGOLAN GOVERNMENT AND EXECUTIVE OUTCOMES, THE COMPANY HAS STARTED WITH THE WITHDRAWAL OF EMPLOYEES FROM ANGOLA AS THE CONTRACT BETWEEN THE PARTIES HAS BEEN FULFILLED."⁴⁶ EO ANNOUNCED ON JANUARY 12 THAT ITS LAST PERSONNEL HAD LEFT ANGOLA THE PREVIOUS DAY FROM CABO LEDO, AND STATED THAT IT WAS "PROUD OF THE ROLE IT WAS ABLE TO PLAY IN ANGOLA IN ORDER TO END ONE OF THE LONGEST CIVIL WARS IN AFRICA."⁴⁷ GEN. DE MATOS AND PHILLIP SIBANDA, THE COMMANDER OF UNAVEM FORCES, WERE PRESENT TO MONITOR THE REPATRIATION OF THE LAST OF THE EO CONTINGENT. ACCORDING TO THE GOVERNMENT, 446 EO PERSONNEL WERE REPATRIATED TO SOUTH AFRICA.⁴⁸

IT HAS, HOWEVER, BEEN REPORTED THAT SOME EO MEN ARE BEING REDEPLOYED FROM EXECUTIVE OUTCOMES INTO FRONT COMPANIES SUCH AS SARACEN INTERNATIONAL, WHICH IS INVOLVED IN MINE CLEARANCE IN THE SOYO AREA, STUART MILLS INTERNATIONAL, WHICH IS RENOVATING A MILITARY HOSPITAL, AND SHIBATA SECURITY, WHICH IS ALSO INVOLVED IN MINE CLEARANCE. OTHERS REPORTEDLY LINKED TO EXECUTIVE OUTCOMES INCLUDE BRANCH ENERGY IN CABINDA, BRIDGE RESOURCES AND CORPORATE TRADING INTERNATIONAL.⁴⁹

HUMAN RIGHTS WATCH HAS ALSO BEEN TOLD RECENTLY THAT ANOTHER SECURITY FIRM, ALPHA 5, IS WORKING FOR THE GOVERNMENT IN LUNDA NORTE PROVINCE, IN THE DIAMOND AREAS. LITTLE IS KNOWN ABOUT ALPHA 5 AND ITS ACTIVITIES TO DATE, BUT IT APPARENTLY RELIES PRIMARILY ON SOUTH AFRICAN SECURITY SPECIALISTS.⁵⁰

UNITA "Security Specialists"

THE GOVERNMENT ALLEGES THAT UNITA USES MERCENARIES IN THE RANKS OF ITS MILITARY FORCES AND THAT THESE INDIVIDUALS HELP THE MOVEMENT TO MAINTAIN CONTROL OF LOCALITIES AND ASSIST IN THE EXTRACTION AND EXPORT OF DIAMONDS IN LUNDA NORTE, LUNDA SUL, BIE AND KUANDO KUBANGO PROVINCES AND COFFEE EXPORTS FROM UNITA ZONES IN KWANZA NORTE AND UIGE PROVINCES. GEN. DE MATOS IN AUGUST 1995 CLAIMED THAT, "ZAIRE IS THE PRINCIPAL SOURCE OF DESTABILIZATION, BUT UNITA IS ALSO USING MERCENARIES FROM FRANCE, SOUTH AFRICA AND WE BELIEVE BRITAIN."⁵¹

ACCORDING TO THE GOVERNMENT, MERCENARIES ARE SAID TO ENTER ANGOLA THROUGH ZAIRE AND TO BE LOCATED IN THE FOLLOWING PLACES: MBANZA CONGO, OUTSKIRTS OF UIGE, MICONGE IN CABINDA, LUZAMBA AND OUTSKIRTS, BAILUNDO, ANDULO, OUTSKIRTS OF HUAMBO, JAMBA, CUITO CUANAVALE. THEY ARE SAID TO BE ATTACHED TO THE FOLLOWING UNITA UNITS: CUANGO REGIONAL COLUMN, BATTALION 07, BATTALION 18, BATTALION 22, BATTALION 511, BATTALION 530, BATTALION 170, CHITUNDA COMPANY, LUZAMBA AIRPORT DETACHMENT, ANDULO AIRPORT DETACHMENT.⁵²

THE GOVERNMENT IDENTIFIES THE FOLLOWING ZAIRIANS, LEBANESE AND PROBABLE RUSSIANS AS WORKING FOR UNITA. THEY FAIL TO NAME ANY SOUTH AFRICANS, ALTHOUGH THEY ALLEGE THAT MOST OF THE MERCENARIES USED BY UNITA COME FROM ZAIRE AND SOUTH AFRICA. THE NAMES, AS LISTED BY THE GOVERNMENT, ARE:

⁴⁶ SAPA NEWS AGENCY (JOHANNESBURG), 1338 GMT, JANUARY 2, 1996.

⁴⁷ SAPA NEWS AGENCY (JOHANNESBURG), 1210 GMT, JANUARY 12, 1996.

⁴⁸ TELEVISAO POPULAR DE ANGOLA (LUANDA), 1600 GMT, JANUARY 11, 1996.

⁴⁹ THE STAR (JOHANNESBURG), OCTOBER 24, 1995.

⁵⁰ HUMAN RIGHTS WATCH TELEPHONE INTERVIEWS WITH JOURNALISTS AND OTHER SOURCES IN ANGOLA, JANUARY 31, 1996.

⁵¹ THE GUARDIAN (LONDON), AUGUST 1, 1995.

⁵² "GOVERNMENT POSITION ON THE USE OF MERCENARIES," STATEMENT PRESENTED TO THE CHAIRMAN OF THE JOINT COMMISSION, LUANDA, NOVEMBER 1, 1995.

CUITO CUANAVALE IS AN UNLIKELY LOCATION FOR UNITA MERCENARIES BECAUSE IT IS CONTROLLED BY THE GOVERNMENT.

1. LUYEY N'KOKO, ZAIRIAN. 2. ZANDU EMMANUEL, ZAIRIAN. 3. M'PANZU NKILA MPEMBI, ZAIRIAN. 4. N'DELE KIALA JOSEPHO, ZAIRIAN. 5. TAIZONE MALAMBO, ZAIRIAN. 6. FISTON LUTINADIO N'SUNBU, ZAIRIAN. 7. N'KOKO SALAZAKO MAYEMBE, ZAIRIAN. 8. NIOKA MAMUNGA. 9. NDULO PASCAL NKOKO. 10. KAMIL SAUYED, LEBANESE. 11. ALI SOUKIED, LEBANESE. 12. MUSTAFA ABDEL, LEBANESE. 13. ASSI AL-ALI, LEBANESE. 14. FOUDA RANSAN, LEBANESE. 15. ABASS DAKIR, LEBANESE. 16. AJIH SALAME, LEBANESE. 17. IMADA CHOUCAIR, LEBANESE. 18. ABASSEL AHMAD, LEBANESE. 19. NABIL KAYAT, LEBANESE. 20. OLEG ALEKSY. 21. ALEKSANDR TERECHOV. 22. MIKHAIL RISCOB. 23. LURIA ANDROPOLU.⁵³

HUMAN RIGHTS WATCH INTERVIEWED SEVERAL FOREIGN NATIONALS INVOLVED IN WORKING FOR UNITA IN 1995. BECAUSE OF THEIR CONTINUING BUSINESS WITH THE FORMER REBELS THEY PREFERRED NOT TO BE NAMED. ONE ADMITTED THAT UNITA FREQUENTLY USED FOREIGN EXPERTISE:

UNITA NEEDS FOREIGN EXPERTISE TO HELP IMPROVE COMMUNICATIONS AND OTHER LOGISTICS. SETTING UP BETTER SATELLITE COMMUNICATIONS, AND USING THE INTERNET ARE ALL THINGS UNITA IS INVESTING AND TRAINING IN FOR BOTH MILITARY AND POLITICAL REASONS. AIR FREIGHTING PEOPLE AND CARGO IN AND OUT OF UNITA ZONES ALSO REQUIRES HELP. THESE ARE ALL DONE ON A COMMERCIAL BASIS. MERCENARY WORK IT IS NOT. UNITA HAS ITS OWN FORCES WHO CAN DO A BETTER JOB. IT IS TRUE ZAIRIANS ARE INVOLVED IN THE DIAMOND AREAS, BUT MANY OF THESE WERE ORIGINALLY ANGOLANS IN THE 1960S. THEIR INTEREST IS DIAMOND EXTRACTION AND PRESIDENT MOBUTU IS PROBABLY PLEASED TO SEE THEM KEPT PAID AND ACTIVE ELSEWHERE.⁵⁴

THE U.N. FROWNS ON THE USE OF MERCENARIES. IN HIS 1993/4 REPORT, THE U.N. SPECIAL RAPPORTEUR ON THE USE OF MERCENARIES CONCLUDED THAT FOR ANGOLA, "WITH REGARD TO THE AGGRAVATION OF THIS ARMED CONFLICT, THE PRESENCE OF FOREIGN MERCENARIES WHO HAVE PARTICIPATED IN TRAINING OPERATIONS AND IN COMBAT HAS BEEN A KEY FACTOR IN THE DURATION AND NATURE OF THE CONFLICT."⁵⁵

VI. FREEDOM OF EXPRESSION

THE LUSAKA PROTOCOL GUARANTEES FREEDOM OF SPEECH AND FREEDOM OF THE PRESS. THE ANGOLAN MINISTER OF INFORMATION PEDRO HENDRIK VAAL NETO CLAIMED IN A ANGOLAN GOVERNMENT SPONSORED SECTION IN THE *INTERNATIONAL HERALD TRIBUNE* ON JUNE 16, 1995, "THERE ARE NOW 40 NEWSPAPERS, 24 MAGAZINES AND 18 BULLETINS AND FOUR PRIVATE RADIO STATIONS REGISTERED IN THE COUNTRY. THERE ARE ALSO MORE THAN 1,000 SATELLITE ANTENNAS IN THE COUNTRY RECEIVING INTERNATIONAL BROADCASTS, INCLUDING CNN." THE MINISTER SAID, "VIEWS AND OPINIONS ON THE WIDEST RANGE OF ISSUES OF LOCAL AND NATIONAL INTEREST RECEIVE COVERAGE." "WE BELIEVE," HE ADDED, "THAT RESPONSIBLE JOURNALISM IS ESSENTIAL TO THE HEALTH OF A DEMOCRATIC SOCIETY. THE GOVERNMENT IS AWARE OF THE DEFICIENCIES IN THE PROFESSIONAL EDUCATION AND TRAINING OF MANY ANGOLAN JOURNALISTS AND IS ACTIVELY PURSUING MEASURES TO RECTIFY THE SITUATION."

HUMAN RIGHTS WATCH HAS MONITORED FREEDOM OF EXPRESSION IN ANGOLA CAREFULLY SINCE THE LUSAKA PROTOCOL, AND HAS OBSERVED A RADICALLY DIFFERENT SITUATION THAN THAT WHICH THE MINISTER DEPICTED.

ON JANUARY 19, 1995, RICARDO DE MELLO, THE DIRECTOR OF THE INDEPENDENT NEWSLETTER, *IMPARCIAL FAX*, WAS ASSASSINATED OUTSIDE HIS HOME IN CENTRAL LUANDA BY AN UNIDENTIFIED GUNMEN. IT WAS A PROFESSIONAL KILLING. HIS ASSAILANT PUT ONE SHOT STRAIGHT THROUGH THE HEART. THE KILLING OF MELLO BRINGS THE NUMBER OF JOURNALISTS KILLED IN ANGOLA SINCE THE SEPTEMBER 1992 ELECTIONS TO TWELVE. THERE HAVE BEEN MANY MORE INCIDENTS OF INTIMIDATION OF JOURNALISTS. IN JANUARY 1994 THE STATE-RUN ANGOLAN RADIO CRITICIZED THE CONDUCT OF ANGOLAN JOURNALISTS WORKING FOR FOREIGN MEDIA AND CALLED FOR "MEASURES" TO BE TAKEN AGAINST THEM. IN TWO SEPARATE BROADCASTS ON JANUARY 13 AND 14, 1994, RADIO NACIONAL DE ANGOLA CALLED ON JOURNALISTS TO BE "PATRIOTIC" AND NOT TO COVER STORIES CONSIDERED TO BE A THREAT TO NATIONAL SECURITY. A "CERTAIN CORRESPONDENT OF SOUTH AFRICAN RADIO" WAS IN PARTICULAR WARNED TO BE MORE CAREFUL, AN APPARENT REFERENCE TO FREELANCE ANGOLAN JOURNALIST MARIO PAIVA.

THE FOLLOWING IS A SAMPLE OF CASES OF INTIMIDATION OF JOURNALISTS, WRITERS AND ARTISTS IN 1995 AND 1996.

⁵³ *Ibid.*

⁵⁴ HUMAN RIGHTS WATCH INTERVIEW, LONDON, DECEMBER 11, 1995.

⁵⁵ REPORT ON THE QUESTION OF THE USE OF MERCENARIES AS A MEANS OF VIOLATING HUMAN RIGHTS AND IMPEDING THE EXERCISE OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION, SUBMITTED BY MR. ENRIQUE BALLESTEROS, SPECIAL RAPPORTEUR, PURSUANT TO COMMISSION RESOLUTION 1993/5. E/CN.4/1994/23. HUMAN RIGHTS WATCH ALSO, U.N. INTERNATIONAL CONVENTION ON THE RECRUITMENT, USE, FINANCING AND TRAINING OF MERCENARIES, 1989, VOL. 9, NO. 1 (A)

- JANUARY 15, 1995. UNIDENTIFIED INDIVIDUALS BROKE INTO THE OFFICES OF *COMERICO ATUALIDADE*, DESTROYING EQUIPMENT AND FILES. PUBLISHER VICTOR ALEXIO BELIEVED IT WAS INTIMIDATION, IN RESPONSE TO PUBLICATION OF ARTICLES DENOUNCING GROWING GOVERNMENT AND MILITARY CORRUPTION.
- JANUARY 18, 1995. RICARDO DE MELLO, DIRECTOR OF *IMPARCIAL FAX*, WAS ASSASSINATED OUTSIDE HIS LUANDA HOME.
- JANUARY 21, 1995. GOVERNMENT RAPID INTERVENTION POLICE RAIDED A MEETING OF THE CABINDA NATIONALS COMMITTEE IN A XILOANGO CINEMA HOUSE, CABINDA, DETAINING TWENTY-SEVEN PARTICIPANTS AND ASSAULTING SEVERAL OF THEM, INCLUDING JOAO BAPTISTA SOUSA, A JOURNALIST FOR RADIO NACIONAL DE ANGOLA.
- JANUARY 28, 1995. MARIO COSSA, AN *IMPARCIAL FAX* JOURNALIST, CLAIMED TO HAVE BEEN THE TARGET OF AN ATTACK BY SEVEN MEN DRESSED IN PLAIN CLOTHES.
- APRIL 20, 1995. VICTOR NIMBA (NOT HIS REAL NAME) RECEIVED ANONYMOUS PHONE CALLS WARNING HIM NOT TO TALK TO HUMAN RIGHTS WATCH AGAIN OR "FACE THE CONSEQUENCES."
- JULY 6, 1995. ALEXANDRE ADAO WAS QUESTIONED BY AN INTERIOR MINISTRY OFFICIAL ON HOW HE HAD FUNDED A CASSETTE OF ANGOLAN SONGS. HE WAS TOLD IN THE FUTURE TO GET PERMISSION PRIOR TO RECORDING AND NOT TO SING SONGS CRITICAL OF THE GOVERNMENT.
- AUGUST 1995. RADIO NACIONAL JOURNALIST JOSE MUTAMBI WAS DETAINED IN SAURIMO FOR PUBLISHING ON ANTI-GOVERNMENT DEMONSTRATIONS AND THE GROWTH OF OPPOSITION PARTY SOCIAL RENOVATION PARTY (PRS).
- NOVEMBER 18, 1995. MARIO PAIVA, A FREELANCE JOURNALIST FOR REUTERS AND SOUTH AFRICAN BROADCASTING CORPORATION'S CHANNEL AFRICA AND LINKED TO THE MEDIA INSTITUTE IN SOUTHERN AFRICA (MISA) HAD HIS LIFE THREATENED BY THE INTERIOR MINISTRY'S SERVICIO DE INFORMACAO (SINFO) AGENT, BETO, IF HE CONTINUED TO WRITE ARTICLES CRITICAL OF THE SECURITY FORCES. IT WAS THE SECOND THREAT IN NOVEMBER. PAIVA'S HOME ALSO CAME UNDER SURVEILLANCE AT THIS TIME.
- JANUARY 1996. REGINALDO DE SILVA, A FREELANCE JOURNALIST FOR BBC WORLD SERVICE, RECEIVED SEVERAL ANONYMOUS PHONE CALLS WARNING HIM THAT "SO-CALLED INDEPENDENT JOURNALISTS LIKE YOU SHOULD WATCH OUT."

THE DE MELLO KILLING IS SIGNIFICANT BECAUSE IT REPRESENTS A NEW EXTREME IN A GROWING TREND OF STATE INTIMIDATION OF ANY DOMESTIC JOURNALISTIC CRITICISM OF THE GOVERNMENT. DE MELLO'S DEATH ALSO SIGNALLED THAT, DESPITE THE LUSAKA PROTOCOL, FREEDOM OF EXPRESSION REMAINS FRAGILE.

HARDLINERS INSIDE THE INTERIOR MINISTRY IN PARTICULAR HAD BECOME INCREASINGLY ANXIOUS ABOUT MELLO'S PUBLICATION OF STORIES DEALING WITH GOVERNMENTAL AND MILITARY CORRUPTION AT SENIOR LEVELS. DE MELLO HAD PUBLISHED AN ARTICLE ACCUSING THE THEN POLICE COMMANDER AND INTERIOR MINISTER OF FAILING TO ACCOUNT FOR \$30 MILLION THAT HAD BEEN ALLOCATED TO HIS MINISTRY. DE MELLO ALSO PUBLISHED A SERIES OF CLASSIFIED MILITARY DOCUMENTS, INCLUDING SOME OUTLINING AN ARMY PSYCHOLOGICAL WARFARE CAMPAIGN AND ONE FEATURING THE DIVISIONS WITHIN THE MPLA AND THE MILITARY OVER THE SIGNING OF THE LUSAKA PROTOCOL. JUST BEFORE HIS ASSASSINATION MELLO WAS WORKING ON A STORY ABOUT A POSSIBLE POLITICAL-MILITARY COUP AGAINST PRESIDENT DOS SANTOS.

GOVERNMENT AND MILITARY OFFICIALS APPEAR TO HAVE BEEN DEEPLY SPLIT OVER HOW TO RESPOND TO *IMPARCIAL FAX*, WHICH BY JANUARY 1995 WAS GROWING IN CONFIDENCE AND PUSHING THE PRESS BOUNDARIES INTO WHAT WERE REGARDED AS TABOO SUBJECTS, PARTICULARLY THE BITTER DIVISIONS WITH THE MPLA OVER STRATEGY TOWARDS THE PEACE PROCESS AND UNITA. TWO SENIOR RANKING MPLA OFFICIALS WARNED MELLO BY PHONE AND IN PERSON IN THE DAYS PRECEDING HIS DEATH THAT HE WAS IN DANGER FROM MPLA HARDLINERS AND THAT HE SHOULD LIE LOW AND NOT PUBLISH CONTROVERSIAL STORIES UNTIL THE EMOTIONS OF THE HARDLINERS HAD COOLED DOWN.⁵⁶

EVEN AFTER HIS DEATH, MELLO'S *IMPARCIAL FAX* COLLEAGUES CONTINUED TO BE INTIMIDATED AND RECEIVE THREATENING ANONYMOUS PHONE CALLS. WORRIED FOR THEIR SAFETY, THE *IMPARCIAL FAX* STAFFERS WERE AFTER SEVERAL ATTEMPTS ABLE TO OBTAIN SOUTH AFRICAN VISAS IN MAY SO THAT THEY COULD LEAVE ANGOLA UNTIL THE SITUATION STABILIZED. *IMPARCIAL FAX* HAS CEASED PRODUCTION IN ANGOLA AND MOST OF THE *IMPARCIAL FAX* TEAM NOW RESIDE IN PORTUGAL.

IN LATE MARCH ANDRA PITRA "PETROFF" WAS RELIEVED OF HIS JOB AS POLICE COMMANDER, BUT RETAINED HIS JOB AS INTERIOR MINISTER. THE PERSISTENT ALLEGATIONS ABOUT ANDRA PITRA "PETROFF'S" POSSIBLE INVOLVEMENT IN MELLO'S DEATH WARRANT FURTHER INVESTIGATION. A POLICE INVESTIGATION ORDERED BY THE GOVERNMENT HAS REACHED NO CONCLUSIONS ON WHO WAS RESPONSIBLE FOR THE KILLING. ACCORDING TO AT LEAST

⁵⁶ DE MELLO IS REPORTED TO HAVE BEEN WARNED BY BOTH MPLA SECRETARY GENERAL LOPO DO NASCIMENTO, AND GEN. ANTONIO DOS SANTOS FRANCA "NDALU," WHO BECAME ANGOLAN AMBASSADOR TO WASHINGTON IN LATE 1995.

ONE SOURCE, THE POLICE CHIEF IN CHARGE OF THE INVESTIGATION, EDUARDO SAMBO, WAS WARNED OFF THE CASE WHEN HE BEGAN QUESTIONING A RELATIVE OF PETROFF.⁵⁷

MELLO'S KILLING SENT SHOCK WAVES THROUGH THE COMMUNITY OF JOURNALISTS IN LUANDA. ALTHOUGH FEARFUL OF REPRISALS, JOURNALISTS IN LUANDA SPOKE OPENLY TO HUMAN RIGHTS WATCH IN MARCH 1995. ONE JOURNALIST CALLED JOAO (NOT HIS REAL NAME) EXPLAINED:

MELLO WAS NOT CLEAN. HE WAS WELL-CONNECTED WITH THE MPLA AND HAD ONCE BEEN IN THE SECURITY, WHICH IS BOTH AN ADVANTAGE AND A DISADVANTAGE. HE ALREADY KNEW TOO MUCH. IMPARCIAL FOX PLAYED AN IMPORTANT ROLE IN PUSHING FORWARD PRESS FREEDOMS. HIS MISTAKE WAS TO DO TOO MUCH, TOO SOON. BUT HIS DEATH IS NOT WASTED BECAUSE THEY CAN NEVER AGAIN KILL A JOURNALIST IN THIS WAY. IN THE LONG TERM THIS WEAKENS THOSE WITH CLOSED MINDS.

ANOTHER JOURNALIST CALLED MARIA (NOT HER REAL NAME) EXPLAINED:

MELLO'S DEATH IS A SET-BACK. BUT HIS DEATH STRENGTHENS OUR ANGER AT THE MPLA. KILLING WILL NOT STOP US. THE GREATEST CONTROL THEY HAVE ON US IS THAT WE NEED THE JOBS TO KEEP ALIVE. I HAVE FIVE CHILDREN TO FEED AND KEEP IN CLOTHING. IF I WRITE AN ARTICLE CRITICAL OF THE GOVERNMENT I WILL NOT BE FIRED. THE ARTICLE WILL OFTEN APPEAR WITHOUT CENSORSHIP. HOWEVER, ONCE PUBLISHED THE EDITOR WILL PHONE ME IF THERE HAS BEEN AN OFFICIAL COMPLAINT AND I WILL HAVE TO EXPLAIN MYSELF. IF I DID IT A SECOND TIME, I LOSE MY JOB. THE SYSTEM IS MORE OF SELF-CENSORSHIP. WE THEN DO NOT HAVE ANY PROBLEMS. IF THERE WERE INDEPENDENT PAPERS THAT COULD PAY US, WE WOULD JOIN THEM AND DO REAL WORK.

WHEN PRESIDENT DOS SANTOS VISITED WASHINGTON ON HIS OFFICIAL VISIT IN DECEMBER, HUMAN RIGHTS WATCH ASKED THE PRESIDENT ABOUT SUPPRESSION OF FREEDOM OF EXPRESSION AND INTIMIDATION OF JOURNALISTS IN ANGOLA AND WHAT THE GOVERNMENT WAS TRYING TO DO ABOUT IT. PRESIDENT DOS SANTOS REPLIED:

⁵⁷ "ANGOLA: U.N. BLIND SPOT — PEACEKEEPERS UNABLE OR UNWILLING TO TACKLE HIT SQUADS AND OTHER HUMAN RIGHTS ABUSES." *MISA FREE PRESS*, HUMAN RIGHTS WATCH Edition. FEBRUARY 1996, VOL. 9, NO. 1 (A)

THERE IS MORE FREEDOM OF THE PRESS IN ANGOLA THAN ANYWHERE. THERE ARE SEVERAL PAPERS THAT CRITICIZE THE GOVERNMENT EVERY DAY, AND WHEN THEIR CRITICISM IS FAIR WE ACCEPT IT. BUT A LOT IS UNFAIR — NOT ONLY CRITICISM, BUT INSULTS. SOME OF THESE ARTICLES COULD BE GROUNDS TO TAKE THE JOURNALISTS TO COURT. THESE JOURNALISTS AREN'T HARASSED BECAUSE OF THESE ARTICLES. THE GOVERNMENT ALSO CONTROLS SOME MASS MEDIA — RADIO AND TELEVISION — AND THEIR EXPRESSION IS FREE. YOU HAVE TO READ THE PAPERS. THE GOVERNMENT MEDIA ALSO CRITICIZES THE GOVERNMENT. NO JOURNALIST IS HARASSED. STILL, THERE IS SOME LEVEL OF CRIMINALITY, ESPECIALLY IN LUANDA. NOT ONLY JOURNALISTS ARE MURDERED, BUT OTHER PROFESSIONS TOO. EVEN FOREIGNERS. WE REGRET THE MURDER OF RICARDO DE MELLO. THE GOVERNMENT CONDEMNED THE ACT. BUT WE'RE NOT RESPONSIBLE. THE POLICE CARRIED OUT AN INQUIRY, AS THEY HAVE INTO OTHER MURDERS.⁵⁸

MANY PRINT AND RADIO JOURNALISTS ACKNOWLEDGED THAT SELF-CENSORSHIP WAS THE COMMON APPROACH, AND THAT EXCEPT FOR *IMPARCIAL FAX*, THE LOCAL MEDIA IS TIGHTLY CONTROLLED. EVEN THE SO-CALLED "INDEPENDENT" RADIO STATIONS SURVIVE WITH DISCREET FINANCIAL SUPPORT FROM GOVERNMENT SUPPORTERS.

EVEN BENIGN INCIDENTS COULD ATTRACT PRESS CENSORSHIP IN 1994. THE PUBLICATION OF A CARTOON IN *JORNAL DE ANGOLA* ABOUT THE RUINOUS ECONOMIC MANAGEMENT OF PRIME MINISTER MARCOLINO MOCO PROMPTED THE EDITOR'S DISMISSAL. HE WAS REAPPOINTED AS EDITOR OF A SPORTS SUPPLEMENT PUBLISHED BY THE SAME PAPER.⁵⁹

THE GOVERNMENT CONTROLLED MEDIA IS GIVEN "POLITICAL DIRECTION" EACH WEEK BY AN INFORMATION COUNCIL MADE UP OF MINISTRY OFFICIALS FROM THE MINISTRY OF SOCIAL COMMUNICATION AND THE DIRECTOR-GENERALS AND EDITORS-IN-CHIEF OF ALL THE STATE MEDIA EACH WEEK. RADIO REMAINS THE MOST IMPORTANT MEDIUM IN ANGOLA. THE MOST POWERFUL STATE-CONTROLLED MEDIA SOURCE IS RADIO NACIONAL DE ANGOLA, A NATIONAL RADIO STATION WITH FORTY-NINE STATIONS AND 930 EMPLOYEES NATIONWIDE. THERE ARE ONLY FOUR PRIVATELY-OWNED RADIO STATIONS: LUANDA ANTENNA COMMERCIAL (LAC), RADIO CABINDA COMMERCIAL IN CABINDA, RADIO MORENA FOR BENGUELA AND RADIO 2000 FOR LUBANGO. THEY WERE SET UP JUST BEFORE THE 1992 ELECTIONS WITH FINANCIAL SUPPORT FROM MPLA SOURCES IN ORDER TO ASSIST IT DURING THE ELECTION CAMPAIGN. ALTHOUGH THESE ARE TECHNICALLY INDEPENDENT, THEIR PROGRAMS AVOID DIRECTLY CRITICIZING THE GOVERNMENT. THE U.N. HAS BEEN AMONG THE TARGETS OF HOSTILE PROGRAMS ON GOVERNMENT-CONTROLLED RADIO. GOVERNMENT RADIO IN UIGE PROVINCE BROADCAST A PROGRAM IN NOVEMBER WHICH URGED THE POPULATION TO "PREPARE FOR WAR AGAINST UNAVEM," RESULTING IN HOSTILE DEMONSTRATIONS AGAINST UNAVEM'S REGIONAL HEADQUARTERS IN UIGE.

OTHER GOVERNMENT-CONTROLLED MEDIA OUTLETS INCLUDE: TELEVISAO POPULAR DE ANGOLA (TPA) WHICH BROADCASTS EIGHT HOURS A DAY AND EMPLOYS 900 PEOPLE WITH FOUR REGIONAL STATIONS; ANGOP, THE OFFICIAL AND ONLY NEWS AGENCY; *JORNAL DE ANGOLA* AND *CORREIO DA SEMANA*, THE WEEKLY NEWSPAPER WHICH LIKE LAC WAS SET UP JUST BEFORE THE 1992 ELECTIONS AS PART OF THE SAME MPLA STRATEGY. SEVERAL JOURNALIST ATTACHED TO THIS PAPER IN 1993-94 TRIED TO REDUCE THEIR DEPENDENCY ON THE MPLA, BUT FAILED AND LEFT FOR *COMERCIO EXTERNO*, AN ECONOMICS MAGAZINE. IN JANUARY 1994 THE PUBLISHERS OF *COMERCIO EXTERNO* LAUNCHED A WEEKLY NEWS MAGAZINE, *COMERCIO ATUALIDADE*, WHICH IS LESS BLAND THAN THE ORIGINAL PRODUCT AND WHICH EMBARKED ON MILD CRITICISM OF GOVERNMENT CORRUPTION. IN MID-1994 A GLOSSY MAGAZINE CALLED *ECO* STARTED TO BE DISTRIBUTED, ALTHOUGH IT HAS TO DATE AVOIDED COVERING CONTROVERSIAL POLITICAL ISSUES. IN 1995, A WEEKLY, *TEMPOS NOVOS*, WAS LAUNCHED AS WERE TWO NEW FAX PUBLICATIONS, *FOLHA 9/EXPRESSO*, EDITED BY WILLIAM TONET, AND *ACTUAL FAX*, EDITED BY LEOPOLDO BAIO (ONE OF THE OLD *IMPARCIAL FAX* EDITORIAL TEAM). A GROUP OF JOURNALISTS CALLED THE MEDIA GRUPO, SOME OF THEM ATTACHED TO *COMERCIO ATUALIDADE*, ARE CONSIDERING LAUNCHING A NEW INDEPENDENT DAILY NEWSPAPER. MARIO PAIVA WAS ONE OF THESE; HIS EFFORTS WITH THIS PAPER AND WITH MISA MAY HAVE MADE HIM THE TARGET FOR THE DEATH THREATS.⁶⁰

FROM FEBRUARY 1992, DURING THE INTERIM PERIOD BEFORE THE SEPTEMBER 1992 ELECTIONS, ANGOLAN JOURNALISTS TRIED TO FORM A MORE INDEPENDENT JOURNALISTIC FORUM BY BREAKING AWAY FROM THE "OFFICIAL" UNION OF ANGOLAN JOURNALISTS (UAJ) AND FORMING THE INDEPENDENT SINDICATO DOS JORNALISTAS ANGOLANOS (SJA) UNION. SOME JOURNALISTS FROM UNITA ZONES ALSO JOINED THE SJA DURING THIS PRE-ELECTION PERIOD. HOWEVER, WITH THE RETURN TO CIVIL WAR AFTER THE ELECTIONS SJA MEMBERS WERE RENEWED TARGETS FOR INTIMIDATION AND ACQUIESCED FOR THE MOST PART IN SELF-CENSORSHIP. THERE WERE NEVERTHELESS SOME POSITIVE DEVELOPMENTS. IN FEBRUARY 1994 THE SJA BEGAN PUBLISHING A

⁵⁸ PRESIDENT DOS SANTOS REPLY TO HUMAN RIGHTS WATCH QUESTION, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES SEMINAR, WASHINGTON, D.C., DECEMBER 9, 1995.

⁵⁹ TAZUARY NKEITA, "ANGOLA: REVENGE KILLING," *SOUTHERN AFRICA POLITICAL & ECONOMIC MONTHLY* (HARARE), APRIL 1995, PP.21-22.

⁶⁰ SEE ALSO, MISA, "MEDIA EM ANGOLA: RELATORIO DO GRUPO FAREFA DO MISA SOBRE ANGOLA 1 a 9 DEZEMBRO 1993. ACTUALIZADO EM FEVEREIRO 1995." *HUMAN RIGHTS WATCH*.

newsletter, *Jornalismo Hoje*, which discussed amongst other questions, censorship. *Imparcial Fax* was also launched in the same month. Funding for this venture appears to have come from Portuguese and Liberal MPLA sources.

The SJA union has recently accused U.N. Special Representative Beje of yielding to government pressure by demoting UNAVEM's acting spokesperson, João Carlos Gomes, following the showing of two television debates on media freedom. The first program was aired on national television on September 19, 1995 during a time slot allocated to the U.N., and was an unprecedented, open debate with participation by both private and state media representatives. The lively exchange resulted in public criticism of Gomes by an MPLA member of parliament, Costa Andrade, who also runs *Correio da Semana* and the LAC radio station. The second debate, aired on September 24, was boycotted by the state media. In November, Gomes was replaced by Paulo Nascimento, the current UNAVEM spokesperson.⁶¹

Journalists working in UNITA-held zones faced, and continue to face, even greater difficulties. All information is censored and visits by foreign correspondents are tightly controlled and stage-managed. Human Rights Watch was also tightly controlled during its visit to UNITA zones in May 1994. UNITA's only paper, *Terra Angolana*, is published in Portugal. Its editorial line is strictly pro-UNITA although Savimbi criticized it for not being loyal enough during UNITA's 1995 congress in Bailundo. UNITA also has a short wave radio station, the Voice of the Resistance of the Black Cockerel (Vorgan). Based in Jamba (UNITA's former headquarters), Vorgan is completely partisan, and often disseminates extreme propaganda against the government and other targeted groups even though it is specifically called in the Lusaka Protocol not to disseminate negative propaganda.

UNITA is also responsible for the assassination of journalists. A mirror image of the Mello killing occurred on December 4, 1992 in the UNITA stronghold of Huambo. David Bernardino, a doctor and editor of the weekly *Jango* magazine, was gunned down by unidentified assassins. He, like Mello, had published articles critical of authority, in this case UNITA. Human Rights Watch spoke to a journalist sympathetic to UNITA in UNITA zones in 1994 who admitted to Human Rights Watch that self-censorship is how UNITA journalists work and that no alternative is possible.⁶² Eduardo (not his real name) explained:

We can only think silently what we feel. This is a war, what you think and what you say are different things in war. Our task is to expose the MPLA's lies, not to look at problems in the movement. That would weaken our task in fighting the enemy. When this war is over, we can be more thoughtful. Until then we follow what we are told by O Mãos Velho (Savimbi) and free ourselves from the slavery of Fungo (the Angolan presidency).

The widespread control of information has resulted in Angolans only trusting foreign radio, especially the Portuguese services of Voice of America and the BBC World Service. The result is a country in many ways still frozen in a cold war mentality in which freedom of expression remains illusory.

U.N. Radio Station

⁶¹ "Angola: U.N. blind spot — peacekeepers unable or unwilling to tackle hit squads and other human rights abuses," *MISA Free Press*, January 1996, Internet Edition. Also, Human Rights Watch telephone interview with UNAVEM official, Amadou Niang, Luanda, January 31, 1996. Niang defended Beje and said that Nascimento's appointment had nothing to do with the debates.

⁶² See also, Alex Vines "Een Feniks die uit zijn as zal verrisjen: de Bernarde positie van de "onafhankelijke" nieuwsmedia in Angola," *Eduardo Mondlane Stichting Informatiekronk (Netherlands)*, May 1995.

ONE OF THE GREAT FAILURES DURING UNAVEM II WAS THE ABSENCE OF A NEUTRAL INDEPENDENT SOURCE OF INFORMATION IN WHICH PEOPLE COULD HAVE CONFIDENCE. THE MAY 1991–SEPTEMBER 1992 PERIOD WAS NOTABLE FOR THE DISSEMINATION OF HOSTILE PROPAGANDA BY RADIO NACIONAL AND VORGAN. THIS CONTRIBUTED TO FEELINGS OF HOSTILITY AND ENCOURAGED VIOLENCE AND A LACK OF TOLERANCE. INTERVIEWED BY HUMAN RIGHTS WATCH, MARGARET ANSTEE, THE FORMER U.N. SPECIAL REPRESENTATIVE IN ANGOLA FROM 1991–1993 UNDERLINED THE IMPORTANCE OF SETTING UP AN INDEPENDENT U.N. RADIO STATION, SAYING, "IF I LOOKED BACK AND CHANGED TWO THINGS IN UNAVEM II, IT WOULD BE TO HAVE AN EFFECTIVE HUMAN RIGHTS MONITORING COMPONENT AND AN INDEPENDENT RADIO STATION. BOTH ARE CRITICAL INGREDIENTS FOR A SUCCESS IN ANGOLA."⁶³

U.N. SECURITY COUNCIL RESOLUTION 976 OF FEBRUARY 1995 ENDORSED THE SECRETARY GENERAL'S CALL IN HIS FEBRUARY 1 REPORT "FOR UNAVEM III TO HAVE AN EFFECTIVE INFORMATION CAPABILITY, INCLUDING A UNITED NATIONS RADIO STATION TO BE ESTABLISHED IN CONSULTATION WITH THE GOVERNMENT OF ANGOLA."⁶⁴ SECTION 13 OF SECURITY COUNCIL RESOLUTION 1008 OF AUGUST 1995 "STRESSES THE NEED FOR DISSEMINATION OF OBJECTIVE INFORMATION THROUGH RADIO UNAVEM AND FOR THE GOVERNMENT OF ANGOLA TO PROVIDE ALL FACILITIES FOR THE PROMPT FUNCTIONING OF THE RADIO."

IT HAS, HOWEVER, NOT BEEN EASY TO SET UP A U.N. RADIO STATION. SPORADIC NEGOTIATIONS BETWEEN UNAVEM III AND THE GOVERNMENT ABOUT SETTING UP SUCH A RADIO STATION TOOK PLACE OVER TEN MONTHS. UNDER INCREASING U.N. PRESSURE THE GOVERNMENT FINALLY RESPONDED BY CLAIMING THE ISSUE WAS OUTDATED. ANGOLAN MINISTER OF INFORMATION, HENDRIK VAAL NETO STATED IN A DECEMBER 1995 INTERVIEW ON ANGOLAN RADIO:

I DO NOT THINK IT IS NECESSARY FOR THE UNITED NATIONS TO OPERATE ITS OWN RADIO SERVICE INDEPENDENT FROM RADIO NACIONAL. WE ARE WILLING TO ALLOCATE ANY TIME THE UNITED NATIONS REQUIRES. REGARDING THE OPENING OF A PRIVATE RADIO STATION, ONE SHOULD REALIZE ANGOLA HAS A CONSTITUTION WHICH WE MUST UPHOLD. THE CONSTITUTION BANS PRIVATE RADIO STATIONS, PARTICULARLY SHORT WAVE STATIONS. THE UNITED NATIONS NEEDS TO BE HEARD THROUGHOUT THE COUNTRY, AND FOR THAT WE HAVE RADIO NACIONAL.⁶⁵

IN HIS REPORT TO THE SECURITY COUNCIL, U.N. SECRETARY GENERAL BOUTROS BOUTROS-CHALI RAISED THE ISSUE ON DECEMBER 7, 1995. HE SAID, "ALTHOUGH UNAVEM III HAS BEEN OFFERED MORE TIME ON NATIONAL RADIO AND TELEVISION, NO ADEQUATE RESPONSE HAS BEEN RECEIVED SO FAR FROM THE GOVERNMENT REGARDING THE UNITED NATIONS' OWN RADIO, AND THE SITUATION ESSENTIALLY REMAINS AS DESCRIBED IN MY LAST REPORT IN OCTOBER."⁶⁶

⁶³ HUMAN RIGHTS WATCH INTERVIEW WITH MARGARET ANSTEE, PEMBROKE COLLEGE, UNIVERSITY OF CAMBRIDGE, APRIL 7, 1995.

⁶⁴ UNITED NATIONS SECURITY COUNCIL, S/1995/97 AND ADD.1, "REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS ANGOLA VERIFICATION MISSION," FEBRUARY 1995.

⁶⁵ RADIO NACIONAL DE ANGOLA (LUANDA), 0800 GMT, DECEMBER 12, 1995.

ANSWERING a question from Human Rights Watch in December 1995, President dos Santos defended his government's position against a U.N. radio station, saying, "UNAVEM has its own radio program. They use Angolan radio and TV without any restriction or control. It is a way we found for UNAVEM to send its message, which is cheaper for UNAVEM, which has to pay expenditures. I'm not saying that we're in the Guinness Book of World Records in terms of press freedom, but we're doing our best."⁶⁷

ASKED by Human Rights Watch whether the government was doing its "best" about press freedom, a senior UNAVEM official, who did not want to be named, replied emphatically, "They are doing their least, not their best on press freedom. They would win the Guinness Book of Worst Records."⁶⁸

THE IMPORTANCE of press freedom and initiatives like the U.N. radio station is evident. Angolans have had little tradition of, or exposure to, free expression. An independent non-partisan radio station able to broadcast across the country is crucial for breaking the monopoly of control of information by both sides. As an Angolan journalist, Mario (not his real name) explained to Human Rights Watch in March, "We are ready to be brave and campaign for our rights. But we need your funding and support. The government and UNITA will never help us. They have grown fat on misinforming us. Our job is to make them diet. We must expose the true extent of their grossness."

VII. FREEDOM OF MOVEMENT

THE LUSAKA Protocol, under Annex 3, Agenda Item II.1, 1-3, guarantees that "The reestablished cease-fire shall guarantee the free circulation of persons and goods throughout the national territory." This right remains far from guaranteed. Even FAA Chief of Staff de Matos argued that, "We do not want peace only for Luanda, we want peace for all Angola. Twenty-five kilometers from the capital there are peasants who die. The roads are mined, there is no freedom of circulation. Ask these peasants whether this is peace."⁶⁹

A PEASANT farmer interviewed by Human Rights Watch near Cavito explained his vision of peace in March 1995: "Peace means to us the right to be left alone. When I can go anywhere and not be stopped by soldiers, then I know the war has ended for sure."

WHEN Human Rights Watch interviewed over sixty people in Bengo and Luanda in March 1995, we found that every person interviewed yearned for the right of freedom of movement. U.N. military officials have stated that by the end of 1995, about 45 percent of their recorded cease-fire violations were attacks on civilians designed either to control the movement of food aid in contested areas or to stop people from moving into areas controlled by the other side. Mines were laid overnight on roads previously cleared, either to keep the roads closed, to delay U.N. patrols, or to channel traffic along certain roads so that it can be taxed at checkpoints.

IN LATE 1995, for example, the FAA established random checkpoints between Cavito and the Lodge River bridge, hindering traffic. In Uige FAA units only prevent people from moving towards UNITA zones. Leaving them is encouraged. The pattern varies across the country. In Luanda Sul both sides are engaged in the diamond trade and movement is not blocked except when fighting breaks out. In other areas, such as Menongue, passage has been tightly controlled by town authorities, troops, or police manning "border" checkpoints in order to limit movement from a government controlled area to a UNITA controlled zone or vice versa. Free circulation is also inhibited by checkpoints within the cities and their immediate surroundings, where the police harass and rob the population.

THESE are not "borders" between UNITA and the government; they have an economic function, extorting women going to market to sell their produce and other commercial traffic before allowing them to continue their journey. One market trader Maria Zala told Human Rights Watch in June 1995 about her journey from UNITA occupied northern Namuangongo municipality in Bengo province to Luanda:

I pass FALAS (UNITA soldiers), FAPLAS (government soldiers), ninjas, militias and other police. They all stop me, ask me for papers, and then ask me what I have for them. Then they let me pass. We don't let our men do this route, they

⁶⁷ President dos Santos reply to Human Rights Watch question, CSIS, Washington, December 9, 1995.

⁶⁸ Human Rights Watch telephone interview with UNAVEM official, Luanda, December 28, 1995.

would be killed or taken to be soldiers. It's normal for me. I'm much too old to be of much interest to these men. Age has advantages in this place.

UNITA AREAS

Freedom of movement within UNITA areas is even more tightly controlled. In Cuando Cubango province, around Jamba, UNITA's former headquarters, the civilian population, some 40,000, is in a dreadful state. Although UNITA claims that it has invited the international community to evacuate them, UNITA has blocked attempts to do this. People still flee, mostly to Zambia, where relatives have settled along the border. Victor, who fled Jamba in June 1995, was one of ten people interviewed by Human Rights Watch the following month:

Life is very difficult for us in Jamba. We are hungry and UNITA does not allow us to leave. Many people have already left on their own feet. UNITA fears we will go to government areas if we could and warns us that it is against the peace accords to travel to government zones. UNAVEM and the MPLA will kill us with guns with silencers, like the last time UNAVEM was here. We therefore choose to leave for Zambia because Namibia can be dangerous too these days for us. It is true that many of our young men have been moved north. Savimbi has forgotten us in Jamba, he only wants the young to fight for him. Planes and marches have for a long time been moving people north. The Lunda provinces are a major destination.

Human Rights Watch has also learnt from the Namibian Police (Nampol) that several UNITA commanders based in Jamba are involved in the illegal trade of guns for second-hand clothing and food through Rundu on the Angolan border. Further north, however, Angolan refugees in Meheba refugee camp in Zambia are showing greater confidence about returning to Cazombo and other towns and villages in Alto Zambeze. Their hope is that they can start self-repatriating some family members to prepare for a return of the rest of the family if all goes well.

Attacks on Civilians

Human Rights Watch has received a series of reports from Uige province that troops from both sides are committing human rights violations against the civilian population. As the province is very fragmented between UNITA and government forces, a complicated game of brinkmanship occurred throughout 1995, with the government seeking to draw UNITA into a serious military confrontation so as to legitimize its attempt to recapture the strategic Negage airbase and town. Both sides embarked on aggressive patrolling and abuses of the civilian population, a situation further muddled by both actively trying to depict the other as the cause of Lusaka Protocol violations. A government military official who served in Northern Region for much of 1995 depicted the situation as follows: "We have various strategic objectives to complete. The Lusaka Protocol denied our immediate realization of these priorities. We therefore have to engage in a longer-term strategy. We can not afford to allow UNITA to occupy strategic military locations, like Negage, indefinitely."⁷⁰

In such a climate, obtaining credible information is difficult. But the incidents that can be confirmed indicate the types of human rights violations that continue in Uige province. On May 20, 1995 UNITA troops attacked Dambi, looting the village until a military unit from neighboring Calumbo responded. On May 24, FAA soldiers looted goods and animals from villagers in Banza Luanda and trucked out all they confiscated. This type of incident occurs regularly in Uige when troops from both sides move into new areas.

There continue to be occasional abductions and killings. Fonseca Joao Lucas, a 34-year-old former FAPLA captain, was reported abducted by UNITA on April 24, 1995 from Calumbo and has not been heard of since. In June UNITA supporters Jorge Sukwata and Antonio Mateus were killed by government forces. On April 15 in Mbanza Luanda village, near Songo, UNAVEM arrived at the village ten minutes after a woman had been killed by FAA troops in connection with their looting of the village. In late 1995 the FAA Northern Region continued to claim that this incident was being investigated although no action has been taken except to relocate the unit responsible elsewhere in the region.

The journalist Karl Maier also witnessed a number of violations of the Lusaka Protocol in March 1995 when he travelled in Huambo province. Maier reported abuse of the local population and the government's release of intentionally false information about an alleged UNITA violation:

⁷⁰ Human Rights Watch interview with Col. Paulo, Paris, November 25, 1995.

Yesterday, I went to Dondi via Bela Vista (Cachungo) and Vila Nova with UNAVEM, an Angolan Armed Forces (FAA) official and another from UNITA. It is very clear that the town was never occupied by UNITA. This story is false. The Government troops, who came from Chinguar, invaded Bela Vista. The FAA conceded the point. It is clear that the Government troops are advancing little by little, trying to get closer to UNITA positions. For example, in Boas Aguas, Government troops, coming from Chinguar, also entered Bela Vista and did many bad things to the population. They robbed people and attacked and raped some women. Yesterday, I saw many drunken soldiers.⁷¹

Also in March, a film crew from the International Broadcasting Trust travelled to Huambo province and filmed illegal road blocks and troop movements by both UNITA and the Government—clear violations of the Lusaka Protocol.⁷²

VIII. FORCED CONSCRIPTION

Both sides continue to conscript men forcibly and arbitrarily into their armed forces. The latest incident which Human Rights Watch was able to confirm involved twenty unidentified young men taken against their will in October 1995 by Northern Region FAA for military service under the supervision of Brig. Chilloya. In Luanda the Government has stopped sweeping the city center for recruits, but it still happens in some suburbs.

One resident in Samba Musseque, who preferred not to be named, explained one method: "The FAA commanders pay police to find new recruits. The more people, the more money. We can avoid being taken by paying a higher price. It is business. There is no demand for the very young these days. You can become rich in this business."⁷³

Accounts of forced conscription are equally widespread in UNITA zones. Many are conscripted for portering jobs. Luisa is a seventeen-year-old from a village in Malange. She lived near Cacusó, which had been under UNITA control since late 1992, although her family had voted MPLA in the elections:

⁷¹ BBC World Service, 1623 GMT, March 1, 1995.

⁷² See, International Broadcasting Trust, "Angola: Under the Blue Flag," documentary (London: IBT), August 1995.

I WAS GRABBED BY SOLDIERS AND TAKEN AWAY IN DECEMBER 1992. I THEN WORKED FOR UNITA AS A PORTER UNTIL RECENTLY. THIS YEAR I CARRIED WITH SIXTY OTHER WOMEN SUPPLIES FROM ZAIRE FOR UNITA IN SANTA CRUZ (UIGE PROVINCE). THE SUPPLIES WERE IN BOXES WHICH WE CARRIED ON OUR HEADS. THEY INCLUDED FOOD, MEDICINES, GUNS AND AMMUNITION. I FINALLY WAS ABLE TO ESCAPE AND MAKE MY WAY HOME. FOR MY SAFETY AND THAT OF MY FAMILY I HAVE MOVED TO GOVERNMENT AREAS. I WAIT TILL THERE IS TRUE PEACE.⁷⁴

CHILD SOLDIERS

THE GENERAL SERVICE REQUIREMENT FOR ALL ANGOLAN MALES IS THAT THEY SHOULD BE OVER TWENTY YEARS OF AGE. BUT MANY RECRUITS ARE UNDER THIS AGE AND FORCED RECRUITMENT OF TEENAGERS OCCURRED THROUGHOUT 1995 IN NORTHERN REGION. ACCORDING TO UNAVEM, ON MAY 23, 1995, ITS OBSERVERS SAW 200 YOUNG MEN AT THE UIGE AIRPORT GUARDED BY FAA TROOPS, ALL TAKEN AGAINST THEIR WILL.

HUMAN RIGHTS WATCH BELIEVES THAT CHILDREN UNDER THE AGE OF EIGHTEEN SHOULD NOT TAKE PART DIRECTLY OR INDIRECTLY IN ARMED CONFLICT.⁷⁵ UNDER THE RULES OF WAR (PROTOCOL II TO THE 1949 GENEVA CONVENTIONS), RECRUITMENT, VOLUNTARY OR INVOLUNTARY, OF SOLDIERS UNDER THE AGE OF FIFTEEN IS ILLEGAL. UNDER THE CONVENTION ON THE RIGHTS OF THE CHILD, THOSE WHO RECRUIT SOLDIERS BETWEEN THE AGES OF FIFTEEN AND EIGHTEEN MUST ENDEAVOR TO GIVE PRIORITY TO THOSE WHO ARE THE OLDEST.⁷⁶ ALTHOUGH IT IS NOT YET IN EFFECT, THE AFRICAN CONVENTION ON THE RIGHTS OF THE CHILD PROHIBITS RECRUITMENT OF ANYONE UNDER THE AGE OF EIGHTEEN.

HOWEVER, IT IS CLEAR THAT THE PRACTICE OF UNDERAGE RECRUITMENT AND USE OF CHILDREN AND TEENAGERS BY UNITA AND THE GOVERNMENT IS WIDESPREAD, EVEN IF IT HAS DECLINED FROM THE RECORD LEVELS OF 1994.

ANTONIO IS A FATHER OF THREE LIVING NEAR CAVITO. INTERVIEWED BY HUMAN RIGHTS WATCH IN MARCH 1995, HE DESCRIBED HOW GOVERNMENT SOLDIERS FORCIBLY CONSCRIPTED HIS FOURTEEN- AND SIXTEEN-YEAR-OLD SONS ON MARCH 17. WHEN CONTACTED AGAIN IN NOVEMBER, ANTONIO CONFIRMED HIS SONS HAD BEEN SENT TO THE NORTHERN REGION FOR MILITARY SERVICE. ANTONIO COMMENTED, "THEY TELL ME THAT MILITARY SERVICE EMPLOYS THE YOUNG, BUT MY SONS WERE HAPPY TO HELP ME IN THE FIELDS. THERE IS NO JUSTICE. THE MILITARY ARE ACCOUNTABLE TO NO ONE."

GOVERNMENT CONSCRIPTION INTO LOCAL UNITS OF THE UNDERAGED CONTINUES ACROSS THE COUNTRY. HUMAN RIGHTS WATCH HAS RECEIVED REPORTS IN 1995 OF UNDERAGE CONSCRIPTION IN LUNDA NORTE, LUNDA SUL, ZAIRE, UIGE AND CUANZA NORTE AND BENGU PROVINCE. IT DOES SEEM, THOUGH, THAT MILITARY OFFICIALS ARE WEEVING OUT THOSE THAT LOOK VERY YOUNG. AN ELEVEN-YEAR-OLD, MANUEL, PICKED UP NEAR SUMBE, REPORTED TO HUMAN RIGHTS WATCH IN MARCH 1995 THAT HE HAD BEEN FREED AND SENT HOME WHEN THE COMMANDER LOOKED AT HIM AND SAID HE WAS TOO YOUNG. THREE BOYS, JOSE TEMBO, PAULO DEMBA AND JOAO KIMBU, WHO WERE UNDERAGE BUT LOOKED OLDER, WERE RETAINED.

UNITA IS LESS DISCRIMINATING WHEN CONSCRIPTING CHILDREN INTO ITS MILITARY FORCES. NGOS AND UNAVEM OFFICIALS REPORT THAT UNITA USES CHILD COMBATANTS EXTENSIVELY AND THAT YOUNG BOYS REMAIN TARGETS FOR FORCED CONSCRIPTION ESPECIALLY IN THE NORTHERN PROVINCES OF ZAIRE AND UIGE IN 1995. ANTONIO JOSE TOLD HUMAN RIGHTS WATCH IN MARCH 1995 HOW HIS ELEVEN-YEAR-OLD BROTHER, FRANCISCO, WAS TAKEN BY UNITA FROM THEIR VILLAGE NEAR QUIPEDRO ON THE BORDER OF UIGE AND BENGU PROVINCES ON FEBRUARY 11:

A UNIT OF TEN UNITAS CAME TO THE VILLAGE AND TOLD ME THAT MY BROTHER HAD REACHED THE TIME FOR HIS WORK FOR THE PARTY. COL. BRAVO LED THE GROUP. FRANCISCO THEN WAS TAKEN OFF TO SANTA POMBO FOR TRAINING. UNITA IS ALWAYS LOOKING FOR NEW RECRUITS. WE GET VISITED FREQUENTLY. THE GOVERNMENT DOES THE SAME. AS I LOOK AFTER MY MOTHER AND PRODUCE FOOD FOR THE SOLDIERS WHEN THEY COME THROUGH, THEY DO NOT TAKE ME. EVERYBODY KNOWS WHO IS WHO AROUND HERE.

UNITA HAS ALSO REDEPLOYED SOME CHILDREN TO WORK AS BONDED LABOR IN ITS DIAMOND AREAS. THERE ARE NO PRECISE FIGURES ON THE NUMBERS. A DIAMOND MERCHANT WHO HAS JUST RETURNED FROM LUNDA NORTE AND VISITED SOME UNITA DIAMOND ZONES IN NOVEMBER 1995 DESCRIBED THE SITUATION AS THE FOLLOWING:

⁷⁴ HUMAN RIGHTS WATCH INTERVIEW, BOA ESPERANCA, MARCH 16, 1995.

⁷⁵ SEE, HUMAN RIGHTS WATCH CHILDREN'S RIGHTS PROJECT, "CHILDREN IN COMBAT," *A HUMAN RIGHTS WATCH SHORT REPORT*, VOL. 9, NO. 1(G), JANUARY 1996.

⁷⁶ CONVENTION ON THE RIGHTS OF THE CHILD, ART. 38(2).

STREET CHILDREN HAVE ALSO SUFFERED ABUSES IN ANGOLA'S URBAN AREAS. UNICEF ESTIMATES THAT LUANDA ALONE HAS 4,000 STREET CHILDREN.⁷⁷ THE MAJORITY OF THESE ARE BOYS AND THEIR DAILY LIFE IS CHARACTERIZED ON THE STREETS BY SEXUAL EXPLOITATION, FORCED LABOR, AND ARBITRARY UNDERAGE MILITARY CONSCRIPTION.

IV. PRISON CONDITIONS

THE WAR SINCE 1992 DESTROYED MOST OF THE COURTHOUSES IN THE COUNTRY. IN MANY CASES JUDGES, PROSECUTORS AND LAWYERS HAVE FLED THEIR JOBS DUE TO THE WAR. THE RESULT IS THAT THE JUDICIAL SYSTEM IN SOME PROVINCES STOPPED FUNCTIONING DURING THE WAR. FOR EXAMPLE, IN UIGE THERE WAS NEITHER A COURT NOR A FUNCTIONING JUDGE UNTIL LATE 1995. DECISIONS REGARDING THE TYPE OF PUNISHMENT AND LENGTH OF SENTENCE WERE TAKEN FOR LESSER CASES (SUCH AS THEFT) BY A COMMISSION MADE UP OF THE POLICE, THE CITY GOVERNMENT AND THE ARMY. SERIOUS CASES WERE REFERRED TO LUANDA. WHILE INVESTIGATIONS WERE TAKING PLACE, THE PRISONERS WERE KEPT IN DETENTION FOR AT LEAST FIVE DAYS BEFORE A DECISION ON IMPRISONMENT WAS MADE. WHEN SENTENCE WAS DECIDED, THE INDIVIDUAL WAS BROUGHT TO PRISON. MANY PRISONERS DID NOT KNOW WHAT THEIR EXACT SENTENCE WAS AND HOW LONG THEY WOULD STAY IN PRISON. NOBODY RECEIVED A SENTENCE IN WRITING.⁷⁸

PRISON CONDITIONS ACROSS THE COUNTRY REMAIN VERY BAD. THE MOST RECENT PUBLISHED STUDY ON PRISON CONDITIONS IS THAT OF JANUARY 1994 BY THE ASSOCIAÇÃO ANGOLANA DOS DIREITOS HUMANOS (AADH), WHICH VISITED THREE PRISONS IN THE LUANDA AREA, THE CADEIA CENTRAL DE LUANDA, CADEIA DE SAO PAULO AND CAMPO DE TRABALHO PRISIONAL DE VIANA.⁷⁹ ITS REPORT HIGHLIGHTS THE APPALLING CONDITIONS. OF 1,513 INMATES INTERVIEWED, ONLY 175 HAD BEEN FORMALLY CHARGED. SOME OF THOSE, SUCH AS DOMINGOS SEBASTIAO, HAD BEEN DETAINED FOR MORE THAN THREE YEARS FOR CAUSING A MINOR DISTURBANCE. THE PRISONS ALSO HELD MANY STREET CHILDREN, THROWN INTO JAIL FOR STREET VENDING, OR SIMPLY TO CLEAN THE STREETS UP. IN THE TRABALHO PRISIONAL DE VIANA, AADH FOUND SOME 720 FAA SOLDIERS AND POLICE, ALMOST ALL CHARGED WITH HOMICIDE BY FIREARMS IN THE LUANDA AREA.

THE PHYSICAL CONDITIONS INSIDE THE PRISONS WERE NO BETTER. SOME CELLS HAD FOUR PEOPLE TO A BED; OTHERS, BUILT FOR FOUR, HOUSED OVER TWELVE PEOPLE. SANITARY CONDITIONS WERE INADEQUATE. SAO PAULO PRISON HAD BEEN TRANSFORMED INTO A PRISON HOSPITAL WITH A DEATH RATE OF BETWEEN TWO AND FOUR A DAY. IN 1993 THERE WERE ON AVERAGE THREE DEATHS A MONTH IN THE CADEIA CENTRAL DE LUANDA, AND THERE WAS A TOTAL OF 149 DEATHS IN VIANNA.

PROVINCIAL PRISONS ARE ALSO BADLY OVERCROWDED. THE PRISONERS HAVE LITTLE ACCESS TO FOOD, WATER AND MEDICINE, MOST SURVIVING ON THE SUPPORT OF THEIR FAMILIES—MUCH OF WHICH IS DIVERTED IN PAYMENTS TO PRISON OFFICIALS. IN MENONGUE PRISON, SUSPECTED UNITA DETAINEES WERE REFUSED ACCESS TO THE RIVER TO WASH WHILE OTHER PRISONERS WERE PERMITTED TO BE CLEAN. ON JUNE 6, *JORNAL DE ANGOLA* REPORTED IN A FEATURE STORY THAT MANY PRISONERS IN LUBANGO WERE DYING OF HUNGER IN ITS PRISONS.

MANY CIVIL PRISONERS ARE KEPT IN PRISON FOR EXTENDED PERIODS. LAW NO.18-A/92 OF JULY 17, 1992 ALLOWS FOR A MAXIMUM IMPRISONMENT OF 135 DAYS WITHOUT TRIAL. THE LACK OF PERSONNEL IN THE JUDICIAL SYSTEM MAKES THE USE OF THIS PREVENTIVE LAW WIDESPREAD FOR THE SMALLEST OF CRIMES. THE MAXIMUM TIME LIMIT OF FIVE DAYS UNDER THE PREVENTIVE LAW BEFORE A PRISONER IS PRESENTED TO THE JUDICIAL AUTHORITIES IS OFTEN NOT ADHERED TO. WHEN QUESTIONED BY HUMAN RIGHTS WATCH ABOUT THIS, ANGOLAN OFFICIALS SHRUGGED IT OFF, CLAIMING THEY DID NOT HAVE THE RESOURCES TO IMPLEMENT THE LAW. THIS VIOLATES NOT ONLY ANGOLAN LAW BUT ALSO LUSAKA PROTOCOL, ANNEX 5, SPECIFIC PRINCIPLES 2, WHICH STATES THAT "ANY INDIVIDUAL SUSPECTED OF HAVING COMMITTED ILLEGAL ACTS AND PLACED UNDER PREVENTATIVE DETENTION BY THE POLICE SHALL, IN STRICT COMPLIANCE WITH THE LAW, BE TAKEN TO COURT." U.N. CIVILIAN POLICE (CIVPOL) OFFICERS THAT HAVE TRIED TO VISIT PRISONS ACROSS THE COUNTRY REPORT INCREASING ACCESS BUT GREAT DIFFICULTIES IN OBTAINING CONDITIONS PERMITTING CONFIDENTIAL INTERVIEWS WITH INMATES.

⁷⁷ UNICEF ANGOLA, "THE STATE OF ANGOLA'S CHILDREN REPORT. 1995."

⁷⁸ COMMUNICATION BY SEVERAL UNAVEM OFFICIALS TO HUMAN RIGHTS WATCH IN OCTOBER 1995.

The Lusaka Protocol in its Annex 3, Specific Principles No.10, demands "release of all civilian and military prisoners detained or imprisoned as a consequence of the conflict, under the supervision of the ICRC."⁹⁰ Yet, despite the efforts of the Joint Commission and the ICRC, the government and UNITA have only responded slowly, treating the release as an issue of reciprocity. This is against the terms of the Lusaka Protocol which provides that prisoners should be released rather than exchanged on a reciprocal basis. By January 29, 1995 the ICRC had received 346 prisoners from the government and forty-four from UNITA on thirteen occasions. Most recently, UNITA in January 1996 provided the ICRC with a list of seventy government prisoners, of which twenty-four were released on January 23; a further UNITA release of prisoners of war is anticipated.

A few high profile cases of prisoners held by UNITA remain unresolved. The U.N. World Food Program operator in Huambo province, Alfredo Afonso, was arrested without explanation by UNITA on July 12, 1994. UNITA General Paulo Gato and General Albino Sinjicumbi subsequently told a high-level delegation of U.N. agency heads on July 27, 1994 that Afonso had been arrested for "crimes against state security." Despite repeated requests by the ICRC and the U.N., neither organization was permitted to visit Afonso and numerous inquiries about his whereabouts and physical condition went unanswered. Upon UNITA's withdrawal from Huambo on November 9, 1994, the U.N. Department for Humanitarian Affairs presented Gen. Vinama and Estevao "Beja" with a final request for Afonso's release. Gen. Vinama, then head of UNITA's security police, said that Afonso had already been moved out of Huambo. UNITA's leadership now claims that Angolan government forces killed many of UNITA's prisoners on entering Huambo in November, and that Afonso's whereabouts are unknown.

On August 26, 1994, suspected UNITA soldiers at a roadblock north of Porto Amboim (Cuanza Sul) stopped a Toyota displaying an Africare logo and abducted its passengers, including two Africare employees, Angolan Oliveira Capranca Lembe and Congolese Vicente D. Douma. They are still missing and despite attempts by Africare and Douma's wife, a U.S. citizen, to locate them, UNITA has provided little assistance. This is only the second time in twenty-three years in Africa that Africare has had workers taken hostage.⁹¹

Human Rights Watch's inquiries in 1995 with military commanders, NGOs and the local population in Angola, as well as refugees in neighboring states, suggest that not many prisoners of war remain alive in UNITA custody. UNITA tended to kill prisoners, the wounded and those seeking surrender on the battlefield towards the end of 1994 rather than holding prisoners because of shortages of food and logistics. Government soldiers taken earlier in 1993 were sometimes offered the chance of joining UNITA.

Y. LANDMINES

Mine warfare increased when hostilities resumed in October 1992, with thousands of new mines being laid to obstruct roads and bridges, to encircle besieged towns with mine belts up to three kilometers wide, and to despoil agricultural lands in combat zones. Both government and UNITA forces have continued to lay mines following the Lusaka Protocol cease-fire.

The U.N. believes that there are some nine to fifteen million mines throughout the country. Their legacy has had a devastating effect on Angolan society. The U.N. estimates that the number of mine amputees reached 70,000 in 1995. Mines have killed many thousands more. The tremendous toll on civilians ensures that Angola has one of the highest rates of landmine victims in the world.

⁹⁰ U.N. Document DPI/1552, p. 97.

⁹¹ Human Rights Watch, *ANGOLA: ARMS TRADE AND VIOLATIONS OF LAWS OF WAR*, p. 119.

In its January 1993 survey of landmines in Angola, Human Rights Watch identified thirty-eight types of mines deployed in Angola. These originated from countries such as Belgium, the former Czechoslovakia, China, France, the former West Germany, Italy, the former Soviet Union, the United Kingdom, the United States and the former Yugoslavia.⁸²

In 1995 Human Rights Watch interviewed a series of recent landmine victims from Huambo, Kuito, Luanda, and Caxito. Afonso Lumbala, a 32-year-old farmer, stepped on an antipersonnel mine on a path near Caxito in March 1995. Interviewed by Human Rights Watch about his accident, he commented:

All soldiers lay these mines. They don't care about us the people. We suffer for them. They never warn us about mines. We find out by losing our limbs. We want them to clear the mine mess and leave us alone. The leaders and their soldiers are responsible for this. So are the people who make these evil weapons.

Despite the hazards to civilians, landmines still continue to be laid, in violation of the Lusaka Protocol as an evident continuation of hostilities and a barrier to freedom of movement. U.N. Security Council Resolution 1008 of August 1995 "urges the two parties to put an immediate and definitive end to the renewed laying of mines." The U.N. reported in December 1995, "Recently, there have been several accidents caused by mine explosions in the provinces of Benguela, Huambo, Malange and Lunda Norte on roads that had already been in use for several months. The possibility cannot be ruled out that fresh mines are being laid in some areas, though the demining that took place prior to the opening of many access routes was not systematic."⁸³

Asked about the laying of new mines in Angola in 1995, U.N. and NGO officials and local people confirmed that it continued. An Angolan truck driver, João Kalulo, survived three explosions from mines set off by his vehicles in 1995 and described the use of mines in economic terms:

⁸² Africa Watch, *Landmines in Angola* (New York: Human Rights Watch, 1993).

⁸³ United Nations Security Council, S/1995/1012, "Report of the Secretary General on the United Nations Angola Verification Mission," December 1995.

MANY OF THESE MINES BEING LAID ARE ECONOMIC IN NATURE. THEY KEEP ROADS AND FIELDS CLOSED AND PUSH PRICES UP. THEY ALSO FORCE US TRUCK DRIVERS ALONG CERTAIN ROUTES WHICH MAKE IT EASIER TO CONTROL AND TAX. BOTH SIDES USE THIS FOR REVENUE EARNING. YOU'LL FIND THE RELUCTANCE OF SOME GOVERNORS TO SEE MINES REMOVED LESS LINKED TO NATIONAL SECURITY AND MORE TO THEIR POCKETS. TIGHT CONTROL IS GOOD BUSINESS. SOME PLACES ARE DIFFERENT. IN THE LUNDAS IT'S DIFFERENT, ENCOURAGING TRADE IS BETTER BUSINESS FOR MANY OFFICIALS UP THERE.⁹⁴

MINES ARE ALSO BEING LAID IN ORDER TO MARK FRONTIERS IN CONTESTED ZONES. SEVERAL LOCAL VILLAGERS FROM UIGE PROVINCE TOLD HUMAN RIGHTS WATCH OF NEW MINES BEING PLANTED BY THE GOVERNMENT AND UNITA DURING THEIR AGGRESSIVE PATROLLING ALONG FRONTIERS. MINE CLEARANCE PERSONNEL IN BIE AND MALANGE PROVINCES ALSO CONFIRM THAT ROUTES CLEARED OF MINES HAVE BEEN RE-MINED TO SLOW DOWN THEIR PROGRESS OR EVEN TO ERODE CONFIDENCE IN THEIR OPERATIONS. WHILE THE MINE CLEARANCE ORGANIZATIONS MAY BE USING THIS SUGGESTION TO COVER UP OCCASIONAL CASES WHERE THEY HAVE FAILED TO CLEAR A FIELD OR ROAD PROPERLY, THE CONSISTENCY OF THESE INCIDENTS SUGGESTS THAT BOTH UNITA AND GOVERNMENT TROOPS CONTINUE TO USE MINES.

THE U.N. AND THE INTERNATIONAL COMMUNITY AT LARGE HAVE SHOWN INTEREST IN ASSISTING ANGOLA WITH URGENTLY NEEDED MINE CLEARANCE OPERATIONS. HOWEVER, DESPITE SOME NOMINAL PROGRESS, NEITHER UNITA NOR THE GOVERNMENT HAS DEMONSTRATED THE COMMITMENT AND COOPERATION NEEDED TO MAKE SIGNIFICANT HEADWAY. INDEED, BOTH SIDES HAVE ON OCCASION BEEN GUILTY OF BLOCKING PROGRESS.

AT THE JANUARY 1995 CHIPIPA MEETING BETWEEN UNITA AND GOVERNMENT MILITARY, THEY AGREED TO FORM JOINT MINE CLEARING TEAMS AND TO PROVIDE THE U.N. WITH ALL NECESSARY ASSISTANCE IN TERMS OF MINE INFORMATION, RECONNAISSANCE, SURVEY AND CLEARANCE. BOTH APPOINTED MINE LIAISON OFFICERS TO THE JOINT COMMISSION. BY APRIL UNAVEM HAD RECEIVED LIMITED INFORMATION FROM THE FAA AND UNITA CONCERNING MINEFIELDS, AS WELL AS CONFIRMATION THAT THE PARTIES WOULD MAKE AVAILABLE THE NECESSARY MINE CLEARANCE PERSONNEL. BOTH SIDES BELIEVE, HOWEVER, THAT THE U.N. SHOULD EQUIP AND TRAIN THE PERSONNEL.

THE GOVERNMENT AND UNITA HAVE PLEDGED TO PUT 800 AND 400 PERSONNEL, RESPECTIVELY, AT THE DISPOSAL OF UNAVEM FOR MINE CLEARANCE. THE GOVERNMENT HAS ALLOCATED \$3 MILLION FOR THE PROCUREMENT OF MINE CLEARING EQUIPMENT. THE U.N. REPORTED IN DECEMBER 1995 THAT, "THE GOVERNMENT/UNITA MINE SWEEPING OPERATION IS STILL LIMITED, OWING MAINLY TO MISTRUST BETWEEN THE TWO PARTIES. HOWEVER, JOINT ACTIVITIES UNDERTAKEN IN THE PROVINCE OF CUANDO CUBANGO HAVE ALREADY RESULTED IN THE OPENING OF SEVERAL IMPORTANT ROADS."⁹⁵

ON MAY 19, AN ENGINEERING COMPANY OF 206 INDIAN TROOPS—PART OF 1,200 MEN JOINING UNAVEM III—ARRIVED IN ANGOLA. THE INDIAN ENGINEERS WERE TO ENGAGE IN MINE CLEARING AND THE REPAIR OF BRIDGES AND ROADS, AMONG OTHER TASKS. AN ADVANCE PARTY OF BRITISH ENGINEERS WHICH ARRIVED IN APRIL ALSO ENGAGED IN MINE CLEARANCE OF PRIORITY ROADS AND CANTONMENT AREAS FOR DEMOBILIZING TROOPS. NAMIBIA ANNOUNCED IN NOVEMBER 1995 THAT IT WOULD PROVIDE 200 TROOPS WITH MINE CLEARING EXPERIENCE.

THE U.N. SET UP A CENTRAL MINE ACTION OFFICE (CMAO) IN 1994. IN JANUARY 1995 THE CMAO OUTLINED ITS FOUR-POINT STRATEGY. IT ADVOCATED:

- EXTENSIVE SURVEYS OF MINED AREAS (WITH PRIORITY GIVEN TO PEACEKEEPER DEPLOYMENT SITES AND QUARTERING AREAS);
- PUBLIC EDUCATION AND AWARENESS ABOUT MINES;
- MINE CLEARANCE IN PRIORITY AREAS; AND
- TRAINING ANGOLANS IN ALL ASPECTS OF MINE ACTION.

THE LONG-TERM U.N. OBJECTIVE IS ESTABLISHMENT OF A NATIONAL INSTITUTION CAPABLE OF MANAGING MINE-RELATED ISSUES AFTER THE COMPLETION OF UNAVEM'S MANDATE. A DEMINING SCHOOL ESTABLISHED BY THE CMAO IN LUANDA WAS READY IN DECEMBER 1995 TO RECEIVE A FIRST GROUP OF 112 ANGOLAN STUDENTS FOR TRAINING IN JANUARY 1996. THE TRAINING IS TO BE CONDUCTED BY MILITARY EXPERTS FROM UNAVEM AND DONORS. THE CMAO IS ALSO COOPERATING WITH THE NEWLY CREATED ANGOLAN NATIONAL INSTITUTE FOR THE REMOVAL OF EXPLOSIVE DEVICES IN THE JOINT TRAINING OF SOME 250 LOCAL DEMINERS RECRUITED FROM FORMER SOLDIERS. THE INSTITUTE HAS ALSO ORGANIZED A MINE AWARENESS COURSE FOR NATIONAL NGOS WHICH HAS PRODUCED ONE HUNDRED GRADUATES TO DATE.

⁹⁴ HUMAN RIGHTS WATCH INTERVIEW WITH JOAO KALULO, JOHANNESBURG, JUNE 9, 1995.

BECAUSE OF THE LACK OF ITS OWN CAPACITY TO CLEAR MINES QUICKLY, THE U.N. ALSO AWARDED THE SOUTH AFRICAN FIRM, MECHEM, A \$6.5 MILLION CONTRACT IN JUNE 1995 TO CLEAR MINES ALONG MORE THAN 7,000 KILOMETERS OF PRIORITY ROADS AND TO OFFER QUALITY ASSESSMENT OF OTHER ROAD CLEARANCE OPERATIONS. ALTHOUGH SCHEDULED TO START IN SEPTEMBER 1995, A MIXTURE OF BUREAUCRATIC DELAYS, MECHEM'S REFUSAL TO PAY BRIBES AND SUSPICION OF MECHEM BY MILITARY OFFICIALS RESULTED IN A DELAY IN OFFLOADING ITS EQUIPMENT IN LUANDA HARBOR.⁹⁶ ALTHOUGH THE GOVERNMENT GAVE MECHEM PERMISSION IN EARLY DECEMBER TO BECOME OPERATIONAL, THE PROJECT STILL HAD NOT GOT UNDERWAY BY MID-JANUARY. THE GERMAN GOVERNMENT HAS ALSO PROVIDED A COUPLE OF QUALITY ASSESSMENT OFFICIALS FOR THIS PROJECT.

COMMERCIAL FIRMS ARE CLEARING MINES AROUND THE SOYO OIL INSTALLATIONS, EMPLOYED BY FINA AND SONANGOL. THE EXECUTIVE OUTCOMES-LINKED FIRM SARACEN IS WORKING IN SOYO WITH THE FRENCH FIRM COFRAS. THE SOUTH AFRICAN FIRM SHIBATA SECURITY IS ALSO INVOLVED,⁹⁷ AS IS THE BRITISH FIRM, DEFENCE SYSTEMS LIMITED. THE ANGOLAN GOVERNMENT HAS APPROACHED THE ZIMBABWE-BASED FIRM MINE-TECH TO BECOME INVOLVED IN MINE CLEARANCE. MINE-TECH IS ALREADY SUBCONTRACTED TO PROVIDE SOME PERSONNEL TO THE MECHEM OPERATION.

NGO MINE CLEARANCE INITIATIVES

THE GERMAN NGO KOP ANAMUR COMMITTEE STARTED MINE CLEARANCE OPERATIONS IN ANGOLA IN MAY 1992, CONCENTRATING ON CUNENE PROVINCE. IN EARLY 1995, IT ATTEMPTED TO MOVE ITS OPERATIONS FROM CUNENE TO BENGUELA PROVINCE. THE CONSEQUENCES WERE FATAL. ON MARCH 1 FIVE PEOPLE, INCLUDING ONE GERMAN, WERE KILLED BY UNIDENTIFIED GUNMEN AT SOLO, ONE HUNDRED KILOMETERS FROM BENGUELA, BETWEEN CATENGUE AND CAIMBAMBO, WHILE TRAVELLING ALONG THE CATENGUE-CAIMBAMBO ROAD. THE ATTACK APPEARS TO HAVE BEEN AIMED AT KEEPING THE ROAD CLOSED. THE CLEARANCE TEAM HAD RECEIVED SEVERAL INDIRECT WARNINGS NOT TO WORK IN THE AREA PRIOR TO THE INCIDENT. KOP ANAMUR BECAME ACTIVE AGAIN IN JANUARY 1996, CLEARING MINES IN NORTHERN CUNENE PROVINCE, TOWARDS HUILA.

THE UK-BASED MINES ADVISORY GROUP HAS BEEN WORKING IN LUENA. IT HAS PRIORITIZED NINE MINEFIELDS AROUND THE TOWN, BUT THE CLEARANCE OPERATION HAS NOT BEEN SMOOTH. BETWEEN MID-JANUARY 1995 AND LATE APRIL MINE CLEARANCE WAS SUSPENDED BECAUSE OF A DISPUTE WITH THE GOVERNOR OF LUENA. THE PROBLEM WAS EVENTUALLY RESOLVED WITH THE INTERVENTION OF THE MINISTER OF SOCIAL ASSISTANCE, ALBINO MALUNGO.

⁹⁶ THE STAR (JOHANNESBURG), OCTOBER 21, 1995.

⁹⁷ *Ibid.*

THE UK-BASED HALO TRUST EXPANDED ITS OPERATIONS IN 1995.⁸⁸ ITS CORE ACTIVITY IS IN KUITO, WHERE IT HAS BETWEEN TWENTY-FIVE AND THIRTY TEAMS WORKING AT ANY ONE TIME. BETWEEN NOVEMBER 1994 AND FEBRUARY 1995 HALO CLEARED 1,200 MINES IN CENTRAL KUITO, AND ANOTHER 500 OR SO SINCE. HALO HAS ALSO CONDUCTED LIMITED LOCAL SURVEYS IN BENGUELA AND HUAMBO, AND BEGAN CLEARING MINES IN HUAMBO ON JANUARY 26, 1996. IN MAY 1995 HALO TRUST FACED A CRISIS IN ITS OPERATIONS, FOLLOWING A DISPUTE WITH THE GOVERNOR OF KUITO, WHO INDICATED HE WANTED THE TEAM REMOVED FROM BIE PROVINCE. THE HALO TRUST MANAGER IN LUANDA TOLD HUMAN RIGHTS WATCH THAT GOVERNMENT CONFIDENCE IN THEM HAS IMPROVED, BUT THAT UNITA IS STILL VERY DISTRUSTFUL, AND REFUSES TO SHARE INFORMATION ABOUT WHERE UNITA MINES ARE LOCATED.

LIKE HALO TRUST, NORWEGIAN PEOPLE'S AID (NPA) OBTAINED A PERMIT FROM THE GOVERNMENT TO CLEAR MINES IN MALANJE PROVINCE. IN EARLY 1995 NPA ENCOUNTERED DIFFICULTIES IN STARTING UP, INCLUDING SOME CASES OF GOVERNMENT FORCES CONTINUING TO PLANT MINES AND BLOCKING NPA FROM BECOMING FULLY OPERATIONAL. BY AUGUST THE SITUATION HAD IMPROVED, ALTHOUGH DIFFICULTIES REMAINED AND NPA HAD STILL NOT BEEN ABLE TO START WORK ON ITS PRINCIPAL MINE CLEARING TASKS BECAUSE THE MILITARY SITUATION WAS TOO TENSE. NPA TEAMS ARE CURRENTLY WORKING TOWARDS SAURIMO FROM MALANJE.

NPA WAS ALSO CONTRACTED BY THE U.N. TO CONDUCT A NATIONWIDE SURVEY OF THE LANDMINE PROBLEM—in THE NORTHERN ELEVEN PROVINCES ON ITS OWN AND IN THE SOUTHERN SEVEN PROVINCES IN COLLABORATION WITH OTHER NGOs. THE NORTHERN SURVEY IS NOT PROGRESSING WELL AND THE SOUTHERN SURVEY HAS NOT BEEN ATTEMPTED. BOTH SIDES, BUT PARTICULARLY UNITA, HAVE BEEN BLOCKING PROGRESS. BOTH SIDES HAVE BEEN RELUCTANT TO GIVE REAL INFORMATION ABOUT LANDMINES.

SAVE THE CHILDREN USA AND CARE USA BECAME THE FIRST AMERICAN NGOs TO WIN MINE CLEARANCE CONTRACTS WHEN USAID AWARDED THEM FUNDS IN 1995 FOR OPERATIONS IN ANGOLA. SAVE THE CHILDREN IS FUNDING EXPANDED NPA TEAMS WHICH ARE TO CLEAR MINES IN CUANZA SUL AND BENGU PROVINCES. CARE IS FUNDING GREENFIELD CONSULTANTS, A NEW COMMERCIAL FIRM BASED IN THE UK AND RUN BY THE FORMER HALO TRUST MANAGER IN MOZAMBIQUE. GREENFIELD SIGNED A TWELVE MONTH CONTRACT WITH CARE WHICH CALLS FOR TWO CLEARANCE TEAMS OPERATING IN CUANDO CUBANGO PROVINCE, PLUS MINE AWARENESS PROGRAMS IN BIE, CUNENE, HUILA, AND CUANDO CUBANGO PROVINCES. THE CLEARANCE TEAMS WERE DEPLOYED IN DECEMBER 1995, BUT HAVE YET TO BEGIN ACTUAL OPERATIONS.⁸⁹

THE CONTINUED USE OF LANDMINES IN ANGOLA ALSO EXPLAINS WHY ANGOLA HAS NOT SERIOUSLY PARTICIPATED IN THE REVIEW CONFERENCE PROCESS FOR THE 1990 CONVENTION ON CONVENTIONAL WEAPONS, WHICH IS FOCUSED ON THE LANDMINES PROTOCOL. ONLY A JUNIOR ANGOLAN DIPLOMAT ATTENDED THE MAJOR SESSION IN VIENNA IN SEPTEMBER/OCTOBER 1995. THE AMBASSADOR ACCREDITED TO INTERNATIONAL ORGANIZATIONS IN VIENNA DID NOT BOTHER WITH IT. THE DIPLOMAT ADMITTED TO HUMAN RIGHTS WATCH THAT HIS GOVERNMENT HAD NOT SHOWN ANY INTEREST.⁹⁰ THIS IS IN SHARP CONTRAST TO MOZAMBIQUE, WHICH SENT A SENIOR, TWO-PERSON DELEGATION TO MONITOR HOW VIENNA PROGRESSED. AS ONE OF THE WORST AFFECTED COUNTRIES IN THE WORLD, ANGOLA SHOULD JOIN MOZAMBIQUE AND THE MORE THAN TWENTY OTHER COUNTRIES THAT ARE CALLING FOR AN IMMEDIATE AND TOTAL BAN ON ANTI-PERSONNEL LANDMINES.

VI. HUMAN RIGHTS MONITORING

ANGOLAN HUMAN RIGHTS MONITORING

A FEATURE OF ANGOLA REMAINS THE ABSENCE OF EFFECTIVE ELEMENTS OF CIVIL SOCIETY THAT PUBLICIZE OR LOBBY ON HUMAN RIGHTS ISSUES. THE LUANDA-BASED ANGOLAN ASSOCIATION OF HUMAN RIGHTS (AADH) REMAINS THE SOLE FUNCTIONING HUMAN RIGHTS GROUP IN ANGOLA, BUT IT DID NOT PUBLISH OR CONDUCT RESEARCH IN 1995, ALTHOUGH IT CONDEMNED THE MURDER OF RICARDO DE MELLO. THE NATIONAL ASSEMBLY MAINTAINS A CROSS-PARTY HUMAN RIGHTS COMMISSION, PRESIDED BY DOMINGOS TUNGU. UNITA REPORTS ITS HUMAN RIGHTS CONCERNS THROUGH ITS LISBON-BASED ASSOCIATION OF SURVIVING ANGOLANS (ACAS).

SOME CHURCH GROUPS HAVE SHOWN INTEREST IN INVOLVING THEMSELVES MORE ACTIVELY IN DEFENDING HUMAN RIGHTS. ONE SUCH INITIATIVE IS THAT OF THE DOMINICAN ORDER, WHICH IS TRYING TO RAISE FUNDS TO COMPLETE ITS MOSAIKO CULTURAL CENTRE JUST OUTSIDE LUANDA. ONE OF THE

⁸⁸ HUMAN RIGHTS WATCH TELEPHONE INTERVIEW WITH HALO TRUST MANAGER, LUANDA, JANUARY 29, 1996. THE MANAGER INDICATED THAT IN ADDITION TO MINES, HALO HAS CLEARED 10,000 PIECES OF UNEXPLODED ORDNANCE SINCE 1995. HE PROVIDED USEFUL INFORMATION ABOUT OTHER NGO MINE CLEARANCE ACTIVITIES AS WELL.

⁸⁹ HUMAN RIGHTS WATCH TELEPHONE INTERVIEW WITH DAVID HEWITSON OF GREENFIELD CONSULTANTS, LONDON, JANUARY 30, 1996.

⁹⁰ HUMAN RIGHTS WATCH INTERVIEW WITH MINISTER-COUNCELLOR JOAO BAPTISTA DA COSTA, VIENNA, OCTOBER 13, 1995.

KEY ACTIVITIES PROPOSED FOR THIS CENTRE IS THE PROMOTION OF JUSTICE AND HUMAN RIGHTS. IT IS HOPED TO ACT AS A RESOURCE CENTRE FOR REPORTS ON HUMAN RIGHTS IN ANGOLA AND PROVIDE A FORUM FOR DISCUSSION ON HUMAN RIGHTS ISSUES. THE MOSAIKO CULTURAL CENTRE ALSO INTENDS TO TRANSLATE ARTICLES OF CONSEQUENCE INTO PORTUGUESE AND OTHER NATIONAL LANGUAGES. THE CENTRE IS ALSO TO ENGAGE IN OUTREACH MISSIONS TO EDUCATE PEOPLE AROUND THE COUNTRY ABOUT THEIR RIGHTS. MOSAIKO IS NOT YET ACTIVE AND ALTHOUGH OTHER CHURCH GROUPS HAVE ACTED TO DEFEND HUMAN RIGHTS, THERE HAS BEEN NO CONSISTENT CAMPAIGN.

U.N. HUMAN RIGHTS MONITORING

MARGARET ANSTEE, THE FORMER U.N. SPECIAL REPRESENTATIVE TO ANGOLA, OUTLINED HER OPINION ABOUT HUMAN RIGHTS MONITORING IN UNAVEM II IN A REVIEW SHE WROTE ABOUT HUMAN RIGHTS WATCH'S NOVEMBER 1994 BOOK, *ANGOLA: ARMS TRADE AND VIOLATIONS OF LAWS OF WAR*:

I WILL SINGLE OUT ONE [HUMAN RIGHTS WATCH RECOMMENDATION] FOR WHOLEHEARTED ENDORSEMENT: THAT THE U.N. SHOULD DEPLOY HUMAN RIGHTS MONITORS IN ANGOLA. AS THE REPORT RIGHTLY OBSERVES, THIS WAS A BIG GAP IN UNAVEM II'S ORIGINAL MANDATE, PRECISELY BECAUSE THE ISSUE WAS GIVEN SCANT IMPORTANCE IN THE BICESSE ACCORDS, IN NEGOTIATION OF WHICH THE U.N. WAS NOT INVOLVED. I DO NOT AGREE, HOWEVER, THAT THE U.N. WAS "VIRTUALLY SILENT ON HUMAN RIGHTS ABUSES." (P. 15) INSTANCES THAT CAME TO OUR ATTENTION WERE TAKEN UP WITH THE SIDE CONCERNED, AND WE ORGANIZED THE FIRST HUMAN RIGHTS SEMINAR HELD IN ANGOLA. IT REMAINS TRUE, NONETHELESS, THAT OUR ROLE IN THIS KEY AREA WAS SEVERELY LIMITED BY A LACK OF MANDATE AND RESOURCES.⁹¹

HUMAN RIGHTS MONITORING IS PART OF UNAVEM III'S MANDATE. THE LUSAKA PROTOCOL STATES:

THE GOVERNMENT AND UNITA COMMIT THEMSELVES "TO IMPLEMENT THE 'ACORDOS DE PAZ PARA ANGOLA' (BICESSE), THE RELEVANT RESOLUTIONS OF THE UNITED NATIONS SECURITY COUNCIL AND THE LUSAKA PROTOCOL, RESPECTING THE PRINCIPLES OF THE RULE OF LAW, THE GENERAL PRINCIPLES OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS, IN PARTICULARLY, THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND THE FUNDAMENTAL FREEDOMS OF THE INDIVIDUAL, SUCH AS DEFINED BY THE NATIONAL LEGISLATION IN FORCE AND THE VARIOUS INTERNATIONAL LEGAL INSTRUMENTS TO WHICH ANGOLA ADHERES."⁹²

THE JOINT COMMISSION ALSO AGREED IN SEPTEMBER 1995 TO PUT HUMAN RIGHTS ON THE AGENDA OF ALL ITS REGULAR SESSIONS AND TO REQUEST UNAVEM TO REPORT PERIODICALLY ON THE GENERAL HUMAN RIGHTS SITUATION IN ANGOLA, AS WELL AS ON THE RESULTS OF ITS INVESTIGATIONS OF REPORTED VIOLATIONS.

AT THE TIME OF THE SIGNING OF THE LUSAKA PROTOCOL THE PRINCIPLE OF HUMAN RIGHTS MONITORING WAS INITIALLY TAKEN UP WITH ENTHUSIASM BY U.N. SPECIAL REPRESENTATIVE ALIOUNE BLONDIN BEYE. BEYE APPROACHED VARIOUS FOREIGN MINISTRIES REQUESTING THEM TO SEEK NGOs WHICH WOULD BE PREPARED TO FUND THEIR OWN PERSONNEL TO GO IN AS HUMAN RIGHTS MONITORS IN CONTESTED ZONES. DUE TO THE CONTINUED FIGHTING IN ANGOLA AND THE LACK OF EXPERTISE AND DESIRE OF MANY NGOs TO SEND UNARMED CIVILIANS INTO DE FACTO ACTIVE WAR ZONES, THIS INITIATIVE MADE NO PROGRESS.

HUMAN RIGHTS MONITORING BECAME PART OF UNAVEM III'S MANDATE IN SECURITY COUNCIL RESOLUTION 976 IN FEBRUARY 1995. PARAGRAPH 9 "WELCOMES THE SECRETARY-GENERAL'S INTENTION TO INCLUDE HUMAN RIGHTS SPECIALISTS IN THE POLITICAL COMPONENT OF UNAVEM III TO OBSERVE THE IMPLICATION OF THE PROVISIONS RELATED TO NATIONAL RECONCILIATION." IN THE SPIRIT OF THIS RESOLUTION THE U.N. SPECIAL REPRESENTATIVE REQUESTED THE SERVICES OF THREE HUMAN RIGHTS EXPERTS, A NUMBER WHICH WAS LATER RAISED TO FIVE. THE EXPERTS, TWO FRENCH, ONE DANE, ONE PORTUGUESE AND A U.N. OFFICIAL ORIGINALLY FROM EQUATORIAL GUINEA, WERE FUNDED BY THEIR RESPECTIVE GOVERNMENTS OR THE U.N. WORKING FOR THE HUMAN RIGHTS DIVISION, HEADED BY AMADOU NIANG, THEY SERVED ON CONTRACTS FROM APRIL TO SEPTEMBER 1995, MAKING VISITS TO UIGE, KUITO, LUENA, HUAMBO, LUBANGO, MENONGUE AND SAURIMO.

⁹¹MARGARET ANSTEE, "BOOK REVIEW OF *ANGOLA: ARMS TRADE AND VIOLATIONS OF THE LAWS OF WAR SINCE THE 1992 ELECTIONS*, BY HUMAN RIGHTS WATCH," *JOURNAL OF SOUTHERN AFRICAN STUDIES*, NOVEMBER 1995, PP.335-337.

⁹² ANNEX 9, GENERAL PRINCIPLES 10, REPRODUCED IN U.N. DOCUMENT DPI/1552, P.104.

When Human Rights Watch visited UNAVEM headquarters at Vila Espa, outside Luanda, in March 1995, just before the arrival of these human rights specialists, it was evident that the monitors' work was not regarded as a priority. Human Rights Watch was told by a UNAVEM official that "the situation is too sensitive for serious human rights monitoring. Making public what we know could undermine the peace process and put us back to war." Other senior officials did not even mention that there was a human rights component to UNAVEM when briefing Human Rights Watch about UNAVEM's mandate.⁹⁵

The human rights experts found on arrival that there was no "clear understanding of what UNAVEM wanted from us. No preparations were made by the Human Rights Division. There was no office, no computer, no radios (hand sets). We were not briefed.... There seemed not to be much support from the Chief of the Human Rights Division."⁹⁴ The human rights specialists spent much of their time in Luanda but were not permitted to conduct human rights work in the area. Luanda was made the responsibility of the division's head, Amadou Niang. It appears that Luanda was seen by UNAVEM to be too politically sensitive to document human rights abuses at this time.

The majority experience of the human rights experts at UNAVEM up to October was a lack of feedback, and no encouragement, with little sign of any interest in their human rights findings back in Luanda at UNAVEM headquarters.⁹⁵ In a UNAVEM memo obtained by Human Rights Watch, one specialist reported:

I don't know if my observations and recommendations have been discussed in the Joint Commission or anywhere else. I am not even sure if my reports have reached the SRSG's office, or if the office has only received extracts of my reports made by the Chief of the Human Rights Division. I find this lack of feedback very unsatisfactory. I have as well never received back up of any kind from the Chief of the Human Rights Division.⁹⁶

Like other U.N. operations, UNAVEM is not noted for its transparency. Reports, including human rights reports, are not made public and are not always even internally circulated.

⁹⁵ Human Rights Watch interviews, Vila Espa, Luanda, March 17, 1995.

⁹⁴ Confidential memo provided to Human Rights Watch, 1995.

⁹⁵ Human Rights Watch interviewed by telephone three of these human rights monitors in different European cities in December 1995.

⁹⁶ Confidential memo provided to Human Rights Watch, 1995.

UNDER SECURITY COUNCIL RESOLUTION OF MAY 3, 1995, U.N. CIVILIAN POLICE (CNPOL) OFFICIALS WERE EXPECTED TO VISIT PRISONERS AND OBSERVE THE SITUATION IN THE PRISONS. THIS HAD NOT HAPPENED IN MANY CASES UP TO OCTOBER 1995.⁹⁷ THE SERIOUSNESS WITH WHICH CNPOL OFFICERS CONDUCT THEIR HUMAN RIGHTS RESPONSIBILITIES HAS ALSO BEEN VARIABLE. ONE CNPOL OFFICER INTERVIEWED BY HUMAN RIGHTS WATCH IN MARCH AT VILA ESPA, DESCRIBED HUMAN RIGHTS AS, "TOO MUCH WORK. I'M NOT HERE TO DIE. IF WE PUSH HUMAN RIGHTS TOO MUCH IT GET TOO DANGEROUS. ITS OK FOR YOU TO SAY MONITOR AND REPORT THESE VIOLATIONS. BUT YOU DON'T WORK HERE."⁹⁸

NOT ALL CNPOL OFFICERS WERE SO NEGATIVE. BUT THE ATTITUDE OF THIS CNPOL OFFICIAL INDICATES THE GREAT NEED FOR HUMAN RIGHTS TRAINING FOR UNAVEM OFFICIALS, AND THE NEED FOR MONITORING OF UNAVEM OFFICIALS, SO THAT THEY PERFORM PROPERLY THE WORK THEY ARE MANDATED TO DO. AT THE END OF HER MISSION, ONE HUMAN RIGHTS SPECIALIST ATTACHED TO UNAVEM CONCLUDED:

HUMAN RIGHTS WORK WITHIN THE VERIFICATION MISSION IN LUANDA IS GIVEN A VERY LOW PRIORITY. AS WELL WHEN ONE COMPARES WITH U.N. PEACE MISSIONS ELSEWHERE. HOWEVER, THERE MAY BE REASONS FOR THIS, FINANCIAL REASONS, I BELIEVE. BUT FINANCIAL REASONS CAN NOT JUSTIFY PROBLEMS AND RESTRICTIONS OF THE KIND I HAVE EXPERIENCED DURING MY STAY IN ANGOLA.⁹⁹

AMADOU NIANG, THE HEAD OF UNAVEM'S HUMAN RIGHTS DIVISION, ADMITTED TO HUMAN RIGHTS WATCH THAT FOR MOST OF 1995 HUMAN RIGHTS WORK HAD BEEN A LOW PRIORITY. HE JUSTIFIED THIS BY SAYING, "WHILE UNAVEM WAS CONSOLIDATING ITS POSITION I HAD STRICT INSTRUCTIONS FROM BEYE TO MAINTAIN A PRESENCE BUT NOT ENGAGE IN WORK THAT COULD CAUSE POLITICAL PROBLEMS. THIS IS NO LONGER THE CASE AND AS YOU SEE, IN 1996 WE ARE RAPIDLY EXPANDING OUR WORK."¹⁰⁰ U.N. SECURITY COUNCIL RESOLUTION 1008 OF AUGUST 1995 AUTHORIZED THE SECRETARY GENERAL "TO INCREASE AS APPROPRIATE THE STRENGTH OF THE UNAVEM III HUMAN RIGHTS UNIT." FINALLY IN NOVEMBER, THE HUMAN RIGHTS DIVISION'S CAPACITY WAS EXPANDED TO EIGHT OFFICERS IN ADDITION TO NIANG, AND IT BECAME MORE ACTIVE.

⁹⁷ COMMUNICATION BY SEVERAL UNAVEM OFFICIALS TO HUMAN RIGHTS WATCH IN OCTOBER 1995.

⁹⁸ HUMAN RIGHTS WATCH INTERVIEW WITH CNPOL OFFICER, VILA ESPA, LUANDA, MARCH 17, 1995.

⁹⁹ CONFIDENTIAL MEMO PROVIDED TO HUMAN RIGHTS WATCH, 1995.

¹⁰⁰ HUMAN RIGHTS WATCH TELEPHONE INTERVIEW WITH AMADOU NIANG, LUANDA, JANUARY 11, 1996.

Human Rights Watch has obtained a copy of the "Integrated Human Rights Plan for Angola," prepared by UNAVEM's Human Rights Division in November 1995.¹⁰¹ This report states that "our objective is to inform and educate all government agencies and the common man, woman and child about what their rights are under international law, and how these laws apply specifically to them." It further states that "we hope to implement our plan through a series of work-shops to be held in Luanda and Angola's other cities, and by disseminating a basic 'Human Rights Kit' through our presence in the network of team-sites and quartering areas."¹⁰² Seminar series would include "Training the Trainer for Human Rights," "Human Rights and Civil Protection," "Human Rights Education," and "Human Rights in Support of National Reconciliation."¹⁰³ The plan envisions that other lectures will be sponsored by national NGOs and national human rights groups, and that Human Rights Legal Manuals will be distributed to the Ministry of Justice. A UNAVEM Human Rights Award will be given every two years.¹⁰⁴ The report foresees a continued presence in Angola until February 1997.

On November 23, UNAVEM held its first human rights seminar in Luanda, focusing on the role of the Lusaka Protocol in the protection of human rights and on UNAVEM III's plan of action in this area up to February 1997. A second such seminar was held on January 17, 1996 in Luanda. This was a higher profile seminar, and the heads of the government and UNITA delegations to the Joint Commission were invited. Alioune Blondin Beye and the Minister of Justice, Paulo Tchiliplica, also attended. However, the AADH, the sole functioning nongovernmental human rights group in Angola, was not officially invited. Prime Minister Marcolino Moco addressed the opening session, in which he emphasized the positive role churches, NGOs, schools and the media could play, and stressed the need for "mechanisms to give all the Angolan community a new perception of human rights in the national and international context."¹⁰⁵

By mid-January 1996 seven Human Rights Division officers had been deployed to the provinces, in each of UNAVEM six regional headquarters, Huambo, Lubango, Luena, Menongue, Saurimo and Uige and additionally in Benguela. A further expansion will take place in early 1996 with an additional six UN staff joining the Human Rights Division. They will be deployed in other cities such as Malanje and Sumbe in addition to being sent to double the Human Rights Division's UNAVEM regional headquarters.

In late October the E.U. committed additional funding for expanding UNAVEM III's program of human rights monitors, providing around ECU 300,000 for a human rights project managed by the Netherlands-based European Parliamentarians for (Southern) Africa (AWEPA). Six human rights specialists will be sent to Angola by AWEPA by mid-1996 to monitor the human rights situation and conduct human rights workshops in the provinces. AWEPA's vice-president held talks with UNAVEM on January 11 and agreed that AWEPA's personnel would fall under the responsibility of UNAVEM's Human Rights Division and that five of these would be deployed to the provinces and one AWEPA staff member would remain back at Vila Espa as a liaison person.

A draft memorandum of understanding between AWEPA and UNAVEM obtained by Human Rights Watch indicates that AWEPA may also be provide UNAVEM with \$22,000 for editing and distributing human rights kits, and \$19,110 in support for the training activities in Luanda of three experts from the Center for Human Rights in Geneva.¹⁰⁶

The Human Rights Division is also responsible for training UNAVEM staff. It is trying to set up a regular orientation program for UNAVEM's own military and police observers but is finding that many of these observers show little enthusiasm about the program. The apparent lack of interest of the UN Special Representative in the Human Rights Division was shared by other senior UNAVEM officials during most of 1995. There is no doubt that the first five human rights experts deployed by UNAVEM in 1995 were professional

¹⁰¹ UNAVEM Human Rights Division, "Integrated Human Rights Plan for Angola," Luanda, November 1995.

¹⁰² *Ibid.*, p. 1.

¹⁰³ *Ibid.*, p. 2.

¹⁰⁴ *Ibid.*, p. 5.

¹⁰⁵ *ANGOLA NEWS* (published by Embassy of Angola in the UK), January 24, 1996, p.3.

¹⁰⁶ "PROJET DE PROGRAMME DE COOPERATION ENTRE L'AWPEA ET L'UNAVEM EN RAPPORT AVEC LA PROMOTION ET LA PROTECTION DES DROITS DE L'HOMME EN ANGOLA," undated.

and that they reported as competently as they could on the human rights situation they monitored. But, the UNAVEM leadership at Vila Espo showed little interest in their work and gave them no encouragement. For much of 1995, the Human Rights Division was little more than a paper organization, active only in fulfilling the demand by the Security Council that such an organization be operational.

UNAVEM's November 1995 "Integrated Human Rights Plan" states, "Constant support and assistance will be provided by the Human Rights Section in Luanda HQ to all UNAVEM components in the field.... The HQ is responsible for following-up on all reported incidents of human rights violations with the Joint Commission.... In cases of gross violations of human rights, the HQ has to report to the SRSG and any other senior agencies and/or colleagues in the UN or other human rights agencies."¹⁰⁷ It is clear that at the time the report was written, the HQ had not been fulfilling those roles and responsibilities.

With an expanded U.N. Human Rights Division in 1996, it will soon become evident whether human rights monitoring and reporting is given a high priority by the rest of UNAVEM. U.N. staff witness human rights violations against civilians daily. One clear lesson from UNAVEM II was that human rights abuses need to be confronted. UNAVEM III has the mandate to do this through its police and military personnel and civilian human rights monitors. It would be particularly disappointing if UNAVEM III fails to adequately investigate and make public human rights abuses—as has been the case with many other U.N. operations¹⁰⁸—because the U.N. Special Representative for Angola, Alioune Beye, is also a Commissioner at the African Commission on Human Rights and Peoples.

VII. U.S. POLICY

Angola remained one of the U.S.'s Africa priorities in 1995, but only after extensive debate in the House of Representatives and the Senate over funding. Angola is seen by the Clinton administration as a special case for Africa because it represents the last piece in a regional settlement in which the U.S. has had significant economic and diplomatic investment. From 1986-1991, UNITA was the second largest recipient of covert aid from the U.S., after the Mujahidin in Afghanistan, while the MPLA-led government received extensive assistance from the former Soviet Union.

The U.S. continued to be Angola's largest trading partner in 1995, purchasing 90 percent of its oil exports. Angola is also the fourth largest importer of American goods in sub-Saharan Africa. The U.S. continued to play an important role by providing 30 percent of the U.N.'s operating costs in Angola (some \$100 million) and some 50 percent of the costs of relief operations. At a donor conference in Geneva on February 23, the U.S. pledged \$106 million. The U.S. also played an important role at the September 25-26 UNDP-assisted Brussels Angola Round Table, pledging \$190 million. In mid-December 1994 and in mid-January 1995, joint USAID/State Department missions visited Angola to review the status of the Lusaka Protocol, and assess what future administration strategy should be.

In a letter to Human Rights Watch, the U.S. Ambassador to Angola summarized U.S. policy as follows: "Our key effort to promote human rights in Angola has been helping to ensure adherence by the Government of Angola and UNITA to the peace process. At the same time, we have increasingly made human rights a centerpiece of our bilateral relationship."¹⁰⁹

In January 1995, Paul Hare, President Clinton's special envoy to Angola, visited several provinces. He was mandated to deliver a strong message to both sides that respect for the cease-fire protocol was a precondition for renewed international interest and assistance. According to U.S. officials, Department of Defense and Central Intelligence Agency monitoring of Angola was expanded in 1995, with evidence of Lusaka Protocol violations, especially weapons shipments, being sometimes presented through diplomatic channels to the government or UNITA for explanation and caution.

In early May 1995, following the announcement that President dos Santos would not travel to Lusaka to meet UNITA leader Savimbi in their scheduled summit, frenetic U.S. diplomatic efforts contributed towards reversing the Angolan government decision to

¹⁰⁷ UNAVEM, "Integrated Human Rights Plan for Angola," p. 7.

¹⁰⁸ See, Human Rights Watch, *The Lost Agenda: Human Rights and U.N. Field Operations* (New York: Human Rights Watch, 1993).

¹⁰⁹ Letter to Janet Fleischman, Washington Director, Human Rights Watch/Africa, from Ambassador Donald K. Steinberg, Luanda, December

POSTPONE, WHICH TURNED OUT TO BE A WATERSHED IN THE PEACE PROCESS IN 1995. THE U.S. THREAT NOT TO FUND THE U.N. OPERATION IN ANGOLA AND CURTAIL ASSISTANCE UNLESS THE MEETING HAPPENED WAS EFFECTIVE.

U.S. ASSISTANT SECRETARY OF STATE FOR AFRICAN AFFAIRS GEORGE MOOSE VISITED ANGOLA FROM NOVEMBER 6 TO 10, 1995 AND HELD TALKS WITH BOTH DOS SANTOS AND SAVIMBI. DURING THESE MEETINGS MOOSE URGED BOTH PARTIES TO SHOW MORE COMMITMENT TO THE PEACE PROCESS AND IN PARTICULAR PUSHED BOTH SIDES FOR COMPLIANCE WITH HUMAN RIGHTS PROVISIONS, SUCH AS FREEDOM OF MOVEMENT AND THE RELEASE OF PRISONERS OF WAR. HE ALSO REQUESTED THAT THEY END THEIR HOSTILE MEDIA PROPAGANDA CAMPAIGN AGAINST EACH OTHER. HIS VISIT WAS REGARDED AS SUCCESSFUL BECAUSE UNITA SUBSEQUENTLY BEGAN TO DEMOBILIZE ITS TROOPS. THE TRIP WAS ALSO TIMED TO PREPARE FOR THE FIRST OFFICIAL VISIT BY AN ANGOLAN HEAD OF STATE TO THE WHITE HOUSE ON DECEMBER 9, 1995.

PRESIDENT DOS SANTOS'S VISIT, AND THE WARM, PUBLIC EMBRACE THAT HE RECEIVED FROM THE CLINTON ADMINISTRATION, DRAMATIZED THE COMPLETE REVERSAL OF U.S. COLD WAR POLICIES IN ANGOLA. AT A WHITE HOUSE MEETING, PRESIDENT CLINTON SAID, "WE WANT TO WELCOME PRESIDENT DOS SANTOS TO THE WHITE HOUSE AND TO SAY HOW VERY MUCH WE APPRECIATE THE STEPS HE HAS TAKEN TO MOVE THE PEACE PROCESS. THIS HAS MADE POSSIBLE IMPORTANT CHANGES IN OUR BILATERAL RELATIONSHIP. THIS IS AN IMPORTANT VISIT FOR US AND WE LOOK FORWARD TO A STRONGER RELATIONSHIP WITH A RECONCILED, PEACEFUL, AND STABLE ANGOLA."¹¹⁰ THE FACT THAT THE MEETING EVEN TOOK PLACE WAS SIGNIFICANT; CLINTON HAS MET WITH VERY FEW AFRICAN HEADS OF STATE.

THE POSITIVE TONE OF THE PUBLIC STATEMENTS STOOD IN CONTRAST TO THE MANY CONCERNS ABOUT THE ANGOLAN GOVERNMENT'S HUMAN RIGHTS RECORD THAT WERE REPORTEDLY RAISED AT MEETINGS BETWEEN HIGH-LEVEL U.S. OFFICIALS AND DOS SANTOS DURING THE VISIT. THREATS AGAINST JOURNALISTS, AND THE RETURN OF THE BODIES OF UNITA OFFICIALS KILLED IN OCTOBER 1992 IN LUANDA, WERE RAISED IN PARTICULAR.¹¹¹ DOS SANTOS LIKELY CAME AWAY WITH MIXED SIGNALS. STRONGER PUBLIC CRITICISM OF THE GOVERNMENT'S HUMAN RIGHTS RECORD MIGHT YIELD BETTER RESULTS THAN MUTED, BEHIND-THE-SCENES INTERVENTIONS.

TO BALANCE THE VISIT OF DOS SANTOS TO WASHINGTON, U.S. NATIONAL SECURITY ADVISOR TONY LAKE PHONED SAVIMBI ON DECEMBER 12 TO BRIEF HIM ON WHAT WAS SAID IN WASHINGTON. THIS WAS THE FIRST TIME THAT SAVIMBI AND LAKE HAD SPOKEN. MADELEINE ALBRIGHT, THE U.S. AMBASSADOR TO THE U.N., VISITED ANGOLA IN MID-JANUARY 1996 TO FAMILIARIZE HERSELF WITH THE POLITICAL SITUATION ON THE GROUND. SHE BROUGHT WITH HER A U.N. SECURITY COUNCIL LETTER AND A LETTER FROM PRESIDENT CLINTON URGING DOS SANTOS AND SAVIMBI TO QUICKEN THE PACE OF THE PEACE PROCESS.¹¹²

¹¹⁰ UPI, "CLINTON MEETS ANGOLAN PRESIDENT," DECEMBER 9, 1995.

¹¹¹ HUMAN RIGHTS WATCH TELEPHONE INTERVIEWS WITH U.S. DIPLOMATIC SOURCES, JANUARY 1996.

¹¹² *Ibid.*

A NEW U.S. AMBASSADOR TO ANGOLA, DONALD STEINBERG, FORMERLY SENIOR DIRECTOR OF AFRICAN AFFAIRS AT THE NATIONAL SECURITY COUNCIL, ARRIVED IN LATE JULY 1995. STEINBERG REPLACED EDMUND DEJARNETTE WHO HAD BEEN AMBASSADOR SINCE MAY 1994. DURING THE HEARINGS FOR HIS NOMINATION, STEINBERG COMMITTED HIMSELF TO PUSHING FOR HUMAN RIGHTS IMPROVEMENTS IN ANGOLA. IN HIS FIRST SIX MONTHS IN THE POST, HE HAS TRIED TO TRAVEL WIDELY TO FAMILIARIZE HIMSELF WITH THE ANGOLA SITUATION AND HAS BEEN NOTED TO TAKE A SPECIAL, IF DISCREET, INTEREST IN HUMAN RIGHTS ISSUES. IN A LETTER TO HUMAN RIGHTS WATCH AT THE END OF 1995, AMB. STEINBERG HIGHLIGHTED SOME OF THE U.S. EMBASSY'S HUMAN RIGHTS CONCERNS AND ACTIONS. HE NOTED THAT THE U.S. HAS WORKED CLOSELY WITH THE UNAVEM HUMAN RIGHTS DIVISION "TO IMPROVE ITS OPERATIONS IN ANGOLA," AND THAT THE EMBASSY HAS PROPOSED U.S. FUNDING OF ABOUT \$100,000 FOR SIX HUMAN RIGHTS PROMOTION PROJECTS. HE EXPRESSED DEEP CONCERN OVER THE TREATMENT OF JOURNALISTS, THE FAILURE TO LOCATE THE MURDERERS OF RICARDO DE MELLO, AND THE POSSIBLE THREATS AGAINST JOURNALIST MARIO PAIVA.¹⁵

USAID BEGAN DEVELOPMENT ASSISTANCE TO ANGOLA IN 1992 BUT THE PROGRAM WAS SUSPENDED BECAUSE OF FIGHTING. IN 1995 THE ADMINISTRATION'S DEVELOPMENT REQUEST WAS \$5 MILLION, AIMED AT ECONOMIC PROJECTS (\$4.2 MILLION) AND ITS DEMOCRACY AND GOVERNANCE PROGRAM (\$800,000). THE U.S. HAS ALSO PLEDGED \$190 MILLION TO SUPPORT RECONSTRUCTION AND DEVELOPMENT IN THE CONTEXT OF A SUCCESSFUL PEACE PROCESS. ONE SIGNIFICANT PROJECT IS FOR THE OPENING OF A FULL-TIME LUANDA OFFICE FOR THE VOICE OF AMERICA RADIO IN EARLY 1996. THE PROJECT HAS BEEN FUNDED ON THE GROUNDS THAT IT WILL PROMOTE MORE MEDIA COVERAGE OF SENSITIVE ISSUES, SUCH AS CONTINUED HUMAN RIGHTS ABUSES, AND PROVIDE TRAINING FACILITIES AND CONFIDENCE BUILDING FOR ANGOLAN JOURNALISTS.

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