

ANGOLA ASSESSMENT

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I. SCOPE OF DOCUMENT

1.1 This assessment has been produced by the Country Information and Policy Unit, Immigration & Nationality Directorate, Home Office, from information obtained from a variety of sources.

1.2 The assessment has been prepared for background purposes for those involved in the asylum determination process. The information it contains is not exhaustive, nor is it intended to catalogue all human rights violations. It concentrates on the issues most commonly raised in asylum claims made in the United Kingdom.

1.3 The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain.



1.4 It is intended to revise the assessment on a 6-monthly basis while the country remains within the top 35 asylum producing countries in the United Kingdom.

1.5 An electronic copy of the assessment has been made available to the following organisations:

- Amnesty International UK
- Immigration Advisory Service
- Immigration Appellate Authority
- Immigration Law Practitioners' Association
- Joint Council for the Welfare of Immigrants
- JUSTICE
- Medical Foundation for the Care of Victims of Torture
- Refugee CouncilRefugee Legal Centre
- UN High Commissioner for Refugees.

2. GEOGRAPHY

2.1 The Republic of Angola is situated in southern Africa on the Atlantic coast. Land borders are shared with Namibia, Zambia, and the Democratic Republic of Congo (DRC) - formerly Zaire. The estuary of the River Congo and DRC territory separates the enclave Cabinda Province from the rest of Angola; the Republic of Congo (Congo) lies to its north. Angola consists of 18 provinces ranging in area from 2,500 sq km to 223,000 sq km. The capital city is Luanda. The climate is tropical, locally tempered by altitude. There are two distinct seasons, wet and dry, but little seasonal variation in temperature. The coastal lowlands are hot and rainy, but temperatures are lower inland. [1][1a][65]

2.2 The 1970 national population census found there to be 5.6 million Angolans. In 1997 a UN estimate put the population of Angola at 11.5 million. In 1995 the UN estimated the average life expectancy of Angolans to be 46.5 years. In 1996 Angola's infant mortality rate stood at 170 per 1000 live births. In 2000 approximately 50% of Angola's population were believed to be less than 15 years of age. According to official government figures published in December 2000 the annual population growth rate was 3%. Life expectancy was reported to be significantly lower than the 1996 estimate - at 42 years. A former Portuguese colony, the official language is Portuguese but various Bantu languages are widely spoken (mainly Umbundu, Kimbundu, Kikongo, Chokwe and Ganguela) a small percentage of the population speak separate tongues such as Khosian. (See Annex C)[1][1a][2][15][16][52a]

3. ECONOMY

3.1 Angola is a country rich in mineral wealth and natural resources including diamonds, petroleum and iron, but as a direct consequence of the civil war the economy has been severely mismanaged and is in disarray. Of its 1,246,700 sq km only 3% is cultivated as arable or permanent crop land. This is insufficient for Angola's population and the country has been receiving food aid from international agencies since 1975. Since the resurgence of hostilities in late 1998, many farmers have fled from their land to take refuge in the cities, which has meant even less produce available in the markets. [1]

3.2 The largest source of income for the country and one which has been largely unaffected by the hostilities, is that of petroleum mining and production. During 1999,

with oil and petroleum products already accounting for about 80% of Government revenue, the government concluded negotiations with international oil companies to operate offshore oil blocks. This will generate several hundred million US dollars; it is expected this money will be used to boost the military campaign. [1][19][50b]

3.3 In May 1999 the World Bank agreed a four-month moratorium on new loans to give Angola time to introduce macroeconomic reforms after the government failed to make scheduled repayments on loans. The civil war has led to most of Angola's industry grinding to a halt and agriculture ceasing to contribute to the GDP. [50b]

3.4 High inflation is a recurrent feature. In August 1996 the annual inflation rate was recorded at 9,169%. There have been several devaluations in recent years because of hyperinflation and at one point in September 1997 the countries exchange houses ran out of local currency - the Readjusted Kwanza introduced in 1995. In December 1999 a reformed currency was announced under which, one million Readjusted Kwanza equalled One New Kwanza. The reform was intended to simplify business transactions. In April 2000 the Angolan government and the IMF agreed upon a package of measures designed to achieve economic recovery and stabilisation in the country. Under the programme the Angolan government is required to reduce its workforce by 20% - reports stated that this would require 60,000 public servants to be retrenched by 2001. [2][3][36c][38b][46b]

4. HISTORY

Post - Independence historical background

4.1 Angola gained independence from Portugal on 11 November 1975 following an armed struggle against the Portuguese and internecine conflict between the liberation movements, the Movimento Popular de Libertacao de Angola (MPLA), its rival Uniao Nacional Para a Independencia Total de Angola (UNITA) and the Frente Nacional de Libertacao de Angola (FNLA). With backing from international supporters the MPLA quickly gained control of the capital, Luanda, and established itself as the superior power and governing body of Angola, although UNITA with its own backers (and initially in concert with the FNLA) fought on. Since independence the two main opponents, MPLA and UNITA have continued a bitter conflict for control of the country. [1]

PEACEKEEPING INITIATIVES

4.2 The first attempt at a peace process began in 1989 and resulted in the signing of the Bicesse Accords in May 1991 and a cease-fire. [1][2]

Lusaka Peace Accord

4.3 Further talks led to the signing of the Lusaka Protocol of 20 November 1994 by representatives of the MPLA and UNITA that built upon the Bicesse Accords of 1991. A formal cease-fire was declared two days later. The Lusaka Protocol set out a series of measures designed to bring an end to the civil war. It called for the demilitarisation of UNITA, the creation of a national army, the seating of a government of national unity and reconciliation, and the extension of state administration to areas formerly under UNITA control. The Government generally complied with its obligations under the protocol, although the conduct of the police and, to a lesser extent, military units in former UNITA areas drew widespread criticism. UNITA failed to comply with several fundamental aspects of the protocol. It maintained a significant military capability, and it refused to surrender the territory it held to state administration. [1][2]

UNAVEM III

4.4 In 1995 a UN Security Council resolution authorised the deployment of a 7,000 strong peacekeeping force, UNAVEM III, to oversee implementation of the Lusaka Protocol, in particular the demobilisation of troops on both sides. This included the withdrawal of Government troops to barracks; the assembly of UNITA troops in quartering areas and the collection of their weapons; the selection of 26,300 UNITA troops to join the Angolan Armed Forces (FAA) and the demobilisation of surplus troops from both sides. Other UNAVEM objectives included the dismantling of check points; the quartering of the Government's Rapid Intervention Police; and the quartering and integration of the UNITA police. It was originally envisaged that UNAVEM III would complete its tasks by February 1997, but there were substantial delays at each stage of the process and UNAVEM's mandate was extended several times. [1][4]

MONUA

4.5 On 31st June 1997 the UN Security Council voted unanimously to a recommendation that UNAVEM III be disbanded and replaced by a UN Civilian Observer Mission (MONUA). UNAVEM III's infantry battalions were all scheduled to withdraw, but in view of the volatile situation, particularly in the northeast provinces, the withdrawal was delayed several times. At the beginning of 1998 MONUA had a military component of 1750 men, which was reduced to about 1000 including military observers. (By February 1999, when the UN announced plans to withdraw from Angola, following the complete breakdown of the peace process, it comprised 86 Military Observers, 309 Civilian Police Observers, 39 Staff Officers and 550 Troops). [1][4][37]

4.6 MONUA was given a seven-month mandate to oversee the remaining tasks of the Lusaka accord, including the extension of State administration to those areas that were under UNITA control and the complete demilitarisation of UNITA. UNITA moved very slowly in handing over these areas and, in light of the movement's failure to fulfil its obligations under the peace process, the UN Security Council imposed a second package of sanctions against UNITA on 31st October 1997. [1]

4.7 Despite UNITA's public commitment to fully implement its obligations under the peace agreement, it did not co-operate over the question of the extension of state administration into areas under its control or the demobilisation of its remaining armed forces administration. At the beginning of 1998, around half the country remained under UNITA control. UNITA also retained experienced and well-equipped armed forces, reports suggested that these comprised of as many as 70,000 men in uniform in mid 1998. This impasse and in particular UNITA's failure to hand over the remaining areas under their administration, once again led to a deterioration in the security situation that saw government forces bombing the UNITA strongholds of Andulo and Bailundo. [1][45]

4.8 Towards the end of January 1998, the UN Security Council (UNSC) voted unanimously for a three-month extension, until April 30, of the UN peacekeeping operation in Angola. Members of the Council hoped that this would be the last troop renewal. A recommendation by the UNSC to reduce the numbers of the UN force was also approved. Several more extensions followed; the final one expiring in February 1999, after the decision was taken to withdraw MONUA completely as there was no longer a tangible peace process for them to oversee. [34a][37]

4.9 In June 1998 Maitre Beye (the UN Secretary General's Special representative to Angola) was killed in a plane crash near Abidjan, Côte d'Ivoire whilst on an extensive international mission. He had been seeking to persuade influential supporters of Savimbi to persuade him to return to the peace process. Issa Diallo replaced Beye in August 1998. The UN launched an official inquiry into the crash. However, the death of the Beye left a vacuum that further destabilised negotiations. Hostilities between the government and UNITA increased, with each side blaming the other, there were also rumours of the

recruitment of foreign mercenaries by both sides. Organisations engaged in de-mining, such as the British Halo Trust, reported that previously cleared areas have been re-mined and new mine fields laid. The EU has threatened to withdraw all assistance in de-mining if this continues (see paragraph 6.20). A mine clearance consultant for the Halo Trust interviewed in August 2001 said that there was no evidence of re-mining continuing in areas they had returned to. [1][45][60a][29z]

4.10 As the security situation continued to deteriorate, the Angolan government, weakened by military reverses, accused the UN of failing to monitor UNITA's military preparation - through the sale of diamonds UNITA had procured substantial purchases of heavy armoury. By the beginning of 1999 there was a growing realisation that the UN Angolan operations of the previous four years had proved unsuccessful. On 26th February 1999 the UN Security Council voted unanimously to end MONUA's mandate and withdraw its operatives from Angola by 20 March 1999. However, the UN decided to tighten up its sanction regime against UNITA. [1]

New UN Office in Luanda

4.11 Following the closure of its observer mission in February 1999 the UN confined its operations in Angola to humanitarian agencies and a human rights division. However, in August 1999 the UN announced plans to open a new office in the country to explore measures aimed at restoring peace. On 15 October 1999 the Angolan Government approved the return of a UN mission, but limited its role to humanitarian activities and human rights work. The new UN office was not initially permitted a political role although this request was later agreed. The UN's request for a broadcasting station was however denied. A Security Council resolution passed the same month established the United Nations Office in Angola (UNOA) with 30 staff members. The UN's relationship with the Angolan government was reported to have improved during 2000. In April 2001 UN Secretary-General Kofi Annan recommended that the mandate of the UN Office in Luanda be extended until October 2001. [1][10][19][25][29o] [36a]

Internal Peace Moves

4.12 In 2000 the Inter-Ecclesial Committee for Peace (COIEPA) emerged as a force for peace in Angola. This organisation made up of the Catholic Bishops Conference of Angola and Sao Tome, the Angolan Evangelical Alliance and the Council of Angolan Christian Churches was created after Angolans, through a wide range of civic organisations, asked the church to help in the peace efforts. In an open letter to the church in May 2001 Jonas Savimbi asked for their assistance in mediation between UNITA and the ruling MPLA. At the same time President dos Santos stated publicly that he would talk to Savimbi if UNITA laid down its weapons and honoured a 1994 peace agreement. The general-secretary of COIEPA Reverend Daniel Ntoni-Nzinga said in June 2001 that there were various factors, which indicated this third attempt at peace could work, and should be taken seriously. In July 2001 Bishop Francisco da Mata Mourisca who leads the Angolan Catholic Church's Pro Pace peace movement called on the Government to undertake frank dialogue with the UNITA rebels and on rebel chief Jonas Savimbi to collaborate in reconciliation. In August 2001 COIEPA sponsored a three day meeting in Luanda attended by about 15 church and civic bodies, the participants pledged to commit themselves to seeking a long lasting peace through social reconciliation and said it was "up to the people of Angola to define their path to peace". [29x][29w][29t]

POLITICAL HISTORY

Multi-Party Politics and the 1992 elections

4.13 Representatives of the Government and 26 political parties met in Luanda in the

second half of January 1992 to discuss the transition to multi-party democracy. It was agreed that the elections would be organised on the basis of proportional representation, with the President being elected for a five-year term, renewable for three terms. The legislative assembly would be elected for a four-year term. [1]

4.14 Some 800 foreign observers, half of them provided by the UN monitored the voting at nearly 6,000 polling stations on 29 and 30 September 1992. They subsequently announced that the conduct of the elections had been free and fair. The results were not accepted by UNITA and sparked intense fighting in Luanda on a scale not previously seen. Thousands of people across the country are known to have lost their lives. The UN reacted by imposing sanctions on UNITA in September 1993 which in turn led to UNITA publicly accepting the results of the elections (See Annex E). [1]

Government of Unity and Reconciliation

4.15 Progress was also slow on the political aspects of the Lusaka protocol. UNITA's military tasks were officially declared completed on 13 December 1996 by the UN Secretary General's Special representative to Angola, Maitre Beye. UNITA was then able to make the transformation from a military group to a political party and UNITA deputies to the National Assembly could take their seats in Luanda. Delays concerning agreements such as the status of the UNITA leader, Jonas Savimbi - who was finally accorded the official title of "leader of the opposition" - meant that the Government of Unity and National Reconciliation (GURN) was not inaugurated until April 1997 [1][4]

4.16 On 9 April 1997 UNITA representatives (four Ministers and seven Vice Ministers) finally took their places in the GURN. Seventy UNITA Deputies finally filled the seats in the National Assembly won in 1992. The Portuguese president and leaders of lusophone Africa attended the inauguration, but not Jonas Savimbi who had expressed fears for his personal safety. By June 1998, UNITA had opened their new HQ in Luanda, although Dr Savimbi still did not fulfil his promises to move to the capital from his stronghold in Bailundo in the central highlands and to meet the President, Eduardo dos Santos, face to face. In mid-August 1998 the government threatened to suspend UNITA's representatives unless the organisation had fully disarmed and ceded all remaining territory under the its control by 28 August 1998. On 31 August 1998 the government suspended the UNITA Deputies from office as a mark of their displeasure at the delaying tactics employed by UNITA in implementing the terms of the Lusaka Protocol. Following a split within UNITA, those MP's adhering to the newly formed UNITA-R (see paragraph 7.10) were reinstated, other UNITA deputies remaining loyal to Savimbi were reinstated at a later date following diplomatic pressure. The government subsequently restated its belief in the terms of the Lusaka Protocol, but maintains its refusal to deal with Savimbi. [1][2][27][28][40][45][60d]

Relations with neighbouring countries

4.17 In October 1997 the Angolan Government provided substantial (and ultimately decisive) military support to the ex-president of the Congo, General Denis Sassou-Nguesso, in his military coup against the elected government of President Parcel Lissouba. Angola's involvement had been prompted by Lissouba's support for FLEC and UNITA forces, both of which were reported to have operated from bases in Congo. FAA troops were reported to have committed summary executions, and engaged in acts of rape and looting in Congo during 2000. [1][2]

4.18 The rebellion in neighbouring DRC against President Laurent Kabila, which began in 1998, served to widen the gulf between UNITA and the government. Both sides sent troops across the border. UNITA had traditionally relied on DRC as a secure supply conduit to the outside world and received support from ousted President Mobutu. They therefore supported the rebels. The Angolan government, meanwhile, has a vested interest that no-one sympathetic to UNITA achieves power there, so supports Kabila. Other neighbouring countries such as Uganda and Rwanda have also been drawn in and the conflict is threatening to destabilise the entire region. Angolan troops are currently

stationed in DRC within the framework of an alliance with Namibia and Zimbabwe; their role is to report the search for peace and national reconciliation. Following the assassination of President Kabila in January 2001 the Angolan authorities were quick to confirm that their troops would remain in the DRC pending discussions with the new authorities. [31b][45]

4.19 After Namibia decided in December 1999 to allow FAA to launch anti-UNITA attacks from Namibian territory; there was extensive cross-border fighting which resulted in civilian deaths and injuries (see paragraph 6.5). There were reports that FAA soldiers killed civilians in Namibia during 2000 and police there arrested one FAA member. In January 2001 it was also reported that FAA troops had been responsible for acts of banditry in the Namibian region of Kavango. In the 12 months ending 30 September 2000 the Namibian Defence Force (NDF) were reported to have killed 12 and captured 6 UNITA soldiers. In October 2000 the Namibian Government denied that it had troops deployed in Angola or that the Government had entered the Angolan civil war in any form. [2][58]

4.20 In previous years there have been various occasions where tensions have risen between Angola and Zambia, these tensions arose from the Angolan Governments belief that their neighbours were providing support to UNITA. Such a situation arose in 1999 following a series of repeated allegations that Zambia was allowing its territory to be used as a transit point for the provision of arms and supplies to the rebels, similar allegations were also made in respect of Uganda. Subsequently, there were allegations and counter allegations between the two countries regarding activities along their common border (see paragraph 6.9). Tensions showed some signs of improvement in mid 2000; both countries reportedly agreed to intensify efforts to improve the deteriorating security situation and Zambia's army chief was invited to visit his Angolan counterpart. Further claims that Zambia was harbouring senior UNITA officials, coupled with the death of the editor of Angolan State Radio in October 2000 whilst on a visit to Zambia (see paragraph 8.19) again increased tension between the two countries. In January 2001 Zambia's Defence Minister moved to deny reports in his countries press that the Angolan Air Force had bombed Zambian territory. He stated that the two countries were currently enjoying good relations. [1][33c][36h][50f][60f]

4.21 In September 2000 co-operative relations between the Angola Government and its neighbours, DRC and Congo were reported to have reached unprecedented levels; the three countries had signed security accords in accordance with their harmonious relations. In February 2001 the leaders of Angola, Namibia and Zambia agreed to create a tripartite commission to act as a forum for addressing security problems, concerns and suspicions. It was hoped that the new commission would end the dispute between Angola and Zambia. [29q][49c]

GOVERNMENT AMNESTIES

4.22 Since the resumption of hostilities between government forces and UNITA in December 1998 the authorities claim that 10,000 soldiers have defected from Savimbi's movement. According to independent reports all captured and surrendering soldiers were incorporated into the Angolan army; however, more junior soldiers may have been given the option of resettlement. Certainly it is the case that the FAA have 10 battalions formed by former UNITA soldiers. There have also been public shows of forgiveness toward deserting UNITA leaders, both civilian and military. Most of these officials now operate freely in Luanda and some former UNITA generals are now senior officers in the FAA. Defecting UNITA officers integrated into the FAA are always kept out of the public eye - after their initial presentation - and there is no way of knowing what (if any) pressure is exerted on them to remain loyal. These defections occurred in response to the repeated pledges of President Dos Santos to the effect that any UNITA defector who renounced the armed struggle could live freely in Angola with dignity. However, these pledges were not formalised and had not really been fully tested. [9][12][26][57c]

4.23 In November 2000, in honour of Angola's 25th anniversary of independence, President Dos Santos submitted an amnesty bill to legally guarantee clemency and formalise the practice, which the Government of Angola had been following for some time. On 29th November 2000 the Angolan National Assembly passed by an overwhelming majority President Dos Santos proposed legislation that grants amnesty to all those who lay down their arms. The law covers all military crimes committed up to the date of its introduction, except those of a violent nature and which included death; it also covers crimes against the security of the state and petty crimes such as theft. Under the law, which came into force on 15 December 2000, those who wanted to be granted an amnesty had 90 days to voluntarily report to the authorities and confirm their willingness to be reintegrated into society (where applicable the war must also be renounced). The law also extended to those who had already been captured and allowed them 60 days to apply. [12][47d][57c]

4.24 UNITA rebel leaders have rejected the President's offer of an amnesty. According to the Government press many more UNITA fighters have been tempted out of the bush by the amnesty law, although the majority of those who have defected under the provisions of the law would probably not have needed a formal law to be reintegrated into the FAA. There is almost no chance that very senior UNITA officers are tempted by the Amnesty alone. They are more likely to cut individual deals about their future life and the safety of their families. Few observers believe that Savimbi himself would accept the offer of an amnesty or that, in reality, such an offer would apply to him - since July 1999 there has been an outstanding warrant for his arrest as a war criminal. Even if Savimbi were to accept, he would still risk prosecution outside Angola as in August 1998, the Southern African Development Committee (SADC) declared him a war criminal. [10][12][33d][57c][60g]

4.25 Thousands of people from UNITA controlled areas are reported to have turned themselves over to the authorities. By February 2001 17,000 people from Savimbi controlled areas of Benguela Province, including soldiers, women and children, had reportedly turned themselves over in response to the government's amnesty. In April 2001 it was reported that 2,500 soldiers and 28,000 civilians from the rebel held area of northern Malange Province had turned themselves over to the authorities since the beginning of the year. The Government press states that FLEC-FAC rebels in Cabinda have also been surrendering in response to the amnesty. [47d][47e][60h]

5. INSTRUMENTS OF THE STATE & SECURITY

THE CONSTITUTION

5.1 Angola is governed by a Constitution promulgated in November 1975. It was amended several times, most recently in August 1992, when the word "People's" was removed from the official name of the country. The Constitution stipulates that the State shall respect and protect the human person and human dignity with all citizens equal before the law. The Constitution also guarantees freedom of expression, of assembly, of demonstration, of association, of all other forms of expression. At the same time, groupings whose aims and activities are contrary to the Constitutional order and penal laws, or that, even indirectly, pursue political objectives through organisations of a military, paramilitary or militarised nature shall be forbidden. The Constitution is currently in the process of being revised. [1][48c]

5.2 Under the Constitution adopted at independence, the sole legal party was the MPLA. However, in December 1990, the MPLA announced that the Constitution would be revised to permit opposition parties. In March 1991 legislative approval was granted for the formation of political parties. The supreme organ of state is the National Assembly; according to the Constitution this should compose of 223 deputies although three seats

have never been filled (see Annex F). There is an executive President elected for up to three renewable terms of five years, who appoints the Council of Ministers. [1]

Presidential and legislative election plans

5.3 In January 2000 President dos Santos announced that the Government was creating the necessary conditions to hold Presidential and Legislative elections in 2001. The majority of political parties have expressed the view that, with much of the country's infrastructure destroyed, more time is needed to prepare for elections. Angola's territory is vast and the road and bridge network is in serious disrepair. It was subsequently decided that elections would not take place until 2002. Referring to this possibility on 30th December 2000 dos Santos commented that at the start of 2000, elections in 2001 had appeared almost certain, but the timetable had since been pushed forward to 2002. He attributed the delay to the activities of the armed wing of UNITA. President dos Santos promised that elections would be held in the second half of 2002. The Constitutional Committee of the National Assembly is currently working on a new constitution and a new electoral law. [2][33b][48c][55a]

5.4 Following the Government's initial announcement of their intention to hold elections several alliances were created between opposition parties. Of these, one of the most significant was the United Front for Change; this comprised of 17 minor political parties. On 17 June 2000 Angolan TV reported the launch of the United Independent Union of Independent Parties (UNIDO). Described as centre left politically, UNIDO is a coalition of five parties without any seats in parliament. The party manifesto calls for an end to violence but seeks dialogue instead. Also in June 2000 it was reported that Lopo do Nascimento, a former MPLA secretary-general, intended to form a centre left party. This development angered some members of the MPLA leadership, though others believed that this would further fragment the already weak opposition. However, in a radio interview on 11 September 2000 do Nascimento denied these reports and said he would remain loyal to the MPLA, although he believed that a detailed internal debate on the future party leadership was needed. In September 2000 two more small parties, the Reunification of the Angolan Nation Party (PRPA) and the National Angolan Liberation Front formed an electoral alliance. The creation of these new political organisations, coupled with the formation of a church-based independent peace movement, (see paragraph 4.12) appeared to indicate the presence of an increasingly vociferous opposition, committed to ending the war and holding free and fair elections. [1][2][29i][33a][33b][50e]

5.5 Eugenio Manuvakola (UNITA-R), Adel Chivukuvuku (the illegally deposed UNITA parliamentary leader) and Holden Roberto (FNLA) have all indicated their intention to run in future Presidential elections. The opposition parties are poverty stricken and have no organised presence throughout the country. Their best chance of success would be if they stood as a broad activist coalition such as Zimbabwe's Movement for Democratic Change, but given the personalities and interference by the ruling party in the affairs of the opposition by encouraging and financing splits, this is unlikely. The opposition will have a difficult time whether they end up fielding one or several candidates. [33b][38a]

5.6 In May 2001 the Finance Minister Julio Bessa told the state newspaper that the National Assembly had approved the setting up of an election fund of 34 million dollars. In August 2001 a United States Assessment team who visited the country to assess electoral conditions reported that conditions were not appropriate for Angola to hold elections in late 2002. Doubts were expressed on account of the current situation in the country and also the need for adjustments to the country's legal framework including revisions on the laws on political parties and party financing. In August 2001 President dos Santos announced that he would not run in the next election which could take place in 2002 or 2003. Lopo do Nascimento a respected political figure from the MPLA's early years and the country's first prime minister after independence has been urged by church and civil leaders to return to politics. He said in an interview that he would be prepared to stand for the presidency if the MPLA chose him as a candidate. [36i][68][36n][67]

THE JUDICIARY

5.7 The Constitution provides for an independent judiciary; however, the judiciary, where it functions, is not independent of the President and the MPLA. In practice the court system lacks the means, experience, training and political backing to assert its independence from the President and the ruling party. The President has strong appointive powers, including the power to appoint Supreme Court justices without confirmation by the National Assembly. The judicial system was largely destroyed during the civil war and does not function in large areas of the country. [2]

5.8 The court system consists of the Supreme Court at the appellate level plus municipal and provincial courts of original jurisdiction under the nominal authority of the Supreme Court. Only 9 of the 12 seats on the Supreme Court were filled by the end of 1999. The Supreme Court serves as the appellate division for questions of law and fact but does not have the authority to interpret the Constitution. The Constitution reserves that role for a Constitutional Court as mandated by the 1991 Constitution; however this had not been set up by the end of 2000. Trials for political and security crimes are supposed to be handled exclusively by the Supreme Court. [2]

5.9 The Constitution provides defendants with the presumption of innocence, the right to a defence, and the right to appeal. Legal reform in 1991 established the right to public trials and a system of bail, and recognised the accused's right to counsel; however, the Government does not respect these rights in practice. Judges are usually lay persons, not licensed lawyers. The judge and two lay persons elected by the full court act as the jury. [2]

5.10 In January 2001 6 members of the small opposition party, PADPA, were arrested for protesting outside the Presidential Palace (see paragraph 8.26). They appeared in court on 30th January 2001 and, despite the lack of independence enjoyed by the Angolan judiciary, were found not guilty. [61]

UNITA Court Systems

5.11 Prior to 2000 UNITA established a nominal military and civilian court system in territories under its control and claimed that its Civil Code was equivalent to the Portuguese Civil Code used by the Government. However, with the areas under UNITA control diminished to isolated pockets that composed about 5 percent of the country there was no indication that UNITA maintained this system during 2000. Reports during the year indicated that strict martial law applies in UNITA held areas. [2]

LEGAL RIGHTS/DETENTION

5.12 Under the law a person caught in the act of committing a crime may be arrested and detained immediately. Otherwise, the law requires that a judge or a provincial magistrate must issue an arrest warrant. Prosecutors attached to police commands may also sign arrest warrants, provided these are confirmed within 5 days by a magistrate. The Constitution provides for a prompt judicial determination of the legality of the detention. Under the law the prosecution and defence have 90 days before a trial to prepare their case, although both sides generally have the right to request an extension to this deadline under extenuating circumstances. Under criminal law no person may be held for longer than 135 days without trial. The National Security Law provides for 180 days preventive detention. In practice, over 90% of the prison population in Luanda are awaiting trial, and it is believed that the national average exceeds 50%. Inmates who have been awaiting trial for 2-3 years are common. In many cases, police beat and then

release detainees rather than make any effort to prepare a formal court case. [2]

5.13 The Constitution provides prisoners with the right to receive visits by family members, in practice; these rights do not exist, as there is a scarcity of resources, and a lack of determination to ensure they are upheld. During 2000 there were reports that the Government held political prisoners; however, the number is unknown. The Government denied that it held any political prisoners and insisted that persons considered by some sections of civil society to be political prisoners were in fact criminals. According to the US State Department report the government holds an unknown number of suspected UNITA officials and supporters in areas where government control was regained. In the past, the Government invariably accused these individuals of possessing illegal weapons or collaboration with UNITA, although formal charges rarely were filed. However, the Government has improved its compliance with the law, and there were no documented cases of further detentions of suspected UNITA officials and supporters during the year 2000. [2]

Death Penalty and Extrajudicial Killings

5.14 The death penalty was abolished in Angola in 1992; however there are many allegations of extrajudicial killings by the police and army. The government's late 1999 and early 2000 offensives included a scorched earth policy, burning villages and killing civilians, particularly in Cuando Cubango and Lunda Sul provinces. According to a report by Human Rights Watch Government forces reportedly executed villagers. The same report also alleged that in at least one location in Lunda Sul, a mass grave that the government claimed was holding victims of UNITA's excesses was in all probability the result of systematic extrajudicial killings by the government. UNITA abolished the death penalty in 1996, although there is no independent assessment of their legal system. Extensive testimony from UNITA defectors referred to summary executions of prisoners. [2][25][40]

PRISON CONDITIONS

5.15 Prison conditions constitute a serious threat to the health and lives of prisoners. Cells are overcrowded and lack basic sanitary facilities. The prison system holds up to five times the number of inmates for which it was designed. There are reports that prisoners have died of malnutrition and disease, because the government failed to supply the financial support to buy food or healthcare. There were credible reports that many prisoners died of malnutrition and disease. In November 2000 the Government and the National Assembly Committee on Human Rights acknowledged that conditions are inhuman and announced modest appropriations for improvements in the Sao Paulo Prison hospital in Luanda and Viana prison outside the capital. [2]

5.16 Prisoners depend on friends, family or international relief organisations for basic provisions. Prison officers, who are chronically underpaid, support themselves by stealing from inmates and extorting money from their families and frequently beat inmates. Juveniles, often incarcerated for theft, are housed with adults and often suffer abuse by guards and inmates. Female prisoners are held separately from male prisoners; however, there were reports that guards sexually abused them. The Government permitted local and international human rights monitors to visit prisons and, unlike in 1999, they were also able to visit individual prisoners during 2000. Also during 2000 a local NGO was launched to document prison conditions in Luanda. [2]

UNITA Prisons

5.17 Although there is no firm evidence regarding the current conditions in UNITA prisons, extensive testimony of those who defected during 2000 described harsh conditions of confinement and summary executions. [2]

TORTURE

5.18 The Constitution and Penal Code expressly forbid mistreatment of suspects, detainees or prisoners. However, the UN and other human rights organisations report that there is widespread and generalised abuse of suspects. Security service personnel regularly employ torture and other forms of cruel and degrading treatment, including rape. Confessions are regularly obtained this way and the perpetrators are rarely if ever punished. There are no cases on record where an army or police officer has been disciplined for use of excessive force on a UNITA suspect. [2]

Torture in UNITA held areas

5.19 The UN and human rights organisations report the abuse of suspects was universal in areas remaining under UNITA control during 2000. Interviews with persons who fled UNITA-held areas revealed that UNITA uses cruel and inhuman practices, including public torture and mutilation, to punish dissent and deter further acts of disloyalty. There have been repeated credible allegations that UNITA President Jonas Savimbi has ordered suspects to be tortured and executed in his presence. There were also reports that UNITA engaged in reprisal attacks on civilians during 2000. UNITA reportedly cut off the ears and hands of civilians in order to extract information and to discourage civilians from providing the Government with information on UNITA or from fleeing to government-controlled areas. [2]

DISAPPEARANCE

5.20 Persons taken into police custody are often reported to disappear without a trace, particularly in rural areas. The US State Department's report covering 2000 stated that during the year suspects accused of illegal weapons ownership or collaboration with UNITA disappeared. [2]

Abductions by UNITA

5.21 Civilians abducted by UNITA generally were either forced to become soldiers or support personnel, or were considered government collaborators. The frequent discovery of dead bodies in the aftermath of attacks suggested that suspected collaborators were executed summarily. Those who escaped UNITA custody and were able to return to government-held areas reported that they were subjected to torture, beatings and sexual abuse. Reports of UNITA kidnappings during 2000 included the case of 21 children who were taken from a school and training centre in Huambo Province in July 2000, and 15 people who were taken from a Roman Catholic Mission in Benguela Province. [2]

SECURITY FORCES

5.22 The Ministry of the Interior is responsible for internal security. It exercises this function through the Angolan National Police (ANP); the paramilitary Rapid Intervention Police (PIR) created in 1992 as an elite military force, and other organs of state security. The Armed Forces of Angola (FAA) are responsible for protecting the state against external threats and have intervened in regional conflicts every year since 1996. Since the resumption of localised hostilities within the country the FAA have also become involved in counterinsurgency operations against UNITA and, on a smaller scale, those who favour independence in Cabinda province. The Government's security forces are firmly under the control of the civilian leadership. Members of the security forces have

committed numerous serious human rights abuses. Reports of such human rights violations are seldom investigated and those responsible are rarely held to account. [2] [19][45]

5.23 During the current conflict military attacks have resulted in indiscriminate and summary killings, torture, abductions, destruction of property, and theft. The provinces most affected during 2000 were Lunda Norte, Lunda Sul, Malange, Bie, and Moxico, although UNITA has also mounted raids on or near the coast. Government or UNITA forces seeking to take control of alluvial mining operations targeted undocumented Congolese diamond miners. The Government's frequent failures to pay, feed, and equip army and police personnel has resulted in extortion and theft. Government personnel frequently confiscated food, including donated relief supplies, livestock, and personal property, including non-governmental organisation (NGO) vehicles, often after forcibly depopulating areas and robbing the displaced persons. However, respect for humanitarian workers and property by security forces improved during 2000 as the result of an order from the Armed Forces Chief of Staff and better liaison between the Government and the UN on such problems. [2]

5.24 A report in the Economist in May 2000 suggested that whilst UNITA's military wing kills those who do not offer support, the MPLA prefer less direct methods and seek to buy off potential opponents - politicians, trade unionists or journalists. Those who resist are silenced with blackmail, threats and violence. A unit in the presidency, the Psychological Action Office, reportedly 'takes care' of this. [33a]

5.25 On 26 January 2001 General Joao de Matos, Chief of Staff of the FAA, was sacked by President dos Santos. No reasons were given for his dismissal though sources in Luanda linked it to policy differences with senior politicians. Speculation had been mounting about the general's position after he expressed doubts as to whether there would ever be a military solution to the civil war. Deputy Defence Minister, Armando de Cruz Neto, replaced General de Matos. [64]

5.26 A report in February 2001 stated that more than 100,000 demobilised soldiers under the jurisdiction of the Institute for the Social and Professional Reintegration of Former Soldiers (IRSEM), are facing a critical situation. The director of IRSEM explained that it had been possible to find jobs for less than 50,000 of 150,000 demobilised soldiers. Those who have been found work are employed in agricultural, school and housing projects. [47g]

Military Service

5.27 Laws on conscription have been extant since 26 March 1993. Angola has conscription for all males between 20 and 45 years of age. Females within the same age range can also be conscripted if it is considered necessary by the Council of Ministers. Those over the age of 30 only serve in the Reserve Force. Military Service in the army is for a period of two years including training time. In the navy and air force service is for three years. For those in higher ranks service is for four years, and some may be retained longer. An exemption can be obtained on health grounds. However, following the most recent escalation in hostilities between UNITA and the government in December 1998, UNHCR have voiced fears that both sides may be employing forced conscription, perhaps even including minors, and that young women may be abducted from areas outside Luanda to serve as sex slaves for soldiers. It was reported in July 1999 that "military training" for women was to be made compulsory in Uige province. This stops short of military service but indicates the government anticipate a shortage of trained male soldiers. [6][13][32][56b]

5.28 In November 1998 the Angolan government conducted a census of male citizens born between 1 January 1979 and 31 December 1981 in order to keep their records up to date. To enforce mandatory military laws, there were reports that the military and police conducted forced conscription drives in many of the areas under the control of the Government, including Luanda. Men and boys were reportedly rounded up during raids

by police and soldiers and taken to military basis throughout the country. Amnesty International reported that many of those forcibly recruited were under the age of 18. There were also numerous reports that people were beaten in the course of the raids and that some were killed. Persons who could prove that they had jobs were usually released, and those with financial means could buy their way out of the military. The Government denied that forced recruiting has been taking place. Church groups, civil society institutions, and foreign embassies protested the manner of conscription. [2][19] [50a][51c]

5.29 Service can be postponed if the person is still in full time education. The same applies to teachers, both with formal and without formal qualifications, who are in full time teaching posts. Additionally, the Council of Ministers approve annually a list of technicians and specialists who are exempt from conscription. In practise, compulsory service is only applied during times of crisis or shortage, such as during the present crisis. In June 1999 government announced the standardisation of the certificates of deferment for military service: a yellow certificate for deferment on educational grounds, a white one for health reasons. Both certificates will be valid for between 6 to 12 months and should bear the signature of the Chief of the Personnel Division of the FAA General Staff. Fraudulent use or endorsement of these certificates constitutes a crime under military criminal law. [6][49a]

5.30 According to a note from the office of the FAA in Luanda dating from 1993 an alternative is available to military service, called community service. Individuals are allowed to conscientiously object to military service and are able to perform community service instead. Independent information dating from 1998 confirms that there was such an arrangement; however there are reports that this option has not always been available in practice. [13][32]

5.31 Desertion is punishable by a prison sentence of between two and eight years. If carried out during a time of war or on military operations, the penalty increases to between eight and twelve years. Those who fail to report for compulsory service and are subsequently apprehended face between 3 days and 2 years after which new call-up papers may be issued. There are also reports that they have their terms of service increased to four years. The penalties have been extant since 24 November 1993. [6] [13][32]

Military recruitment by UNITA

5.32 During 2000 UNITA carried out forced recruiting, including the recruitment of minors, some as young as 10, throughout all of the countries disputed territory. Recruits were taken to isolated military camps and subjected to psychological stress and extreme hardships; those who attempted to desert were executed. Women, many as young as 13 years of age, were recruited forcibly to serve as porters and camp followers, and reports of sexual assault were widespread and credible. In August 1999 UNITA were reported to have kidnapped eight tribal chiefs from villages south of Uige because they had failed to get enough recruits. [2][48b]

SOCIAL WELFARE

Medical Treatment

5.33 Medical care is provided free of charge but its availability is limited by a shortage of trained personnel and medicines. Years of under investment in health, coupled with three decades of conflict, have caused an almost complete break down in health services. Many diseases including tuberculosis, acute diarrhoea and acute respiratory diseases are endemic in many parts of the country and preventative services are very limited. In late 2000 the Health Ministry announced that 1.2 million cases of malaria had been

recorded throughout the country. Childbirth mortality is also high; government figures published at the end of 2000 put the figure at 120-150 per 1,500 women. Many basic health services are now provided by humanitarian agencies. Their capacity to deliver these services is severely constrained by a lack of resources, and the continuing conflict. The government budget for 2000 has reportedly allocated US\$35million over three years to tackle disease. In February 2001 the Angolan Health Minister acknowledged the serious health situation in the country. She also urged the Community of Portuguese speaking countries (CPLP) chief to discuss the possibility of assisting Angola in the training of personnel. [1a][23][30b][47f][49d][52a]

5.34 In March 2001, it was announced that a new hospital would be constructed in Luanda with the co-operation of the Chinese. It was reported that the hospital would serve 2.5 million people living in Luanda and its environs. Luanda currently has only two hospitals - Josina Machel and Americo Boavida - and some private health clinics. The clinics are beyond the reach of the majority of the population because they require payment in dollars. [38c]

5.35 Angola is now the only country in the world where polio is not under control. The overcrowding which resulted from thousands of refugees from the countryside flooding into the cities saw a number of cases recorded. During the first seven months of 1999, 90 children were reported to have died from polio in Luanda and up to 50 in Benguela. There were also unconfirmed reports of cases in rebel held territory. In July 1999 UNICEF began an inoculation program which was intended to cover all the country's 2.7 million children. Many of the people most vulnerable to the disease are hiding out in rural areas, and it has not been possible for aid workers to track them down. In January 2000 UNICEF stated that only 36% of Angolan children had been vaccinated against polio. In the early summer of 2000 a health team participating in an immunisation programme were ambushed in Cabinda. Two people were killed including the chief nurse. In April 2001 the health authorities in Luanda vaccinated over one million children up to the age of five against poliomyelitis. As part of the same programme, a joint effort between the government and World Health Organisation, many children were given doses of vitamin A, which prevents blindness. In August 2001 the second round of polio immunisations took place during which over three and a half million children under five were vaccinated and given vitamin A. [17][23][29m][34c][66]

AIDS

5.36 In July 1999 the Ministry of Health estimated that 30,000 people had died in the two decades since the AIDS epidemic was declared. Estimates of those currently HIV positive range between 160,000 and 350,000 (or between 3% and 6% of the population). Most are in the 20 - 39 age groups and most contracted the virus through heterosexual intercourse, although now there is an emerging pattern of babies born with the infection. In February 2001 Angola's health minister commented that AIDS statistics did not reflect the actual situation in the country which was in fact more serious. The minister also announced that a strategic plan to tackle AIDS was to be introduced in March 2001. [47f][51b][57b]

People with Disabilities

5.37 The number of physically disabled persons includes estimated 90,000 disabled landmine survivors (see paragraph 6.20). While there is no institutional discrimination against the disabled; the Government is doing little to improve their physical, financial, or social conditions. There is no legislation mandating accessibility for the disabled in public or private facilities, in view of the degradation of the country's infrastructure and high unemployment rate, it is difficult for the disabled to find employment or participate in the education system. War veterans receive support from the Ministry of Defence. [1A][2][23]

Education

5.38 Education is officially compulsory for eight years, between seven and fifteen years of age, and is provided free of charge by the Government at both primary and secondary level. In reality, students often had to pay significant expenses. In addition, although primary education is free there were not enough schools and, furthermore, many children had to work to support their families. Primary education begins at six years of age and lasts for four years. Secondary education beginning at age ten lasts for up to seven years. In 2000 the Ministry of Education was reported to be barely functioning due to a lack of resources. The net enrolment rate of school-age children in 2000 was 40 percent; however, while 50 percent of children aged between 5 and 14 are in school, only 30 percent of children remain in school after grade 5. There was an 18% enrolment rate gap favouring boys over girls. In December 2000 government figures stated that more than 2.3 million children were not attending school. Teachers were reported to be chronically underpaid and to often demand unofficial payment or bribes from students. Most educational infrastructure is damaged either partially or totally and lacks basic equipment and teaching materials. In June 2001 the Government admitted that the education system had suffered as a result of the ongoing civil war which had lead to an illiteracy rate of 42%, and also added that 70% of children between 6 and 14 ran the risk of being illiterate. Only in Luanda do children have a chance of an adequate education and even then lack of classroom space and trained teachers as well as high pupil staff ratios are severe problems. [1][2][10][23][52a][29u]

5.39 There is a booming market in private education, the standard of which is variable. There are two Universities in Luanda; one is state funded and poorly resourced, the other is supported by the Catholic Church and offers adequate standards of teaching but for a limited range of courses. Academic life has been circumscribed severely by the civil war; however, there is academic freedom, and academics do not practice self-censorship. Nation-wide, 50% of men and 70% of women are illiterate. [2][10][23]

6. HUMAN RIGHTS - GENERAL ASSESSMENT OF THE SITUATION

Introduction

6.1 During years of conflict many Angolans have struggled simply to survive. Despite being, in theory, a presidential parliamentary democracy, in fact there is no real tradition of democracy, pluralism or respect for human rights. The combination of war and economic mismanagement has led to much of Angola's infrastructure being destroyed, leaving no effective administration or judicial system in many regions. [7]

SECURITY SITUATION

Recent developments in the Civil War

6.2 In February 1999 the UN withdrew MONUA, the monitoring mission, after it became clear that UNITA had abandoned any pretence of adhering to the terms of the peace agreement. Two UN-chartered planes were shot down, allegedly by UNITA, as they flew over UNITA-held territory in December 1998 and January 1999. UNITA initially refused to allow search and rescue parties into the area to hunt for crash sites but the FAA later retook the area containing the site of the first crash and eventually UN Under-Secretary General Sevan managed to negotiate safe-passage with both sides. There were no reported survivors although UNITA subsequently claimed that crew from one plane were alive and being held captive. In January 2000 the UN Security Council showed a video taped interview in which General Jacinto Bandua, a UNITA general who surrendered to the FAA Bandua (see paragraph 7.17) alleged that Jonas Savimbi, had personally ordered the shooting down of two UN-chartered aircraft. [36b][36d][37]

6.3 In mid-September 1999 government forces launched a major offensive against UNITA and for one month military activities were conducted under a total news blackout. On 20 October 1999 the government formally announced that it had pushed UNITA out of its Central Highlands stronghold and taken control of the rebel movements two most important bases of Bailundo and Andulo, and several smaller towns. There was considerable destruction reported, particularly in Bailundo. Malange was said to be the worst affected and according to a September 1999 survey, the malnutrition rate there was around 22%. It was also reported that government forces had taken ground in the central Provinces of Bie, Huambo and Moxico. [30a][65]

6.4 In late October 1999, the government showed film footage of its control of the important UNITA bases at Bailundo and Andulo. Throughout late 1999 the government continued to enjoy a string of successes. On 24 December 1999 government forces captured UNITA's former headquarters at Jamba. The government claimed that it had captured 200 UNITA soldiers during the fighting. It said 400 had been captured during fighting for Calai, which was taken by the FAA on 10th December 1999. The government claimed to have destroyed more than 80 percent of UNITA's fighting capacity, while seizing 15,000 tons of weapons, munitions, twenty-seven tanks, seven artillery emplacements, thirty missiles, and other equipment from the rebels. [25]

6.5 The Angolan Government's efforts to drive UNITA from their traditional stronghold forced the rebels further south and west and up to the borders of neighbouring Namibia and Zambia. In December 1999 the Namibian government permitted the FAA to attack UNITA from Namibian soil. UNITA have since launched a number of attacks into Namibia, killing and abducting civilians. Many villagers on the Angolan side were reported to have fled into Namibia as UNITA forces advanced. An Amnesty International Report issued in March 2000 accused both the Angolan and Namibian governments and UNITA of human rights abuses. [21][29b][65]

6.6 During the first quarter of 2000, the government appeared to be in the ascendance on the battlefield. UNITA lost control of long held territory in the south and east of the country, they also lost access to many of the diamond mines which have traditionally provided their revenue, an airstrip where sanction busting flights were received, and sophisticated military equipment. The rebel group appeared to be disoriented with its actions limited to sporadic guerrilla attacks. As the year 2000 progressed this changed as UNITA adapted back to guerrilla attacks and high-profile hit-and-run ambushes on main roads. On 25 March 2000 President dos Santos announced the temporary suspension of FAA operations against UNITA following, what he called "the destruction of the rebel movement's conventional capabilities". He said that government forces would be adapting their fighting methods so as to correspond with guerrilla warfare. [25][26][29c][46A][65]

6.7 In May 2000 the FAA launched a fresh offensive in the eastern province of Moxico where UNITA rebels, driven from their traditional strongholds during 1999, were thought to have regrouped in the dense and inaccessible forests of the region. Daily attacks launched from the Saurimo air base first dislodged rebels from Munhango, Cuemba and Sautar, towns that had long been inaccessible to government forces. The attack then moved eastwards with the ultimate objective of capturing the UNITA base at Cazombo (see paragraph 6.8) and securing the border with Zambia. [33a][65]

6.8 By August 2000 the FAA had made several more gains in their military campaign. They were reported to control 11 or the 13 municipalities in the diamond rich provinces of Lunda Norte and Lunda Sul thus denying UNITA access to their traditional diamond revenues. State control has also been restored for the first time in 25 years in 4 regions of Cuando Cubango Province that border Namibia. In September 2000 the FAA captured the strategic town and UNITA base of Cazombo. An airstrip here had allowed UNITA to receive sanction busting supply flights. It was also reported that the FAA had captured towns in the north close to the DRC border. The same month the Angolan Interior

Minister conceded that it would not be easy to strictly implement the co-operation and security accords that Angola has signed with the Republic of Congo and DRC. [26][29h][49c][65]

6.9 The military activity along the border caused tensions with Zambia who accused the FAA of making incursions into their territory. The Zambians claimed that Angolan aircraft had bombed a village and that ground troops had killed one of their soldiers. The Angolans denied these allegations and alleged that the Zambians were supporting the UNITA rebels and keeping them supplied. In turn Zambia denied these claims, however they did maintain a policy of prohibiting the FAA from pursuing rebels into their territory, the only one of Angola's neighbours to do so. In July 2000 it was reported that Zambia and Angola had agreed to intensify co-operation aimed at improving the deteriorating security situation between the two countries. In September 2000 the Zambian army chief visited Angola at the invitation of his FAA counterpart, Joao de Matos. During his visit the Zambian general reaffirmed that his government would not allow UNITA rebels to carry out activities against Angola from its territory. However, the UN reported the same month that about 50 UNITA soldiers, including some senior figures, had fled into Zambia, and were being held in a special camp. The Zambians denied that there were any top UNITA army commanders in the country. [33a][33c][36h][50f]

6.10 In November 2000 FAA troops were reportedly engaged in a large-scale military campaign in the east of Bie Province where they captured and dismantled an important UNITA base in Cuemba district. The base formed part of the first firing lines that were aimed at halting any offensive by FAA troops advancing towards the rebels' general staff. The FAA had reportedly doubled its personnel in the province to support the special FAA forces engaged in offensive in the area. [31a]

6.11 Throughout 2000 UNITA troops committed numerous extrajudicial killings in the course of attacks on villages. Interviews with refugees indicated that UNITA committed abuses, including public extrajudicial killings, as a deliberate policy. On 6th February 2000 UNITA shelled and attacked Santa Clara in Cunene province; at least 26 civilians were killed and more than 40 were injured. There was an unconfirmed report that on 21st March 2001 UNITA rebels stoned and crucified six children for allegedly giving information to the Government. On 7th June 2000 the government press reported the discovery of 17 mass in the Bie province, each containing more than 100 bodies. However, the report was not confirmed by independent sources by year's end. On 8 July 2000, an orphanage in Huambo province was attacked and looted, reportedly by 100 UNITA bandits, a teenager was killed, 4 were injured, and 25 were kidnapped. On 8 August 2001, UNITA rebels killed four civilians during an attack on the town of Catete. [2]

6.12 Attacks by UNITA on civilian traffic on roads in the interior of the country resulted in many deaths during 2000, many such attacks occurred on the Malanje-Luanda road. These attacks were designed to halt transportation, disrupt commerce, isolate populations and maintain a climate of insecurity. During 2000 UNITA forces reportedly killed 80 Christians for providing information to the Government. [2]

6.13 During the first six months of 2001 UNITA continued their guerrilla activities in many areas throughout the country and new outbreaks of violence were being reported daily. The worst affected provinces included Bie, Huambo, Moxico and Uige. In January 2001 alone the ongoing conflict reportedly produced newly displaced persons in 10 of Angola's 18 provinces. One such incident on 15th March 2001 saw UNITA forces attempt to take by storm the town of Calomboloca in Bengo Province, less than 100km southeast of the capital Luanda. FAA forces successfully repelled the attack killing 17 rebels in the process; another soldier, reportedly under the influence of drugs was captured. According to an estimate attributed to President dos Santos in early 2001, some 8,000 men continue to fight under the leadership of Jonas Savimbi UNITA. Reports in April 2001 indicated that the FAA continued in their pursuit of the residual forces of UNITA. [29o][31a][54][65][47h][60i][36j]

6.14 In a communiqué issued by General Geraldo Abreu Kamorteiro, the FALA (Forças Armadas de Libertação de Angola) Chief of Staff claimed that the Angolan Government had launched a further major offensive on 12th March 2001. According to the UNITA General more than 7,800 FAA soldiers and commandos were involved, as well as National Police and Civil Defence Organisation members were involved. By 22nd March 2001 the General reported that there had been activity relating to the offensive had occurred in numerous localities spreading over 10 provinces. The same day the General reported that FALA forces had taken the town of Ambuila in Uige province; UNITA claimed that a number of government forces were killed during the attack. [53]

6.15 In April 2001 a commander in the FAA was quoted on Radio Ecclesia as saying that UNITA are using new tactics in the conflict. This involves small mobile groups of rebel soldiers whose objective is to obtain food and weapons. He explained that the rebels no longer had an exact location, a situation that made it difficult for FAA troops to overcome the guerrillas. According to the commander the rebels could no longer count on the assistance of people working on farms to provide them with food. During April 2001 it was reported that UNITA had carried out successful operations in the Provinces of Bie, Cuanza Sul, Huambo, Huila, Uige and Zaire. [29r]

6.16 In July 2001 UNITA's tactic was reported to be that of striking hard in the Governments heartland, an attack on the town of Uige in late June was met with vigorous response from the FAA and was reported to have resulted in over 20 deaths and over 90 injured. Earlier in the year in May 2001 less than 80 kilometres from Luanda at least two UNITA units attacked the town of Caxito. During the raid at least 70 people were reported to have been killed and some 60 children and two staff from a school in the town were abducted, it was reported that they had been released by the end of the month. [47h][36m][36j][36k]

6.17 In August and September 2001 a number of reports of UNITA attacks on land routes through the country were reported, these included an attack on a train in central western Kwanza-Norte which reportedly claimed the lives of over 250 passengers, and attacks on a bus in Malange province and a civilian road convoy in Kwanza Sul province. In October 2001 a military source expressed concern about the security situation around Libolo in Kwanza Sul province where the FAA were experiencing difficulties neutralising UNITA rebels. [60i][36o][36p][29y]

Security situation in Luanda

6.18 The capital of Angola has remained free from fighting, but there are corrupt elements of the police and armed forces that perpetrate violent crime. Originally designed by the Portuguese to accommodate 300,000 people, estimates of the city's population in the late 1990's ranged between 3 and 4 million as people seek refuge from other areas of the country. A UN report issued in January 1999 warned that the situation had the potential to develop into a full-scale humanitarian catastrophe. In January 2001 official statistics said that more than 500,000 war-displaced people were living in 20 camps in the Luanda area. As a result of the Government's Amnesty Law several hundred criminals were released from the capitals overcrowded jails in late 2000 and early 2001; this reportedly sent crime rates soaring. [7][34d][37][45][47c]

6.19 In September 2001 an attack on an electrical substation on the outskirts of Luanda led to the interruption of power supplies to the city. It was reported that suspected members of UNITA were responsible and that two were killed together with an Angolan armed forces soldier in the exchange of fire, which followed the attack. This is the first time UNITA has struck within the greater Luanda area since 1992. [36q]

LANDMINES

6.20 In 1998 UN statistics indicated that some 10 million landmines were planted throughout Angola during the 30 years of civil war, mainly in the agricultural provinces. In 1997 Angola signed the Ottawa Convention banning land mines and prior to the renewal of hostilities in 1998 the Government had established de-mining teams, but by September 1998 these had virtually ceased to operate. Following the resumption of hostilities both FAA forces and UNITA began laying new mines. This development led to several donor countries cutting aid for de-mining operations led by international organisations. Reports suggest that as part of their military campaign, government forces have laid mines as recently as June 2000; UNITA are also reported to have continued laying mines during 2000. However, on 25 July 2000 the National Assembly voted overwhelmingly to ratify the International Mine Ban Treaty. It remains to be seen if this will result in the FAA ceasing the use of mines. [29a][29f][60a]

6.21 UNITA used landmines primarily on roads and trails to disrupt transportation, and to control village populations. Government mining generally was confined to strategic positions around towns for defensive purposes. Estimates of the total number of landmines deployed throughout the country range into the millions. In 2000 UNICEF were reported to have estimated that 90,000 Angolans had either been killed or permanently maimed by landmine accidents since the beginning of the hostilities including 8,000 child amputees. Women from rural areas are at particular risk of becoming victims of landmines while foraging for food and firewood in agricultural areas and in 2000 they were reported to constitute a growing percentage of the disabled. There were at least 100 fatalities due to landmine explosions during 2000. Fear of injury and death from landmines effectively imprisoned and impoverished entire communities. In October 2000 it was reported that mine action funding for that year would total US\$ 17.4 million. [2][23][29f]

6.22 An unpleasant trend that emerged in 1999 was the booby trapping of mines with devices designed to trigger the mine when it is being made safe by the de-miner. Such devices were also attached to ordinance other than mines. The devices used for booby trapping do not bring them into the area covered by the Ottawa Treaty banning anti-personnel landmines, signed in 1997. A mine clearance consultant for the Halo Trust estimated in August 2001 that a figure of between 200,000 and one million landmines was a reasonable estimate of the number of landmines in the country. [63][29z]

HUMAN RIGHTS MONITORING

6.23 The Government does not prohibit independent investigations of its human rights abuses; however, it fails to co-operate and often uses security conditions as pretext to deny access to affected areas. The Angolan Government does not welcome any form of external monitoring, and usually reacts badly to criticism. The Constitution provides for the creation of an office of the Provider of Justice, or ombudsman, designated by the National Assembly for a 4-year term, to defend citizens' rights and liberties; however, this office had not yet been filled at the end of 2000. UNITA has refused all attempts to conduct investigations of human rights abuses in areas under its control [2][10]

6.24 In 2000 there were over 120 registered NGO's operating in the country, of these approximately 45 were domestic NGO's. Local NGO's actively promoted human rights during the year. In October 2000 a local NGO, Maos Livres, was launched to document and expose prison conditions in Luanda. Maos Livres also provided free legal counsel to detained strikers from an independent longshoremen's union. Several international organisations also have a permanent presence in the country including the International Committee of the Red Cross (ICRC), and the human rights division of the UN. Human Rights Watch visited the country three times during the year 2000. [2]

6.25 Another Human Rights Group is the Angola Forum, founded early in 1999 and

based in Lisbon, it monitors violations by both sides. In a report delivered to the Portuguese parliament in May 1999, both the Angolan government and UNITA were accused of serious abuses and corruption. The report included accusations of sales of fuel by the FAA to UNITA, diversion by dos Santos of international funds and resources to both his own and to the MPLA's accounts, and gratuitous violence by both sides against the civilian population. [56a]

6.26 During the year 2000 Amnesty International issued dedicated reports, their first report was published in March and focused on human rights abuses in the Namibian border region, the second came out in June and addressed issues regarding freedom of expression. Both reports documented a series of alleged human rights abuses committed by the Angolan authorities and, in the case of the former, also UNITA and the Namibian Army (see paragraph 4.19). In response to the March 2000 report the Angolan government denied its forces involvement in human rights violations. Addressing the UN Commission the Assistant Attorney General, Cunha Caetano reportedly said "Angola is at war, and inevitably in a war human rights are disregarded". [20][21][29d]

7. SPECIFIC GROUPS

PART I

REFUGEES AND INTERNALLY DISPLACED PERSONS
UNITA
UNITA-R
F.L.E.C/CABINDANS

PART II

ETHNIC GROUPS
BAKONGO
WOMEN
CHILDREN
FEMALE GENITAL MUTILATION

7. SPECIFIC GROUPS

REFUGEES

7.1 The law provides for the granting of refugee and asylum status in accordance with the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol. The Government co-operates with the UN High Commissioner for Refugees. The Government provides first asylum to refugees. An eligibility committee to evaluate asylum claims meets regularly to evaluate asylum requests. According to the UNHCR the country has approximately 12,000 refugees, 90% of whom are from the DRC. There were no reports of the forced expulsion of persons with valid claims to refugee status during 2000. [2]

Internally displaced persons/Humanitarian situation

7.2 Thousands of Angolans have risked their lives to flee into government held areas or neighbouring countries in order to escape the fighting. With UNITA rebels driven from their central highland strongholds in 1999, the border areas with Namibia and Zambia saw increased military activity during 2000 as the FAA pursued the rebels. During 2000 there were instances in which internally displaced persons were harassed by police officers and soldiers, and denied humanitarian assistance due to misappropriation by the

authorities. Internally displaced people were also forcibly conscripted, both in Government and UNITA controlled areas. In March 2000 Amnesty International reported that some of the refugees who crossed into Namibia were forcibly returned to Angola. In January 2001 there were an estimated 200,000 Angolan nationals taking refuge in Zambia. The Zambian ambassador maintained that once the security conditions allow, these people would be returned to Angola. [2][21][30a][50e]

7.3 Efforts of the government and humanitarian agencies have drastically reduced malnutrition since June 1999 though for many the threat of starvation is still not far away. In September 2000 one area in which the situation was reported as particularly serious was Kuito, the capital of Bie Province where 3,400 tonnes of food was being flown in each month to feed 70,000 vulnerable people who rely on food donations for survival. At this time malnutrition related diseases responsible for the deaths of children in the provinces of Luau and Moxico were continuing to claim lives. The situation was also reported to be worsening in the northern town of M'banza-Congo in Zaire Province, where food prices had rocketed following the temporary closure of the road from Luanda. Elsewhere efforts were reportedly being made to help people become more self-sufficient. In Huambo it is hoped a government sponsored initiative to provide land, tools, and seeds, can help relieve the plight of 300,000 displaced people. The government made more than US\$1,000,000 available for this project as part of its National Humanitarian Aid Programme. In October 2000 the government announced plans to convince displaced people living in the main cities to return to their areas of origin where possible, or to adhere to the resettlement programme in new settlement areas. In November 2000 the NGO, 'Medecins Sans Frontieres' questioned the consistency and seriousness of the resettlement process. Overall though, the situation for internally displaced person's improved during 2000. Many people were moved from transit camps and urban warehouses with poor conditions to rural, safe secure areas, and provided with homes, small land parcels, medical care, and education by the Government and UNHCR. In November 2000 the UNHCR began new assistance programmes and now provides protection and assistance in three provinces. [2][29h][30b][54][65]

7.4 In March 2001 the humanitarian situation in Angola was still described as critical, the Government estimated there were some 4 million displaced persons representing approximately one third of the countries population. In August 2001 it was estimated that a total of 3 million people had been displaced since the resumption of hostilities in 1998, approximately 323,000 of whom were displaced since January 2001. During 2000 UN observers said that there were 457,000 newly displaced people. There are 120 internally displaced person's camps in the country, 35 of these were inaccessible due to their distance from urban centres, and there is a lack of adequate water supply in these areas. Many internally displaced people are former returnees from neighbouring countries who were previously reintegrated into the country between 1994 to 1998. Displacement, due to the war situation and in particular the activities of UNITA continued in the first months of 2001, most notably in Bie, Huambo, Moxico and Uige provinces. Figures for 2000 also stated that during 2000 some 288,000 had been temporarily resettled throughout the country. A priority for 2001 is reported to be the resettlement of 315,000 people, the majority of who are concentrated in camps and transit centres in the provinces of Bengo, Bie, Huila and Moxico. [2][29o][52a][54][66]

7.5 In April 2001 the World Food Programme (WFP) warned of food shortages in the months ahead. The organisation reported that it had purchased fish from local suppliers to avert serious shortages during April, May and June 2001. This situation partly arose due to the delay in translating donor-pledged money into resources on the ground. There were also reports of distribution difficulties within Angola, there were restrictions of various degrees affecting deliveries to the airports of Kuito, Huambo and Lubango. In June 2001 food aid flights to the airport at Kuito were suspended for some ten days due to the threat of missile attacks and the poor condition of the runway. In addition, the airport at Negage remained closed although the WFP are permitted one delivery per day to Uige. In April 2001 the WFP reported an increase in numbers visiting feeding therapeutic centres in the provinces of Bie, Benguela, Kuanda, Kubango and Moxico. The organisation had yet to establish the reasons for this increase. Also in April 2001

there were reports of at least 66 deaths by starvation at a refugee camp in the Camacupa district of Bie province. Reports stated that in the space of a week some 2,900 people suffering from advanced malnutrition had arrived at the camp from Cuemba - a district in eastern Bie that has been isolated since 1985. Road access is not possible due to landmines whilst the air links with Cuemba were halted in June 2000 after rebels shot down a plane. In July 2001 Oxfam director expressed concerns about the Angolan government response to the needs of displaced people. [29n][29p][65][36r][29aa]

UNITA

7.6 UNITA maintained a political presence in Luanda until October 1992. There was no presence of any sort between November 1992 and April 1995, and then in May 1995 UNITA re-opened their Luanda office. This remained in place until April 1998 when the MPLA refused to deal with UNITA unless they complied with the Lusaka Protocol. In September 1998, the UNITA office was taken over by UNITA-Renovada (see paragraph 7.14). [9]

7.7 UNITA is not a single, coherent organisation; it comprises of at least two major groups in addition to which there are also known sympathisers. The main distinction is between those who are still fighting under Savimbi and those who are not. The government will not tolerate Savimbi or his armed group and the only way to safely leave this is to defect to the FAA. The FAA has accepted into their ranks several thousand former UNITA fighters; some of who have defected upon capture (see paragraph 7.21). Savimbi also retains a network of political staff overseas. Those who do not renounce support for the armed struggle would not be welcome in Government controlled areas of Angola. [2][9]

7.8 There are a number of people in the Government of National Reconciliation (GURN), including ministers and vice ministers, who openly support the political goals of UNITA, but have renounced the armed struggle. There is also an UNITA Parliamentary Party. Some members have aligned themselves to UNITA Renovada (see paragraph 7.14); others have retained their allegiance to UNITA's political goals. On the whole these people are protected by their renunciation of violence. They are often frank about their differences with the MPLA, however the Government is clearly suspicious about some of the more independent members of the Parliamentary Party. [9]

Recent Political History of UNITA

7.9 The second half of 1998 saw a fatal fracture in the peace process. The Lusaka Protocol required UNITA to hand over to state administration the remaining areas under their control but their repeated delays caused the UN to vote for further sanctions against them. In August 1998 UNITA announced that it had broken off links with Portugal, Russia and the United States, the three observer countries to the Lusaka accord. On 31 August 1998, the government suspended UNITA's 70 deputies in the 223-seat parliament including four ministers and seven vice ministers in the GURN. On 2 September 1998 a group of 5 UNITA moderates who wished to negotiate with the government to conclude the Lusaka Protocol, issued a manifesto declaring the suspension of Savimbi and the introduction of an interim leadership pending a general congress of the party. The group were all based in Luanda, and led by former Tourism Minister, Jorge Valentim. [1][28][45]

7.10 The breakaway faction called itself UNITA-Renovada (UNITA-R) meaning the UNITA Renewal Committee; they commanded very little support within UNITA. Shortly after the formation of UNITA-R, 53 of the UNITA's 70 deputies endorsed a declaration disassociating themselves from the new dissident faction. Conversely, the Government welcomed the development, quickly recognising the faction and re-appointing its supporters to the executive. They also brought pressure on UNITA deputies in Luanda

who had not declared their support for UNITA -R, stopping their salaries and other perks. President dos Santos announced that he would only deal with UNITA-R in negotiations concerning the implementation of the Lusaka Peace Accord. UNITA-R was also recognised by the Southern African Development Community (SADC). [1][28]

7.11 On 20 October 1998 the National Assembly reconvened, five days late, amid confusion over the status of UNITA deputies who had not joined UNITA-R. As of 23 September 1998 nine of the 11 UNITA ministers and vice ministers in the GURN had been reinstated (see Annex E). The UNITA deputies who remained loyal to Savimbi and had been suspended from parliament were also reinstated following diplomatic pressure. Further evidence of the lack of support for UNITA-R came on 26 October 1998 when Abel Chivukuvuku (who whilst no longer claiming allegiance to Savimbi was opposed to UNITA-R) was overwhelmingly re-elected chairman of the UNITA parliamentary group defeating the UNITA-R candidate, Eugenio Manuvakola. The government did not recognise the ballot result and Mr Manuvakola was declared UNITA's new chief whip. However, the fact that Mr Chivukuvuku and others were allowed to take their seats indicated the government's failure to marginalise him and undermine his personal authority. On 27 October 1998 Angola's National Assembly voted to strip UNITA leader, Jonas Savimbi, of his "special status" as leader of the opposition. This, which had virtually amounted to vice president status, was one of the last major elements of the Lusaka accord to be fulfilled and the decision to revoke this was based upon Savimbi's failure to adhere to his side of the peace treaty signed with the government. [1][27][28]

7.12 During 1999 Amnesty International reported that government forces, the militia and, in some cases the police, were responsible for the harassment, assault and detention of officials and others suspected of sympathising with UNITA. In January 1999 five UNITA deputies were arrested accused of crimes against state security, one was released in May 1999 and the other 4 were released and acquitted in October 1999. It is generally believed that their detention was simply harassment, although some officials claim that the Government chose not to use good evidence against them. The government declared Savimbi a war criminal in February 1999 and, in July 1999 issued a warrant for the UNITA leader's arrest, blaming him for the return to war. Notwithstanding the arrest warrant, Savimbi would appear to be covered by the President's offer of an amnesty available to those who abandon the armed struggle and work peacefully for change in Angola, although many observers doubt that such an offer would, in reality, apply to Savimbi (see paragraph 4.24). In March 2001 the Angolan Foreign Minister reportedly announced that Savimbi had been excluded from the peace process. [9][10][19][33c][33d][60g]

UNITA - RENOVADA (UNITA-R)

7.13 UNITA-R MP's were reinstated to parliament after a short hiatus in 1998. They remain polarised from UNITA and Savimbi and are recognised as the official representatives of UNITA by the vast majority of African and European governments. However, there is reported to be growing dissension within the rank and file who complain that promised subsidies of \$200-\$300 for individuals joining from the countryside have not materialised and that tribalism is creeping in to the structure of the organisation. Leader, Jorge Valentim, and most of his officials are Ovimbundos, whereas the ordinary members are drawn from many other ethnic and tribal groups. In an interview on 20 November 1999 UNITA-R president, Eugenio Manuvakola, verbally attacked Jonas Savimbi and called upon his followers to desert. UNITA-R also expressed concern about the fate of leading UNITA members who had been detained in the movements' prisons. [49b][51a]

7.14 UNITA-R have very little credibility, any it did have was lost with its recognition as the official opposition and de facto inheritor to UNITA's obligations under the Lusaka Protocol. Very few UNITA defectors have joined Renovada, and many well-known UNITA politicians refuse to ally themselves with the party. In reality, UNITA-R is a MPLA sponsored group that exists to adopt the obligations and privileges that UNITA undertook in the GURN. UNITA-R took over the old UNITA office in Luanda in September 1998 with

the assistance of armed police; it remains under their auspices today. Some UNITA political staff who have defected since 1992 and subsequently joined Renovada live and work in Luanda with no problem. Renovada maintain that they suffer a form of persecution, they claim that the Government imposes strict limits on their freedom to operate and travel. No political party can operate without the tolerance of the Government and, as such, UNITA-R's existence is an indication that the MPLA do not consider them a threat. However, claims about travel restrictions are not true. Some former UNITA politicians who defected to UNITA-R do however have their names on the UN list of people whose travel should be restricted. [9][10][28]

UNITA's Military Wing

7.15 UNITA's military wing or army is known as the FALA, on occasion they may also be referred to as the Black Cockerel troops. Like many other liberation movements UNITA also have both women's and youth sections. The women's section is known as the League for Angolan Women (LIMA) whilst the youth section is known as the Angolan Youth Movement (JURA). During 2000, as in previous years, UNITA forces have committed many serious human rights abuses. [1][2][11][31a]

7.16 The FAA launched a major offensive against UNITA in September 1999 that ultimately forced the rebel group out of their Central Highlands stronghold (see paragraph 6.3). Following the launch of the offensive there were reports that in a letter dated 27 September 1999 to President dos Santos, UNITA leader Jonas Savimbi called for an immediate truce as "the first condition to resolving the present crisis in Angola". Two separate UNITA representatives denied such a letter had been sent. However, prior to this incident, the Angolan government had repeatedly stated that it was not prepared to negotiate with Savimbi again in view of his failure to abide by internationally brokered agreements. [30a]

7.17 In November 1999 one of Savimbi's closest aides, senior commander General Jacinto Bandua, surrendered to FAA forces. He subsequently told journalists, that he had tired of Savimbi's dictatorial ways, and claimed that UNITA's troop morale was low after successive defeats. Bandua subsequently alleged that Savimbi had personally ordered two UN planes to be shot down in December 1998 and January 1999. Another UNITA defector stated that there were standing orders to shoot down any aircraft flying over UNITA territory. He added that rebels were also ordered to destroy every trace of human remains. Both former guerrillas were integrated into the FAA and, according to the chair of the UN sanctions committee, did not appear to be volunteering their allegation against Savimbi under duress. In mid 2000 the Government claimed that 10,000 UNITA soldiers had defected in 18 months, however these figures have not been verified. Despite these losses UNITA continued to launch terrorist attacks. [26][36b][36d]

7.18 A shake up within UNITA's military ranks took place in June 2000. History has shown that whenever things are going badly for UNITA, Savimbi ensures that his senior commanders pay the price. Prison or execution often awaits those who, in the eyes of the rebel leader, have failed. The six high level changes came nine months after UNITA suffered a series of heavy defeats that resulted in them losing their Central Highland headquarters. Despite the changes, Savimbi maintained that frank dialogue is the only way to end the war. A UNITA source described the changes as normal but refused to comment on the whereabouts of the officers who had been replaced. However, in October 2000 a former rebel soldier who had surrendered to the FAA claimed that three UNITA generals, a brigadier and a colonel had been executed on Savimbi's orders. One of those executed was reported to be General Bock, the former Chief of UNITA General Staff and a nephew of Savimbi. [30c][36f][47a]

7.19 In September 2000 it was reported that authorities in Namibia had detained 82 suspected members of UNITA. The rebels were being treated as illegal immigrants and the Namibian authorities. In April 2001 it was confirmed that the removal of more than 80 soldiers and collaborators would proceed, despite a high court ruling that the removal of one representative - Jose Domingos Sikunda - was illegal. Also in September 2000, one

of Savimbi's sons returned to Luanda from Côte d'Ivoire, UNITA had claimed he had been kidnapped - an allegation he denied. He was the second of Savimbi's sons in a year to return to the country without his father's permission. [30c][36g][29f]

7.20 On 22 March 2001 Savimbi broke 18 months of public silence to call for peace talks when he spoke on the telephone to the Voice of America radio service in Luanda. Savimbi, who has not been seen in public for 10 years, claimed that during the previous 18 months he had never been close to capture. Savimbi said that Angola's last attempt at peace - the 1994 Lusaka Peace Accord - could be revived. He also urged opposition politicians, the church and independent journalists to work towards a dialogue for peace. In response the Government said that it was not prepared to negotiate with Savimbi, even if he was to disarm his forces, but would be prepared to resume talks on the Lusaka Protocol with the UNITA-R faction. The Government observed that in his statements Savimbi made no mention of disarming his forces. There were suggestions that Savimbi's comments were inspired to buy time and that according to a senior defector the rebel leader was plotting how to prolong the war. [34f][49e]

Surrendering UNITA fighters

7.21 Since the resumption of hostilities in December 1998 several thousand UNITA fighters have surrendered to the Government authorities and been reintegrated into the FAA (see paragraph 4.25). Re-integration into the FAA prior to demobilisation is probably the only viable option for people who have only known a fighting life. The conditions under which demobilised UNITA combatants live are poor, but they are not specifically singled out for this. Many have no skills and are wholly dependent on re-integration programmes, however many such programmes were suspended in December 1998. In January 2001 the Government approved a Peace and Reconciliation Fund to help support the re-integration of soldiers (and civilians) who have surrendered. This development came in response to opposition party accusations that the authorities were more interested in receiving political dividends from the UNITA deserters' declarations than the process of their re-integration into society. [2][9][12][52b]

Sanctions against UNITA

7.22 In addition to the existing sanctions in place before the resurgence of hostilities at the end of 1998, the UN has since banned all commerce in diamonds with UNITA and the sale of arms and petroleum, these embargoes have apparently been flouted with impunity. The UN is now seeking to deploy civilian "sanctions monitors" throughout Africa to try and eradicate sanctions busting. A scheme was introduced this year to certificate all legitimately-produced diamonds being traded by the Angolan government, so dealers world wide would be able to differentiate between those produced by the government and those by UNITA. In June 1999, South Africa in supporting the UN went further and proposed a certification scheme for all diamonds produced in southern Africa. There have also been suggestions that the UN might trace all the illegally exported diamonds and confiscate them. The UN is investigating claims that some European companies, including some based in the UK, are still trading with UNITA. [34b][57a][59][60c]

7.23 The government of Côte d'Ivoire announced in May 1999 that it was withdrawing the passports it had issued to Jonas Savimbi and some of his followers, which had allowed them to travel freely outside Angola. France also said it intended to expel Isaias Samakuwa, UNITA's representative there, and ban him from re-entry in accordance with the UN's 1997 sanctions that demanded the closure of all UNITA offices and the expulsion of senior personnel. [60b]

7.24 In February 2000 the world's biggest diamond dealer De Beers of South Africa promised to guarantee that it would not trade in stones from African rebel movements. In March 2000 countries which have been involved in sanction busting operations were named in a UN report. The report suggested that UNITA, which is believed to have made US\$4bn from illegal diamond sales since 1992, had used diamonds to court favours from certain African governments, notably Burkina Faso and Togo. The report also stated that

UNITA received arms from Eastern Europe on almost a daily basis. In line with UN Security Council resolutions Togo expelled 56 UNITA supporters in May 2000. The Angolan authorities claimed that the gesture was not enough, and maintained that Togo remained a sanctuary for armed UNITA rebels and that the two maintained contact. As a consequence, the Angolan government took the decision to boycott the annual summit of the Organisation of African Unity (OAU), which was held in the Togolese capital of Lome in July 2000. South African security sources stated that UNITA were continuing to receive military supplies from Eastern Europe as recently as July 2000. [29f][29g][33a][36e]

7.25 In April 2001 a report by the US based Forecast Intelligence Centre stated that the UN sanctions may be hindering the ability of Savimbi's rebel movement to make diamond-for-guns deals but they were far from stopping them. Even UN officials admit that the trade continues though the sanctions decrease the number of people willing to make such deals. Some sources believe that the seizure of certain productive diamond fields by Angolan government troops is hurting UNITA more than UN sanctions. [62]

F.L.E.C./CABINDANS

7.26 FLEC (Frente para a Libertacao do Enclave de Cabinda) was formed in 1963 as a nationalist movement seeking separate independence for Cabinda, a 2,807 sq mile (7,300 sq km) oil-rich enclave on the Atlantic coast sandwiched between the DRC and the Congo Republic. In 1998 Cabinda was reported to produce about 60% of Angola's total oil output of around 700,000 barrels per day, which in turn represented approximately 90% of the country's total export earnings. Since its formation FLEC has split into a number of factions (see Annex A); some of these factions have engaged in rebel activity in their attempt to achieve their aim of an independent Cabinda. The main FLEC factions, FLEC-Renovada (FLEC-R) and FLEC-Forças Armadas Cabindesas (FLEC-FAC) are deeply divided; encouraging competition and conflict that Luanda often exploits. For example, FLEC-FAC led by Henrique Nzita Tiago was responsible for kidnapping three Portuguese oil workers in 2000 (see paragraph 7.30). However, FLEC-R leader Antonio Lopes claimed he could free the hostages. Lopes' group acts as the FLEC government-in-exile and often competes with the FLEC-FAC, which operates inside Cabinda. The rebel groups reportedly retain wide popular support from the Cabindan locals but are strapped for arms and funding. [1][14][22][29]

History of FLEC

7.27 Throughout its existence FLEC has been marginalised and its political concerns largely ignored. Banned in 1974 by the Portuguese, FLEC then organised a military wing. Following Angolan independence FLEC, unlike the other main nationalist groups (MPLA, UNITA and FNLA), did not achieve recognition by the Organisation for African Unity (OAU). FLEC was excluded from the negotiations for the May 1991 Bicesse Accords and did not enter the political process with the introduction of multi-partyism, arguing that the September 1992 elections were for Angolans not Cabindans. The Angolan law on political parties dictates that, in order to register, a party must possess support in at least 10 of the 18 provinces, this effectively disqualifies FLEC. [1][14]

7.28 Throughout 1997 and into 1998 the number of attacks by the FAA on villages suspected of supporting FLEC factions multiplied. Angolan troops in Congo, there to support the pro-Angolan President Nguesso, who ousted the pro-UNITA President Pascal Lissouba in October 1996, are also reported to have raided refugee camps occupied by Cabindans. Separatist fighters are reported to have killed unarmed civilians and taken others hostage. These raids were often followed by government reprisals, in which unarmed civilians were reportedly beaten and killed and soldiers looted and burned houses. During the same period attacks by both FLEC-FAC and FLEC-R have increased. They tended to target foreign companies operating in Cabinda; however, as this struck at the economy the FAA retaliated. In 1997 the government re-took Miconje

and Luai, in the northern part of the enclave, after heavy fighting, which had previously been under FLEC-FAC control, and accused FLEC-FAC of murdering three traditional chiefs who had sought government protection. An Amnesty International report published in April 1998 listed several examples of soldiers and other officials threatening, or actually carrying out, beatings, torture and killings of unarmed civilians. There have been several reports of soldiers, sometimes drunk, firing indiscriminately in public places, on occasion with the intention of terrifying street vendors in order to steal their goods. [22]

Recent FLEC Activity

7.29 FLEC became increasingly active again during the first months of 1999. On March 4 1999 foreign workers, - 2 French and 2 Portuguese, were kidnapped in Cabinda by the FLEC-Renewed (FLEC-R) faction. The hostages were released unharmed in July 1999 after their employer reportedly paid a ransom of \$500,000. Sources close to FLEC-R said the money would be used to buy more arms and materiel. During 1999 there were also reports that they have been press-ganging young males into joining their military force. [48a][50c]

7.30 During 2000 the FLEC-FAC factions forces were reported to have tortured and killed civilians in the Cabinda region. In May 2000 the FLEC-FAC kidnapped three Portuguese workers and one local employee of a construction company. The three were still held by FLEC in March 2001 when the FLEC-R faction was also reported to have taken five Portuguese hostages. It was announced in June 2001 that the last of a number of hostages had been released after diplomatic intervention by the governments of Gabon and Congo Brazzaville. The rebels want Portugal, the formal colonial power, to persuade the Angolan government to negotiate on their demands for independence and a higher share of revenues from the enclave's lucrative offshore oil fields. However, Portugal says it sees Cabinda as part of Angola. [2][34e][36l]

7.31 In early 2001 Angolan President Jose Eduardo dos Santos' government discussed plans for greater autonomy for Cabinda. However, in February 2001 the FAA launched operations into the province. Some observers believe that whilst the FLEC government-in-exile (see paragraph 7.26) angles for negotiations, as well as launching diplomatic offensives throughout Europe, rebels on the ground will be forced to continue to wage their low-intensity war with little help from the outside. This will push the rebels closer to the urban areas and more desperate means of survival, including violent acts of banditry and increased kidnapping. [29j]

7.32 The Government's official position with regard to Cabinda is that it is "an internal issue" but as recently as March 2001, reaffirmed their willingness to engage in dialogue. However, according to FLEC-FAC, the Government who have not allowed other countries or the UN to get involved in the issue, would prefer a military solution. The rebels point to the strong military presence in the enclave and observe that the personnel stationed there can not understand the local language thus all dialogue with the population takes place in Portuguese. A report in March 2001 stated that main separatist movements reject Government suggestions to grant the territory autonomy; instead they are demanding a referendum. [55b]

7.33 During the early part of 2001 there have been reports in the Government controlled media of rebels from the FLEC-FAC faction surrendering under the provisions of the government amnesty (see paragraph 4.24). Those surrendering reportedly described the difficult conditions that they were subjected to in the bush and expressed the view that war was not the best solution to the Cabinda issue; they also called upon their colleagues to lay down their arms, begin dialogue and become reintegrated into society. Reports also stated that some of those surrendering expressed the view that if the amnesty law continues all others fighting in Cabinda will also surrender. [50f][52c]

7.34 In late March 2001 the Cabinda Christian Churches' Council accused FAA troops stationed in the territory of human rights abuses and looting. One of the worst affected localities was said to be Bitchequet, in the Cacongo municipality. The church claimed

that more than 2,000 people were living without a roof having fled into the Cabinda bush to escape the looting activities. It was claimed that more than 200 huts were burnt and the church expressed fears that the population would flee into neighbouring countries. [55c]

The future of Cabindan separatists

7.35 A report in February 2001 suggested that the rise in separatist activity in the oil-rich Angolan enclave of Cabinda could actually signal the demise of the rebel movement. The report suggested that a well-equipped Angolan military and closer co-operation between Luanda and the rebels' former allies in Congo-Brazzaville and the Democratic Republic of Congo (DRC) could have further isolated the faction-ridden Front for the Liberation of the Enclave of Cabinda (FLEC) separatists. There is a view that this isolation could ultimately sound the death knell for the rebel movement; however, it was not considered likely that their liberation from control by Luanda would be successful. In July 2001 Major Joaquim Kambela deputy commanding officer of the Angolan Armed Forces in Cabinda described the military and political situation in Belize District and the Miconje communal area as relatively calm, although some isolated activity continued. He did express particularly concern about continuing activity in the Alto Sunde area. [29j][47i]

ETHNIC GROUPS

7.36 Angola has considerable ethnic diversity, its main ethnic groups include the Ovimbundu (estimated 37% of population in 1989), Mbundu (25%), Bakongo (15%), Lunda-Chokwe (8%), Ganguela (6%), Nyaneka-Humbe (3%) and Ovambo (2%) (see Annex C). There are also a small percentage of Mestiço (the term for people of mixed white and African ancestry) and European's. [1][15]

7.37 Angola's population includes 1 to 2 per cent of Khoisan and other linguistically distinct hunter-gatherer tribes scattered throughout the southern provinces of Namibe, Cunene and Cuando Cubango. There is no evidence that they suffer from official discrimination or harassment, but they do not participate actively in the political or economic life of the country and have no ability to influence government decisions concerning their interests. [2]

THE BAKONGO

7.38 The Bakongo are one of the third largest ethnic groupings in Angola (Ovimbundu are the largest followed by Kimbundu), although the tribe is spread over three countries: DRC, Congo and Angola. Originally, when Europeans reached this part of Africa in the 15th century, the Bakongo had a centralised kingdom, the Kongo Empire, which lasted until 1665 when the Portuguese defeated them. Subsequently, the Bakongo migrated throughout Angola, Congo and DRC during periods of rebellion. Nowadays, the vast majority, approximately 10 million, live in western DRC, 850,000 in southern Congo and only 600,000 in northern Angola. The two subgroups living in Angola are the Sosso and Sorongo. Their main language, Kikongo, is one of DRC's four national languages, although they traditionally also speak French, a relic of DRC's colonial past. [41][42]

7.39 In 1954, Holden Roberto established the Union of Angolan Peoples (UPA), the original aim of which was to re-unify all strands of the Bakongo into one state. Eventually, in 1958, the UPA dropped the goal of a separatist state for the Bakongo and concentrated instead on independence for all Angolan peoples. In March 1961, the UPA launched an attack on the Portuguese; this was crushed and resulted in up to 400,000 Bakongo fleeing to DRC. Many of these exiles identified themselves as Bakongan rather than Angolan and did not speak Portuguese. The UPA was joined by the MPLA, a

Marxist organisation that later drew support from Cuba and the USSR. In 1962 the UPA became the FNLA (National Front for the Liberation of Angola). In 1963, a member of the FNLA called Jonas Savimbi broke away to found his own resistance movement which he named National Union for the Total Independence of Angola (UNITA). [5][42]

7.40 Each of Angola's three largest ethno-linguistic groups has been associated with a respective military organisation during the fight for independence and the civil war that followed. The Ovimbundu people of the south with UNITA, the Mbundu with the MPLA (who also attracted the intellectuals in Luanda) and the Bakongo with the FNLA. [42]

7.41 The three resistance groups formed the first post-independence government in 1975 but, after much factional fighting, the MPLA emerged victorious in 1976 to govern alone. However, with the MPLA ascendancy, both the Bakongo and the Ovimbundu were discriminated against but, by the late 1970s, the FNLA was unable to continue its guerrilla activities because of a lack of popular support outside the northern regions. By 1979, most of the fighting was concentrated away from the north and many of those Bakongo who had fled to DRC were able to return. Their exiled leader, Holden Roberto, was able to return to fight the 1992 presidential election after political parties were legalised. In September 1992, the FNLA received 2.4% of the National Assembly seats in the first direct elections since independence. [42]

7.42 Several Bakongo separatist groups exist in the UK. Their aim is self-determination for the Bakongo but their publications and propaganda are unclear. There is no evidence of links with home-based movements.

i) ABAR (Association of Angolan Bakongo Refugees in the UK)

They appear to be principally a welfare organisation for Angolan Bakongo refugees. They are based at Newham Refugee Centre in London and state their priorities as assistance, support and practical advice for members. Their President is Dr Avelino Makiese and the Secretary Antonio Ndiluawu.

ii) KIMVUKA/MBFA (Bakongo Movement for Federalism in Angola)

Dedicated to self-determination for the Bakongo and the transformation of Angola into a federal state. They issue newsletters and statements about events in Angola, in the most part made up of political slogans. Their Permanent Secretary is Avelino Makiese.

iii) MAKO (Movement for Self-determination for the Kongo)

Based in London, they have joined forces with the MBFA and announced, in June 1998, they would be working together on a joint programme. Their President is Joao Mansianganisoma. [43][44]

7.43 In Angola there is no discrimination in law against those of Bakongo origin and no evidence that, for example, they are prevented from trading or treated as second class citizens in society as a whole. But there have been times when they have come under suspicion and been attacked as a group. One of the most serious instances of persecution was directed against "Zairians" (i.e. Bakongo Angolans) on January 22 1993. Rumours were spread of a plot to kill the Angolan president, which resulted in "Zairians" being hunted down and chased from the markets. Officially 69 people were killed in the disturbances in several cities although most reports talk of between four and six thousand dead. The killers are reputed to be the military, the national police and civilians. The massacre became known as "Bloody Friday" and was condemned by the government. But this incident is not indicative of the general picture and there has been no repetition. [5][42]

7.44 A substantial Bakongo community continues to live in Luanda and they have been

able to join the major political parties, including the MPLA. There is no evidence of a systematic persecution or targeting of Bakongo, although the Bakongo are likely targets if a scapegoat is needed. [5]

7.45 If a Bakongo were a victim of scapegoating, he or she would not necessarily be able to look to the police for protection (although this would also apply to many other Angolans). The Angolan police are poorly paid and generally acknowledged to be corrupt and lacking in discipline. They tend to be motivated more by the opportunity to extort bribes than the pursuit of justice. It could not therefore be ruled out that a Bakongo who had come to the attention of the authorities might be pressurised by members of the police with a view to extorting bribes. [5]

7.46 Although a Bakongo returning from abroad would probably be recognised as such, he or she would not automatically be associated with UNITA (traditionally supported by the Ovimbundu, rather than the Bakongo) or with any opposition elements. [5]

WOMEN

7.47 Violence against women is widespread. Credible evidence indicates that a significant proportion of homicides were perpetrated against women, usually by their spouses. In 1997 a Ministry of Women was created to deal specifically with violence against women. The Government continued its project to reduce violence against women and improve the status of women and efforts during the year 2000 included public education campaign. Due to the poor economic conditions an increasing number of women have engaged in prostitution. In September 1999 the Government vowed to curb the increase in prostitution in the country. The Minister of Family and Women Promotion said that measures taken to tackle the problem included the establishment of schools for re-education and specific training centres for teaching cooking, art and sewing. Allegations of rape by Government forces in the central highlands increased during the year 2000. Reports suggested that government soldiers broke into houses and raped women, or raped women they encountered working in fields. Incidents of rape were reported to be particularly common during house to house searches. Such incidents were reported to be especially common in large areas of Bie, Huambo and Uige provinces. There were also some unconfirmed reports of rape by UNITA forces. [2][25] [60e]

Discrimination against women

7.48 The Constitution and Family Code provides for equal rights without regard to gender; however societal discrimination against women remains a problem, particularly in rural areas. In addition, a portion of the Civil code dates back to colonial times and includes discriminatory provisions against women in the areas of inheritance, property sales, and participation in commercial activities. A series of national conferences on women's rights, partially funded by foreign donors, continued to produce calls for the government to amend the Civil Code to end women's legal inequality, create a social welfare programme, and strengthen enforcement mechanisms for existing legislation. There are no effective mechanisms to enforce child support laws, and women carry the major portion of responsibilities in raising children. [2]

7.49 Despite constitutional protections, women suffer from discrimination. The law provides for equal pay for equal work, but in practice, women are rarely compensated equally. Some women hold senior positions in the military (primarily in the medical field) and civil service, but women are mostly relegated to low-level positions in state-run industries and in the small private sector. In much of the country, women constituted a growing percentage of the disabled, since they were most likely to become victims of landmines (see paragraph 6.21). Under the law, adult women may open bank accounts, accept employment, and own property without interference from their spouses. Upon the

death of a male head of household, the widow is automatically entitled to 50 per cent of the estate with the remainder divided equally among legitimate children [2]

CHILDREN

7.50 Angola has been singled out by the United Nations as the worst place in the world to be a child. Some 50% of the population are believed to be under the age of 15; however, the Government pays little attention to children's rights and welfare. The continuing civil war, the virtual collapse of the health system, the lack of basic education, countrywide food shortages, and a lack of access to clean water have all had a terrible impact on Angola's children. Almost one third of children die before their fifth birthday, 42% of all children are underweight. The education system is also seriously under resourced (see paragraph 5.38). Save the Children believe that half of Angola's internally displaced population are children. In June 2001 UNICEF estimated that about 1 million children in the country have lost one parent in the war and almost 300,000 have lost both and more than 1 million children have no access to education and health facilities. [2][23][29u]

7.51 There has been an increase in the number of street children in Luanda and other cities, in 1998 UNICEF estimated that there were approximately 5000, some orphaned and some who ran away. This resulted from the breakdown of family structures due to the civil war and the dire economic circumstances. Living conditions in youth hostels are so poor the majority of children preferred to sleep on the streets. Orphanages are overcrowded and admission to schools difficult because the children often do not have the necessary identification papers. Street children shine shoes, wash cars, and carry water but many resort to petty crime. Girls roaming the streets, although less numerous than boys, are often subjected to rape, sometimes even by the police. With the assistance of aid agencies, the Angolan Ministry of Social Affairs has launched a scheme to trace the relatives of such children and re-unite them, but in practice the children are not always willing to be returned as, due to domestic violence, circumstances there can be even worse. Equally, the relatives are not always willing or able to take them back. Children, often held in prison for petty theft, are incarcerated with adult detainees (see paragraph 5.16). However, Angola is currently revising its juvenile justice system with aid of UNICEF, and a foster parent placement system has been set up for those children either separated from their families or orphaned by the conflict. [2][23][40]

7.52 Child prostitution is also an increasing problem. One NGO estimated that there were between 500 and 1000 child prostitutes in Luanda. There are no laws that specifically prohibit child prostitution; however, a general criminal statute prohibits child prostitution. The age of sexual consent is 12 years, and any sexual relations with a child under 12 years of age are considered rape. Sexual relations with a child between the ages of 12 and 17 can be considered sexual abuse. There are no laws specifically against child pornography; however, pornography is prohibited statutorily. [2]

7.53 Children were often victims in the civil war. Government and UNITA forces killed, kidnapped and injured children during attacks throughout the year 2000. Children were also killed and injured by landmine explosions in increasing numbers. UNITA and the Government allowed 8,000 child soldiers to be demobilised in 1996 and 1997. The Government has not brought any significant number of children back into the armed forces, although some children might have been caught up in forced campaigns. There are also credible reports that UNITA forcibly recruited children as young as 10 years of age into its armed forces (see also paragraph 5.32). [2]

7.54 The legal minimum age for employment is 14 years. Children between the ages of 14 and 18 may not work at night, in dangerous conditions, or in occupations requiring great physical effort; however, these provisions generally are not enforced. The Inspector General of the Ministry of Public Administration, Employment and Social Security is responsible for enforcing labour laws. The Ministry maintains employment centres where

prospective employees register, and the centre screens out applicants under the age of 14; however, many younger children work on family farms, as domestic servants, and in the informal sector. Family based child labour in subsistence agriculture is common. Poverty and social upheavals have brought large numbers of orphaned and abandoned children, as well as runaways, into unregulated urban employment in the informal sector. The law prohibits forced or bonded child labour; however, the Government is unable to enforce these provisions. [2]

7.55 In June 2001 about 2,000 children marched through Luanda demanding an end to abuse and exploitation. The march was organised by the National Institute for Children (INAC) and came after a petition signed by some 70,000 people in three provinces called for an end to abduction, conscription and exploitation of children. [29s]

8. RESPECT FOR CIVIL LIBERTIES

Rights of the Individual

8.1 The Constitution provides all adult citizens with the right to vote by secret ballot in direct multiparty elections to choose the President of the Republic and deputies in the 220-seat National Assembly; in practice, citizens have no effective means to change their government. The Lusaka Protocol establishes the mechanism for returning the country to an electoral calendar. The Constitutional Committee of the National Assembly was working on a new constitution and a new electoral law during 2000; however the process was not completed by year's end. The Government currently plans to hold elections in 2002 (see paragraph 5.3). Opposition parties complained of harassment and intimidation by the Government. [2]

8.2 The Government infringed on citizens' privacy rights. The Government maintained a sophisticated security apparatus dedicated to the surveillance, monitoring, and wiretapping of certain groups, including opposition party leaders, journalists, members of the National Assembly and foreign diplomats. Legal requirements for search warrants are routinely disregarded. [2]

8.3 The Constitution provides for the right to organise and for collective bargaining; however, the Government generally does not respect these rights in practice (see paragraph 8.29). The Government dominates the economy through state-run enterprises. The Ministry of Public Administration, Employment, and Social Security sets wages and benefits on an annual basis. Legislation prohibits discrimination against union members and calls for worker complaints to be adjudicated in regular civil courts. Under the law, employers found guilty of anti-union discrimination are required to reinstate workers who have been fired for union activities. In practice, neither the Labour Code nor the judicial systems are capable of defending these rights. [2]

8.4 The law permits the Government to force workers back to work for breaches of worker discipline and participation in strikes, and has been cited by the International Labour Organisation (ILO) as an example of forced labour in violation of ILO conventions. The law prohibits forced or bonded child labour, and there are no reports that such labour occurs in government-held areas; however, the Government does not have the capacity to enforce this legislation in non-government-held areas. [2]

Rights of the individual in UNITA held areas

8.5 UNITA forces regularly abduct children for military service and other forms of forced labour. UNITA depends on forced labour for much of its logistical support. Refugees and internally displaced persons reported that rural women are frequently forced to work as porters for UNITA military units and kept in life threatening conditions of servitude. There also were credible reports of sexual assault. Inhabitants of Bie Province who escaped

UNITA's control in October 2000 were reportedly forced to donate 50 kg of maize and 25kg of beans to the rebels. It was also reported that those too old to serve in the military were being sent to the fields to produce food. [2][47b]

FREEDOM OF RELIGION

8.6 The Constitution provides for freedom of religion, including the separation of church and state, and the Government respects this right in practice. The Government does not require religious groups to register. Colonial era statutes banned all non-Christian religious groups from Angola; while these statutes still exist, they are no longer enforced. Members of the clergy in government-held areas regularly use their pulpits to criticise government policies. There have been no recent reports of religious detainees or prisoners. [2][2a]

8.7 Christianity is the religion of the vast majority of the country's population estimated at 11.5 million. Roman Catholicism is the country's largest single denomination, claiming 5 million adherents, but precise figures cannot be verified. The major Protestant denominations are also present, along with a number of indigenous African and Brazilian Christian denominations. The largest Protestant denominations include the Methodists, Baptists, United Church of Christ, and Congregationalists. The largest syncretic religious group is the Kimbanguist Church, whose followers believe that a mid-20th century Congolese pastor named Joseph Kimbangu, was a prophet. A small portion of the country's rural population practises animism or traditional indigenous religions. There is a small Islamic community based around migrants from West Africa, Angolans are often intolerant of the religion. Muslims are generally allowed to worship, although the building of mosques usually leads to local tensions. There are also a number of government officials whose adherence to dialectical materialism includes atheism. There are amicable relations between the country's religious denominations, and there is a functioning ecumenical movement, particularly in support of peace. In mid-2000 statements by MPLA officials and statements in the state owned press suggested that tension between the Catholic Church and the government had increased. [2a][10][16][29e]

8.8 In May 2000 all Angola's churches formed a joint body to campaign for peace and national reconciliation. Combined, the churches have a much larger support base than any other organisation in the country. They are to draw up a plan of action that could intersect with a coalition of political parties that was officially launched in June 2000 (see paragraph 5.4). In June 2000 a peace march and service was held in Luanda and in July 2000 a Congress for Peace was held; both events were supported by the church (see paragraph 4.12). [29e][33a][35]

Religious freedom in UNITA held areas

8.9 While in general the rebel group UNITA permitted freedom of religion, interviews with persons who left UNITA-controlled areas revealed that the clergy did not enjoy the right to criticise UNITA policies. In January 1999, unknown gunmen killed Father Albino Saluaco, a Catholic parish priest, and two catechists in a town in the province of Huambo that was under UNITA military occupation. Father Saluaco had served as deputy director of a project to reintegrate child soldiers into their families. No group had claimed responsibility for the incident by the end of 2000. [2][2a]

FREEDOM OF SPEECH AND THE PRESS

8.10 The Constitution provides for freedom of expression and of the press and specifically provides that the media cannot be subject to ideological, political, or artistic

ensorship, the Government does not respect this right in practice. Although the Government's respect for freedom of the press has improved marginally since March 2000, the Government continued to intimidate and threaten journalists into practising self-censorship; something that journalists acknowledge they exercise when reporting on the military situation, internal security, or other highly sensitive matters. There were reports that the Government pays journalists to publish pro-government stories. The Government detained or placed under investigation journalists who reported sensitive issues, including military operations, government corruption, and UNITA, especially Jonas Savimbi. The news ban on war coverage that was instituted in 1999 remained effective; however the strong discouragement of negative news coverage by the Government that occurred in 1999 lessened during the year 2000. [2]

8.11 The majority of the media is state-run and carries very little criticism of the Government. A committee composed of the Minister of Social Communication, the spokesman of the presidency, and the directors of state-run media organisations controls policy and censorship authority. The MPLA's secretary general also influences the content and tone of state-run media reporting. The Government used its control of the media to engage in a hostile propaganda campaign against UNITA, including unconfirmed allegations of UNITA massacres, as a means of influencing local and international public opinion. The Government generally did not restrict the activities of foreign media during 2000, including the British Broadcasting Corporation (BBC) and Voice of America (VOA); however, it refused to allow direct retransmission of their broadcasts. Foreign journalists must obtain authorisation from the Ministry of the Interior in order to obtain access to government officials or to travel within the country. Media requests to travel to areas that are not controlled by the Government are routinely denied. [2]

8.12 In November 1999 Amnesty International published a report that outlined the cases of some 25 journalists who had been interrogated, detained, threatened or assaulted in connection with their work since November 1999. During 2000 the Government became increasingly tolerant of criticism of its policies and actions in the independent media. Private media attention to corruption, economic mismanagement and opposition politics also increased during the year 2000. There are five private weekly publications with circulations in the low thousands. A list of publications is attached (Annex G). There are also five commercial radio stations including the Catholic Radio Ecclesia, and Radio Lac Luanda, which openly criticised aspects of government policies during 2000. In June 2000 Amnesty International published a further report documenting breeches of press freedom since December 1999. During the latter half of 2000 there were attempts by the Government to improve relations with the media, including visits to independent radio and newspapers by the Vice-Minister of Social Communication. This saw a decrease in media harassment in most areas, with the exception of Kwanza Norte and Malange, where the Government continued to target journalists. [2][20]

8.13 Defamation against the President or his representatives is a criminal offence, punishable with imprisonment or fines. There is no truth defence to defamation charges; the only allowable defence is to show that the accused did not produce the actual writing alleged to have caused harm. In 1999 the Government harassed, arrested and detained more than 20 journalists on charges of slander, defamation and crimes against the security of the State; however, such incidents decreased during the year 2000. Where cases of defamation come to trial journalists are usually convicted, fined and given a suspended prison sentence. [2][18a]

8.14 In October 1999 the National Department of Criminal Investigation (DNIC) detained Rafael Marques, an independent journalist and human rights activist known for his vocal criticism of the government. Marques was charged with defamation and slander, largely in connection with an article that appeared in "Angora" in July 1999 referring to President dos Santos as a dictator. He was held for 45 days of preventive detention (although press law only allows a maximum of 15 days in detention) before being released pending a trial. This began on 21 March 2000 but was largely held in secret. On 31 March 2000 Marques was convicted of defaming President dos Santos and was sentenced to six

months imprisonment and a fine the equivalent of 100,000 Kwanzas (equivalent to US\$ 16,000). In the same case the editor of "Angora" received a sentence of two months' imprisonment and a fine equivalent to approximately US\$ 6,000. Both sentences were suspended pending an appeal, however both journalists were banned from commenting orally or in writing about the case or from travelling outside the country. [2][18a][39]

8.15 On 27 October 2000, the Supreme Court upheld the convictions of Marques and Aguiar Dos Santos. Both sentences were suspended for 3 years and travel restrictions were imposed on them. On 11 December 2000, the Supreme Court ordered the police to lift the travel restrictions that had been imposed on Marques, Dos Santos, and another journalist, Antonio Freitas. However, on 12 December 2000, government officials prevented Marques from leaving the country and temporarily confiscated his passport. Travel restrictions were subsequently lifted for both journalists. [2]

8.16 On 2 December 1999 Andre Mussamo, a correspondent for Angolan National Radio and a contributor to Folha 8, was arrested and detained in Kwanza Norte province for "violation of a state secrets." He was detained for over three months in reportedly deplorable conditions before being released on bail in mid March 2000. On 31 May 2000, the charges were dropped when it was shown that Mussamo had not published any material from a secret document; however, the person who provided Mussamo with the document was convicted. Mussamo is reportedly still under investigation, and as of the end of 2000 he was been barred from leaving the country or from practising journalism. The Union of Angolan Journalists criticised the Government's actions in the Mussamo case. [2][18a]

8.17 In November 1999, Isidoro Natalicio was convicted of defamation, and his appeal was pending at year's end. During the year 2000, the local government threatened to evict Natalicio from his home and filed another defamation charge against him. In July 2000 the local government in Kwanza Norte evicted him from his home on the grounds that his work for independent and international radio stations violated his lease. In July 2000 individuals claiming they represented government authorities kidnapped Catholic Radio Ecclesia director Jose Paulo and forced him to drive at gunpoint to the outskirts of Luanda, where he managed to escape unhurt. The Government later denied responsibility for the assault. [2][18a]

8.18 As a result of the Marques trial, the Government decided to revise the press law. In August 2000 a committee appointed by the President released a draft law for public comment. Despite wide criticism of the new text, the Government encouraged a series of public seminars as well as radio and television programming on the topic. In September 2000 the Government extended the original 6-week review period by 3 weeks to accommodate public feedback. The draft was criticised widely for not allowing the expansion of political dialogue and discussion and for increasing the criminal penalties for defamation. The Committee to Protect Journalists (CPJ) recommended the withdrawal of the draft law. In October 2000 the Government suspended the drafting process, withdrew its draft and announced its intention to appoint a committee consisting of both government and non government representatives to reconsider the drafting process; however, the process had not begun by the end of 2000. [2]

8.19 In October 2000 Antonio Paciencia, the editor of Angolan State Radio, was found dead in neighbouring Zambia. He had travelled there on a UN organised visit. Investigations confirmed that he had been killed but did not attribute any responsibility for his murder. The Angolan government and some journalists blamed UNITA. [2][36h]

8.20 On 22 February 2001 unidentified gunmen burst in to the Malange home of Isaias Soares and opened fire. Soares brothers returned fire and the attackers fled; Soares, a VOA and Radio Ecclesia journalist who has been harassed on several previous occasions for his professional activities, was unharmed. Following the attack neighbours warned that criminal gangs were looking for the journalist; there were calls for the authorities to take the necessary measures to find those responsible. In August 1999 the Government banned Soares from covering official events or reporting on military issues

in Malange. In July and August 2000, the Government continued to harass Soares, and the provincial government seized his motorcycle, which was his only means of transport. The local authorities in Malange had also banned the journalist from accessing official buildings. [2][29k]

8.21 In July 2001 there were reports that the situation of the press had deteriorated. Freelance journalist Rafael Marques cited the suspension of news reports on the independent Catholic station Radio Ecclesia, although the director of the station reported they were just in the process of revamping programming. Marques also expressed concern about the police's treatment of himself and a BBC journalist earlier in July when trying to report the relocation of thousands of residents in the Boa Vista area of Luanda. The case of independent newspaper journalist Gilbert Neto arrested and interrogated in early July with a foreign researcher and increasing difficulties for provincial journalists in the provinces of Kwanza-Norte and Malanje were also raised in a report by the CPJ. This organisation based in New York noted a grave concern for the marked downturn in official respect for the rights of journalists. [18b][29v]

Freedom of speech and the press in UNITA held areas

8.22 UNITA does not permit freedom of expression in the areas under its control. UNITA publishes information on the Internet but no longer has a radio station. Journalists who worked for the now defunct UNITA radio station -Vorgan - were allowed no freedom of expression and risked imprisonment and torture if they were suspected of passing information to the government. [2][20]

FREEDOM OF ASSEMBLY AND ASSOCIATION

8.23 The Constitution provides for the right of assembly; however, the Government restricts this right of practice. The law requires a minimum of 3 days' prior notice before public or private assemblies are held, and makes participants liable for "offences against the honour and consideration due to persons and to organs of sovereignty". Applications for pro-government assemblies are granted routinely without delay; however, applications for protest assemblies are rarely granted. [2]

8.24 On 18 February 2000, 25 members of the Party for the Support of Democracy and Progress in Angola (PADPA) demonstrated in front of the Carmo Church in downtown Luanda in a highly publicised hunger strike against an increase in fuel prices. Police dispersed the demonstration on the grounds that the police had not received the required 3-day notification prior to the demonstration, and police detained 12 protestors. There also were allegations of police assault against protestors. On 23 February 2000, police dispersed a demonstration outside the Luanda Provincial Government and reportedly beat some demonstrators. On 24 February 2000, police with rifles dispersed a demonstration, arrested 10 protestors, including the leaders of 2 opposition parties and reportedly beat some of the protestors. The following day the police issued an apology for the arbitrary arrests. [2][61]

8.25 The Government became more tolerant of public protest later in the year 2000. On 11 March 2000, officials permitted an opposition march by 100 members of opposition parties against high fuel prices; this was the first authorised opposition demonstration since 1992. On 11 June 2000 some 2,000 protestors participated in a government sanctioned peace march. The march ended at the Cadadela sports complex where a crowd of around 20,000, including opposition politicians, took part in an ecumenical service aimed at spurring Angola's warring parties to end the conflict. In July 2000 a Church-sponsored Congress for Peace was held in Luanda. The event brought together civil society groups, a wide cross-section of church members, opposition politicians and officials from the governing MPLA party. According to Fernando Macedo, a human rights activist, the fact that the government permitted a debate about peace to take place in

Angola revealed an important shift in position. However, a debate in the National Assembly the same week as the congress took place concluded that the government's military option was still necessary. Some participants at the peace congress believed that this revealed the event had, to some extent failed. [29e][35]

8.26 In January 2001 25 supporters of the PADPA again began a strike - this time outside the Presidential Palace. The protest was in response to a political scandal that has arisen in France over illegal arms sales from which a number of prominent Frenchmen reportedly profited. President Dos Santos's name has cropped up repeatedly in connection with the case. The protesters distributed leaflets critical of the President until riot police violently broke up the protest under the cover of darkness arresting six people including the PADPA president. Following a finding by Angolan judiciaries that the protesters were not guilty of any crime (see paragraph 5.10), the PADPA were reportedly considering bringing a case against the police for violating its right to demonstrate and illegal imprisonment. [61]

8.27 The Constitution provides for the right of association; but the Government restricts this right in practice. Legislation allows the Government to deny registration to private associations on security grounds, in practice the Government accepts virtually all applications, including those for political parties. There are informal government constraints on the operation of associations. The Government arbitrarily limits organised activities deemed adverse to its interests, by refusing to grant licenses and through other means. [2]

8.28 The Constitution provides for the right to form and join trade unions, engage in union activities and strike. The Government does not respect these rights consistently in practice. The Government dominates the National Union of Angolan Workers (UNTA), which is the labour movement affiliated with the ruling MPLA party; however, there are two independent unions, the General Centre of Independent and Free Labour Unions of Angola (CGSILA) and the small Independent Union of Maritime and Related Workers (SIMA). The CGSILA has a membership of approximately 50,000 members, and UNTA claims to have over 400,000 members. There are tensions between the two organisations. The law requires that trade unions be recognised by the Government. Restrictions on civil liberties potentially prevent any labour activities not approved by the Government; the major impediment to the ability of trade unions to advocate on behalf of workers is the 60 percent formal sector unemployment rate. [2]

8.29 The Constitution provides for the right to strike. Legislation passed in 1991 provides the legal framework for, and strictly regulates this right. The law prohibits lockouts and worker occupation of places of employment, and provides protection for non-striking workers. It prohibits strikes by military and police personnel, prison workers, and fire fighters. The law does not prohibit employer retribution against strikers effectively. There were several strikes during 2000 by teachers. On 7 August 2000, teachers in four provinces engaged in strikes to protest lack of training and low wages. [2]

FREEDOM OF MOVEMENT

8.30 The Constitution provides for freedom of movement and residence, and freedom of exit from and entry into the country. The Government does not respect these rights in practice. During 2000, a network of government checkpoints throughout the country interfered with the right to travel. Such checkpoints served as a source of income for many of the country's security service personnel. Extortion at checkpoints was reported to be routine in the centre of Luanda and pervasive on major commercial routes; police harassment of refugees was also reported. The Government routinely cuts off access to areas of the country that are deemed insecure or beyond the administrative authority of the State. Insecurity prevented persons from transporting goods during the year. The Government did not place restrictions on emigration and repatriation; however, there were reports that immigration officials harassed and extorted money from foreign

businessmen. Landmines are a major impediment to the freedom of movement (see paragraph 6.20); both UNITA and Government forces have laid these. [2]

Freedom of movement within UNITA held areas

8.31 There is no freedom of movement in areas controlled by UNITA, the organisation operate a laissez-passer system in all areas under its control. A permit is reportedly required for all travel - even for visit a neighbouring village. As UNITA lost or captured territory it was also responsible for forced displacement during the year 2000 and its forces were reported to loot and destroy public property. Government officials, traditional authorities and aid workers were especially targeted during UNITA's operations. In October 2000 it was reported that more than 39,000 people who were living under the control of UNITA, had presented themselves to the government authorities in the different municipalities of Bie Province. Reports claimed that the population was abandoning Savimbi due to the robberies, rapes, and assassinations that were taking place as well as the lack of food or medical attention. [25] [47b][47f]

Internal flight

8.32 Flight from agents of persecution is possible but fraught with difficulty. The effects of the civil war including the continued laying of mines, illegal roadblocks and check points as well as a deep rooted hatred between UNITA and government supporters has resulted in a potentially extremely hazardous journey for those fleeing. [24]

8.33 The extension of State administration, (as required under the Lusaka protocol peace agreement) had been concluded only in four provinces, out of a total of eighteen before the resumption of hostilities. Since December 1998 this figure has changed many times. Territory controlled by UNITA is not necessarily administered by them; however, access is denied to the Government. [24]

Emigration and asylum

8.34 In general terms, the Angolan authorities are well aware of the economic and social pressures which motivate Angolans of all ethnic origins to seek to emigrate, and that asylum applications are often used as a means of achieving this. The controls at Luanda airport are thorough and any Angolans who have been deported from abroad, or who lived abroad for many years, would be questioned by immigration and police at the airport with a view to establishing their identity and whether they were of interest to the authorities for political or criminal reasons. The fact of applying for asylum would not, if discovered, be of particular interest. In October 2000 4 UNITA generals were reported to have sought asylum in Zambia. This was described by humanitarian sources as an unprecedented development in the civil war, and one that could mark a much larger exodus of high-ranking UNITA officials. However, Zambia has denied that any senior members of UNITA are seeking asylum in the country. [5][29i][36h]

ANNEX A

A.1 POLITICAL PARTIES AND COALITIONS

1. A law enacted in May 1991 specifies that political parties "must be national in character and scope". Specifically prohibited are parties that "are local and regional in character; foster tribalism, racism, regionalism or other forms of discrimination against citizens or affect national unity and territorial integrity; use or propose the use of violence to pursue their aims; adopt a uniform for their members or adopt clandestine parallel structures; use military, paramilitary or militarised organisation; or are subordinate to the policy of foreign governments, bodies or parties". The 1991 law also makes provision for registered parties to receive state financial assistance on the basis of their support in the

most recent general election and the number of candidates presented.

At present the main parties in Angola include:

i. MOVIMENTO POPULAR DE LIBERTACAO DE ANGOLA (MPLA)

Popular Movement for the Liberation of Angola

Founded in 1956 and backed by USSR. Between 1961 and 1974 conducted guerrilla operations against colonial rule, has been the ruling party since independence achieved from Portugal in 1975. In 1990 replaced Marxist-Leninist ideology with a commitment to democratic socialism. Chair is Jose Eduardo dos Santos. Secretary-General is Joan Manuel Goncalves Lourenco.

ii. UNIAO NACIONAL PARA A INDEPENDENCIA TOTAL DE ANGOLA (UNITA)

National Union for the Total Independence of Angola

Founded in 1966 to secure independence from Portugal and later received support from Portugal to oppose the MPLA. Joined forces with FNLA (see later) and conducted guerrilla campaign against the MPLA government with aid from some Western nations. Received intermittent support from South Africa and USA. Signed peace agreement with MPLA - PT in November 1994. Implementation of the terms of the peace agreement remains incomplete. President of the party is Jonas Malheiro Savimbi.

iii. UNITA Renovada (UNITA-R):

The UNITA Renewal Committee

Founded 1998; splinter group claiming to be legitimate leadership of UNITA and recognised as such by MPLA, although commanding minority support among UNITA members; Leader EUGINIO MANUVAKOLA.

iv. FORUM DEMOCRATICO ANGOLANO (FDA)

Angolan Democratic Forum

Registered in 1992 the FDA was allocated one cabinet post in the "unity" government announced in December 1992. Leader is Jorge Rebelo Pinto Chicoti.

v. PARTIDO DEMOCRATICO LIBERAL ANGOLAN (PDLA)

Angolan Democratic Liberal Party

Founded after the move to multi - party democracy in May 1991. Leader is Honorato Lando. Not represented in the National Assembly.

vi. PARTIDO DEMOCRATICO ANGOLANA (PDA)

Angolan Democratic Party

Founded in 1992 - opposes both the government party MPLA and UNITA. The leader, Antonio

Alberto Neto was placed third in the first round of Presidential elections in 1992 but the party failed to gain any representation in the National Assembly.

vii. PARTIDO NACIONAL DEMOCRATICO DE ANGOLA (PNDA)

Angolan National Democratic Party

Founded during the transition to multi party democracy in May 1991 (formally called the Angolan National Democratic Convention). The leader is Pedro Joao Antonio and the party is represented with one seat in the National Assembly.

viii. ALIANCA DEMOCRATICA DE ANGOLA (ADA)

Democratic Alliance of Angola

The ADA was created by a number of opposition parties prior to the September 1992 multi - party elections. Taking 0.9% of the popular vote in the Assembly balloting, the party won one seat. Leader is Simba Da Costo.

ix. PARTIDO DEMOCRATICO PARA PROGRESSO-ALIANCA NACIONAL ANGOLA (PDP - ANA)

Democratic Party for Progress - Angolan National Alliance

Right-wing party formed in 1991 advocates capitalism and humanism. Led by Mfulumpinga Lando Victor and has one seat in the National Assembly.

x. PARTIDO RENOVADOR DEMOCRATICO (PRD)

Democratic Renewal Party

Founded by surviving dissidents of the MPLA-PT who staged an abortive coup in 1977. Led by Luis da Silva dos Passos, the party has one seat in the National Assembly.

xi. PARTIDO LIBERAL DEMOCRATICO (PLD)

Liberal Democratic Party

Founded in 1991, the leader Amalia de Vitoria Pereira came tenth out of eleven candidates in the first round of presidential elections but gained three of the two hundred and twenty seats in the National Assembly.

xii. PARTIDO DA ALIANCA DA JUVENTUDE, OPERARIOS E CAMPONESES DE ANGOLA (PAJOCA)

Party of the Alliance of Youth, Workers and Peasants of Angola

Founded in May 1991 and led by Miguel Joao Sebastiao, the party has one seat in the National Assembly.

xiii. PARTIDO SOCIAL DEMOCRATICO (PSD)

Social Democratic Party

Formed in May 1991, the Presidential candidate, Bengue Pedro Joao was placed

seventh in elections whilst the party gained one seat in the National Assembly.

xiv. **DEMOCRATIC CIVILIAN OPPOSITION:**

Founded 1994; opposition alliance which includes:

CONVENCAO NACIONAL DEMOCRATA DE ANGOLA (CNDA):

Leader Paulino Pinto Joao.

FRENTE NACIONAL DE LIBERTACAO DE ANGOLA (FNLA)

National Front for the Liberation of Angola

Founded in 1962. President is Lucas Ngonda.

MOVIMENTO DE DEFESA DOS INTERESSES DE ANGOLA - PARTIDO DE CONSCIENCIA NACIONAL:

Leader: Isidoro Klala.

NATIONAL ECOLOGICAL PARTY OF ANGOLA:

Leader: Sukawa Dizizeko Ricardo.

NATIONAL UNION FOR DEMOCRACY:

Leader: Sebastiao Rogerio Suzama.

PARTIDO RENOVADOR SOCIAL (PRS)

Social Renewal Party

The centrist PRS was formed in May 1991 and subsequently joined other opposition parties in calling for a national conference to agree a new political system. The party took third place in the Assembly balloting winning six seats. President: Eduardo Kwangana.

PARTY OF SOLIDARITY AND THE CONSCIENCE OF ANGOLA:

Leader: Fernando Dombassi Quiesse.

UNITED INDEPENDENT UNION OF DEMOCRATIC PARTIES (UNIDO)

Founded June 2000, a coalition of 5 political parties not represented in the national assembly. Leader: Jose Julia.

Other parties in Angola include:

PARTIDO DE APOIO DEMOCRATICO E PROGRESSO DE ANGOLA (PADPA)

Party for the Support of Democracy and Progress in Angola

President: Carlos Leitaó. This party has organised small anti-government demonstrations in both 2000 and 2001.

PARTIDO ANGOLANO LIBERAL (PAL)

Angolan Liberal Party

Acting leader: Manuel Francisco Lulo.

PARTIDO SOCIAL DEMOCRATICO DE ANGOLA (PSDA)

(Angolan Social Democratic Party)

Leader: Andre Milton Kilandamoko.

FRENTE DE LIBERTACAO DO ENCLAVE DE CABINDA (FLEC)

Front for the Liberation of the Enclave of Cabinda

Founded in 1963 as a nationalist movement seeking separate independence for Cabinda province. Comprises of several factions.

The FLEC factions with a military wing are:

i. **FLEC/FAC - Forces Armadas de Cabinda** (sometimes called **FLEC/NOIR** or **FLEC/NEGRA**):

Chair: Henrique Tiago N'Zita, Chief of State Commdr Estanislau Miguel Lumba.

ii. **FLEC-R-FLEC/RENOVADA** (sometimes referred to as **FLEC/MATANDO BRAZ**):

President: Antonio Bento Bembe, Secretary-General Arturo Chibasa.

iii. **FDC - Frente Democratic de Cabinda:**

Led by Francisco Xavier Lubota.

Other FLEC factions are much less important and have little or no influence on the Cabindan scene.

[1][14]

ANNEX B**PROMINENT PEOPLE - PAST AND PRESENT**

AGUIONALDO Jamie: Governor of Banco Nacional de Angola

ANNAN Kofi: UN Secretary General

ALVES Nito: Former MPLA Minister who staged abortive coup in May 1977

BEN-BEN Gen. Arlindo Chenda Isaac Pena: Deputy Chief of Staff, FAA. (Died October 1998)

BEYE Alioune Blondin: UN Secretary general's special representative to Angola (died June 1998)

BOCK (General) AKA Altino Sapalalo: Former UNITA Chief of General Staff - executed on Savimbi's orders in 2000.

CARNEIRO Higino (General): Deputy head of government delegation at joint commission

CHITUNDA Jeremias: Vice President of UNITA

DEMBO Gen. Antonio Sebastiao: Vice President of UNITA

DIALLO Issa: UN Secretary General's Special Representative to Angola (Maitre Beye's replacement). Arrived August 1998.

van DUNEM Fernando Jose Franca - Prime Minister

FERNANDES Gen. Tony da Costa: Angolan Ambassador to UK

GATO Armindo Lucas Paulo: Secretary - General of UNITA

IZATA Sebastiao: Vice Foreign Minister

LAVRADOR Sebastiao Bastos: Governor of Banco Nacional de Angola - appointed 1996

MANUVAKOLA Eugenio Antonino Ngolo: Former Secretary-General of UNITA - signed Lusaka Protocol on behalf of UNITA

MARQUES Rafael: Prominent journalist and human rights activist.

DE MATOS Gen. Joao Baptista: Former Chief of Angolan Armed Forces (FAA) General staff, replaced in January 2001 by Armando da Cruz Neto

MOCO Marcolino Jose Carlos: Prime Minister 11/92 - 06/96

MOURA Dr Venancio da Silva: Foreign Minister - signed Lusaka Protocol on behalf of MPLA

MUTEKA Faustino: Minister for Territorial Administration

DE NASCIMENTO Lopo: Former MPLA Secretary General.

NETO Dr Agostinho: President MPLA pre - independence to 1979

NETO Armando da Cruz - Chief of staff of the armed forces from January 2001

SAMAKUVA Isaias: head of UNITA delegation in Joint Commission, fled abroad in September 1998

DOS SANTOS Jose Eduardo: President of the Republic of Angola.

SAVIMBI Dr Jonas: President of UNITA

TIAGO Henrique N'Zita: Leader of FLEC/FAC

TONHA Col - Gen. Pedro Maria: Minister of Defence since 1980 - died in London July 1995

VALENTIM Jorge Alicerces: Tourism minister, now head of UNITA breakaway faction UNITA-R (UNITA Renovada)

ZABARRA Col. Isaac: secretary to UNITA's military council - surrendered to FAA and alleged Savimbi privately rejected peace accord.

ANNEX C

C.1 TRIBES AND LANGUAGES

1. OVIMBUNDU (SINGULAR OCIMBUNDU)

LANGUAGE - UMBUNDU

This is a homogeneous group divided into 22 chiefdoms. The tribe is exclusive to Angola within the Central Plateau region.

2. MBUNDU (USUALLY KNOWN AS KIMBUNDU)

LANGUAGE - KIMBUNDU

There are twenty main tribes: Ambundu, Luanda, Luango, Ntembo, Puna, Dembo, Bangala, Holo, Cari, Chinje, Minuungo, Bambeiro, Quilbala, Haco, Sende, Ngola, (or Jinga), Bondo, Songo, Quissama and Libola.

This tribe is exclusive to Angola in the Luanda area fanning outwards to Cuanza Norte and Malange.

3. BAKONGO (SINGULAR KONGO)

LANGUAGE - KIKONGO

There are eight main tribes: Xikongo, Susso, Zombo, Sorongo, Iacas, Congo, Pombo and Suco. The Bakongo tribes are not exclusive to Angola - they are also found in neighbouring DRC and Congo (Brazzaville).

4. LUNDA - CHOKWE

There are seven main tribes: Lunda, Lunda-lua-Chindes, Lunda-Ndembo, Mataba, Cacongo, Mai, and Chokwe. The Luanda are not exclusive to Angola, found also in neighbouring DRC (Shaba Province) and Zambia (Western province) but the Chokwe proper are exclusive to Angola, in the Mexico region.

5. GANGUELA

There are twenty main tribes: Luimbe, Lovale, Lutchazi, Bunda, Ganguila, Ambuela, Ambuila-Mambumbo, Econjeiro, Ngonoielo, Mbande, Cangale, Iahuma, Gengista, Nicoia, Canachi, Ndungo, Nhengo, Nhemba, and Avico.

6. NYANEKA-HUMBE

There are ten main tribes: Muilas, Gambos, Humbes, Donguenas, Hingas, Cuancuas, Handas, Quipungos, Quilengues-Humbes and Quilengues-Musos. The tribe is exclusive to Angola in Huila and Cunene provinces of the South.

7. AMBO (PLURAL OVAMBO)

LANGUAGE OSHIVAMBO

There are four main tribes inside Angola: Cuanhama, Cuamatui, Evale and Cafima. The Cuanhama (or Cuanyama) is also found in neighbouring Namibia.

Note: there are variations of spelling of all the above tribes. [15]

ANNEX D

D.1 CHRONOLOGY OF EVENTS IN ANGOLA

1974 MPLA agrees an internal structure for party and appoints Dr Agostinho Neto as president

JANUARY 1975 Meeting between MPLA, UNITA and FNLA in Kenya: Common political programme reached

JANUARY 1975 Agreement reached between the three nationalist parties and Portuguese government establishing date of independence and transitional government structure. Fighting breaks out between the MPLA and FNLA

JULY 1975 MPLA expels FNLA from capital; UNITA becomes fully involved in fighting

OCTOBER 1975 South African troops enter Angola to support UNITA and FNLA

NOVEMBER 1975 Cuban troops assist MPLA

11 NOV 1975 Independence from Portugal - people's republic of Angola created

FEBRUARY 1976 Organisation of African unity recognise Angola as member state.

DECEMBER 1977 MPLA formulates rigorous Marxist/Leninist programme for party and changes name to MPLA - Pt: Partido de Trabalho.

SEPTEMBER 1979 President Jose Eduardo dos Santos takes over after death of Dr Agostinho Neto.

NOVEMBER 1980 People's assembly inaugurated

1981 - 1983 South African troops occupy large areas of territory in Angola whilst fighting war with Namibian nationalists.

MID 1987 South Africa confirms support for UNITA & engages in direct military action with Cuban & Soviet troops in Angola.

22 DEC 1988 Bilateral agreement signed by Angola & Cuba and tripartite accord by Angola, Cuba & South Africa.

JANUARY 1989 UN Security Council authorise creation of a UN Angola verification mission (UNAVEM) to monitor withdrawal of Cuban troops.

FEBRUARY 1989 The MPLA government offers a 12 month amnesty to members of rebel organisations

JUNE/JULY 1990 MPLA - Pt decide that Angola would move towards a multi-party political system.

OCTOBER 1990 Marxist/Leninist ideology replaced with a commitment to democratic socialism.

MARCH 1991 Political parties legalised

1 MAY 1991 Estoril peace agreement

JUNE 1991 Joint military and political committee meets for first time

15 JULY 1991 New amnesty law introduced

MAY 1992 Suffix 'pt' deleted from MPLA's name

AUGUST 1992 Country name changed to Republic of Angola

27 SEPT 1992 FAPLA and UNITA forces disbanded and new national army, the Forças Armadas de Angola (FAA) established

29/30 SEPT 92 Presidential and legislative elections take place

5 OCT 1992 UNITA withdraw from FAA

11 OCT 1992 Heavy fighting breaks out in Luanda, Malanje, Huambo and Huila provinces

22 JAN 1993 Bloody Friday: riots against French speaking Angolans and Zairians in Luandan market areas. 69 Bakongo killed.

19 MAY 1993 US government officially recognises Angolan government

26 SEPT 1993 UN imposes arms and petroleum embargo against UNITA

20 NOV 1994 Lusaka Peace Accord signed

FEBRUARY 1995 UN III created by UN Security Council

MAY 1995 Dos Santos & Savimbi meet in Lusaka for direct talks.

8 MAY 1996 National Assembly new amnesty law covering period of 31 May 1991 to 8 May 1996.

AUGUST 1996 UNITA decline appointment of Savimbi to the position of National Vice President.

NOVEMBER 1996 National Assembly adopt constitutional revision extending its mandate for between two and four years.

11 APRIL 1997 Government of unity and reconciliation inaugurated.

1 JULY 1997 Establishment of MONUA, successor to UNAVEM III.

JULY 1997 Integrated Angolan Armed Forces (FAA) officially inaugurated.

30 OCT 1997 UN imposes additional sanctions against UNITA.

9 JAN 1998 Government and UNITA agree timetable for implementation of remaining tasks under Lusaka protocol

END FEB 1998 Timetable agreed on 9 Jan expires with key areas remaining outstanding

28 JUNE 1998 Death of Martin Beye, UN Secretary General's special representative to Angola in a plane crash in Côte d'Ivoire.

AUGUST 1998 Arrival of Issa Diallo, Beye's replacement

24 AUG 1998 Angolan troops cross the border into DRC to support DRC President Laurent Kabila in the rebellion against him

1 SEP 1998 UNITA MP's and ministers suspended from Parliament

15 SEP 1998 Angolan government announce they will only negotiate with UNITA-R, SADC recognise UNITA-R

DECEMBER 1998 UN decide to withdraw MONUA, begin evacuation of personnel to Luanda

DEC 98/ JAN 99 Two UN aircraft shot down over UNITA-held territory.

JANUARY 1999 Five UNITA MPs arrested and charged with subversion and treason

FEBRUARY 1999 UN observer mission closed down.

MAY 1999 One UNITA MP detained in January 1999 released. Plane carrying aid downed over UNITA territory, crew taken hostage.

JULY 1999 Further plane downed with crew taken hostage. UNITA attack town of Catete, killing 9 and abducting 22.

SEPTEMBER 1999 FAA launch major offensive against UNITA

OCTOBER 1999 Angolan Government approve details for new UN mission with certain restrictions. Announced several of UNITA's central highland strongholds fallen to FAA. Four remaining UNITA MP's detained since January 1999 released on orders of the Supreme Court

NOVEMBER 1999 Government claims 80% of UNITA's conventional war capacity has been destroyed. Senior UNITA Commander General Bandua surrenders

DECEMBER 1999 UNITA forces driven towards Namibia and Zambian borders. Namibia provides support to Angolan government and permits attacks from UNITA soil. UNITA

launch attacks into Namibia.

JANUARY 2000 Governments announces it is creating conditions for Presidential and Legislative elections in 2001. Thousands of refugees reported to cross into Zambia as UNITA forced towards border region.

MARCH 2000 Countries involved in sanction busting operations to supply UNITA named in UN report. Journalist Rafael Marques convicted of defamation of dos Santos, bailed pending appeal.

APRIL 2000 Package of measures to aid economic recovery agreed with IMF.

MAY 2000 FAA launch a new offensive in the east of Moxico Province. Activity on Zambian border increases tension between the two countries. Five Russian pilots held hostage for about a year by UNITA set free.

JUNE 2000 Reorganisation by Savimbi of UNITA's military ranks. Government sanctioned peace march and service held in Luanda.

JULY 2000 Angola and Zambia agree to work together to improve the security situation on the border. Angola boycotts OAU summit in Lomé in protest at Togo's alleged involvement in sanction busting.

AUGUST 2000 FAA Chief de Matos suggests Savimbi would not face prosecution.

SEPTEMBER 2000 FAA captures strategic UNITA base of Cazombo. Zambia denies UN reports that some senior UNITA officials have fled there.

OCTOBER 2000 Editor of Angolan State Radio found dead during a visit to Zambia.

NOVEMBER 2000 Dos Santos submits new amnesty bill to Angolan National Assembly.

DECEMBER 2000 Dos Santos announces elections will not now take place until 2002. Government estimate total of 4 million displaced persons.

JANUARY 2001 Angolan courts find in favour of supporters of opposition PADPA arrested for demonstrating outside Presidential Palace. General de Matos - FAA chief of staff sacked, replaced by Armando de Cruz Neto.

FEBRUARY 2001 FAA launch fresh operations in Cabinda against factions of FLEC secessionist movements.

MARCH 2001 New Government offensive reported to have been launched on 12 March 2001, activity in at least 10 of 18 provinces. Human rights allegations against Government forces in Cabinda.

ANNEX E

E.1 ELECTION RESULTS

The results of the Presidential and Legislative elections published on 17 October 1992 were as follows:

PRESIDENT

CANDIDATE	Nº OF VOTES	% OF VOTES
Jose Eduardo dos Santos (MPLA)	1,953,335	49.57
Dr Jonas Maiheiro Savimbi (UNITA)	1,579,298	40.07
Antonio Alberto Neto (PDA)	85,249	2.16
Holden Roberto (FNLA)	83,135	2.11
Honorato Lando (PDLA)	75,789	1.92
Luis dos Passos (PRD)	59,121	1.47
Bengui Pedro Joao (PSD)	38,243	0.97
Simao Cacete (FPD)	26,385	0.67
Daniel Julio Chipenda (Independent)	20,646	0.52
Analla de Victoria Pereira (PLD)	11,475	0.29
Rui de Victoria Pereira (PRA)	9,208	0.23
TOTAL	3,940,884	100.00

NATIONAL ASSEMBLY

PARTY	VOTES	% OF VOTES	SEATS
MPLA	2,124,126	53.74	129
UNITA	1,347,636	34.10	70
FNLA	94,742	2.40	5
PLD	94,269	2.39	3
PRS	89,875	2.27	6
PRD	35,293	0.89	1
AD COALITION	34,166	0.86	1
PSD	33,088	0.84	1
PAJACA	13,924	0.35	1
FDA	12,038	0.30	1
PDP-ANA	10,620	0.27	1
PNDA	10,281	0.26	1
CNDA	10,237	0.26	-
PSDA	19,217	0.26	-
PAI	9,007	0.23	-
PDLA	8,025	0.20	-
PDA	8,014	0.20	-
PRA	6,719	0.17	-
TOTAL	3,952,277	100.00	220

According to the Constitution the total number of seats in the National Assembly is 223. On the decision of the National Electoral Council, however, elections to fill three seats reserved for Angolans resident abroad were abandoned.

UNITA REPRESENTATIVES IN GURN BEFORE THE SUSPENSIONS:

Ministries of:

- Commerce
- Geology & Mines
- Health
- Hotels & Tourism

Vice Ministers of:

- Agriculture
- Defence

- Finance
- Home Affairs
- Mass Communication
- Public Works
- Social Reintegration
- Trade

NB All UNITA representatives were suspended 31.08.1998 but President dos Santos lifted the suspensions on three UNITA ministers (Valentim - Hotels and Tourism, Hossi - Commerce, Sicato - Health) and six vice-ministers in Defence, Interior, Social Re-integration, Finance, Agriculture and Public Works on 23.09.1998 because he had received "the necessary political clarification in relation to the peace process." [1][8]

ANNEX F

F.1 GLOSSARY

CIVPOL CIVILIAN POLICE

CGSILA GENERAL CENTRALE OF INDEPENDENT AND FREE LABOUR UNIONS OF ANGOLA

COIEPA INTER-ECCLESIAL COMMITTEE FOR PEACE

DRC DRC

FAA ANGOLAN ARMED FORCES

FALA ARMED FORCES FOR THE LIBERATION OF ANGOLA

FLEC FRONT FOR THE LIBERATION OF CABINDA ENCLAVE

FNLA NATIONAL FRONT FOR THE LIBERATION OF ANGOLA

GDP GROSS DOMESTIC PRODUCT

GURN GOVERNMENT OF UNITY AND RECONCILIATION

HRMG HUMAN RIGHTS MONITORING GROUP

KZR READJUSTED KWANZA

MONUA UN OBSERVER MISSION IN ANGOLA

MPLA POPULAR MOVEMENT FOR THE LIBERATION OF ANGOLA

PIR RAPID INTERVENTION POLICE

SGSR (UN) SECRETARY GENERAL'S SPECIAL REPRESENTATIVE

TPA TELEVISION POPULAR ANGOLA

UN UNITED NATIONS

UNAVEM UNITED NATIONS ANGOLA VERIFICATION MISSION

UNHCR UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

UNITA NATIONAL UNION FOR THE TOTAL INDEPENDENCE OF ANGOLA

UNSG UNITED NATIONS SECRETARY-GENERAL

UNTA UNION OF ANGOLAN WORKERS

WFP WORLD FOOD PROGRAMME

ANNEX G

THE PRESS

The press was nationalised in 1976.

The following is a list of major newspapers, radio, and television stations in Angola. If known, an indication is given as to whether the publication (or channel) is state run or independent.

DAILIES

DIARIO DA REPUBLICA: CP 1306, Luanda - official govt bulletin.

O JORNAL DE ANGOLA: Rua Rainha Ginga 18-24, CP 1312, Luanda: Director General Luis Fernando. A government publication founded 1923 issued daily: circulation. 41,000.

Newspapers are also published in several regional towns.

PERIODICALS

ACTUAL: Rua Pedro Felix Machado, Luanda. (Independent)

AGORA: Rua Comandante Valodia, Luanda. (Independent)

ANGOLA NORTE: CP 97, Malanje, published weekly.

A CELULA: Luanda, political journal of MPLA, published monthly.

COMERCIO ACTUALIDADE: Rua Da Missao 81, Luanda. (Independent)**COMERCIO EXTERNO:** Rua da Missao 85, CP 6375, Luanda;

CORREIO DA SEMANA: Rua Rainha Ginga 18-24, CP 1213, Luanda, published weekly. Editor-in-Chief: - Manuel Dignisio.

EME: Rua Ho Chi Minh, Luanda; 1996; MPLA publication.

FOLHA 8: Rua Conselheiro Julio de Vilhena 24, 5^o andar, Luanda;

HORIZONTE: Rua da Samba 144, 1^o andar, Luanda.

JORNAL DE BENGUELA: CP 17, Benguela, published twice a week.

KWACHA REVIEW: A UNITA weekly published in English.

LAVRA & OFICINA: CP 2767-C, Luanda; founded 1975, journal of the Union of Angolan Writers; published monthly, circulation - 5,000.

MILITAR: Luanda, founded 1993. Editor-in-Chief: - Carmo Neto.

NOVEMBRO: CP 3947, Luanda - tel. (2) 331660, published monthly. Director: - Roberto De Almeida.

O PLANALTO: CP 96, Huambo. Published a week.

TEMPOS NOVOS: Avda Combatentes 244, 2^o andar, CP 16088, Luanda.

A VOZ DO POVO: Rua Jaoa de Deus 99-103, Vila Alice, Luanda.

A VOZ DO TRABALHADOR: Avda 4 de Fevereiro 210, CP 28, Luanda -Journal of Uniao Nacional de Trabalhadores Angolanos (National Union of Angolan Workers) published monthly.

RADIO STATIONS

LUANDA ANTENNA COMERCIAL: Largo Luther King, Luanda. *(Independent) Broadcasts in Luanda Only*

RADIO ECCLESIA: Rua Comandante Bula 118, Luanda. *(Independent/Catholic)*

Broadcasts in Luanda Only

RADIO NACIONAL DE ANGOLA: Avenida Comandante Gika, Luanda. *(State)*

Broadcasts nationally, has regional stations.

TELEVISION

TELEVISAO POPULAR DE ANGOLA: Avenida Comandante Valodia, Luanda. *(State)*

Broadcasts nationally.

[1][10][40]

ANNEX H

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ANNEX I

BULLETIN 2/1999**ADVICE ON DEALING WITH CASES FROM ANGOLA**

1. The general temporary suspension on removals to Angola, which has been in place since August 1998, has been lifted with immediate effect.
2. Some individuals are assessed as being at high risk if returned and caseworkers should not seek to enforce removal in these cases.
3. There should be a careful and full assessment of the risk to individuals within the terms of the 1951 Convention taking account of the latest country information (set out in Version 3 of the country assessment on Angola and previous bulletins to caseworkers).
4. The present situation in Angola is that the fighting between UNITA and the FAA is, for the most part, located in and around the central highlands region. Areas to the north and south are calm, although circumstances change on a daily basis. The capital, Luanda, has remained calm and stable throughout the period of unrest. Recent news reports indicate that the FAA have regained control of several areas, such as large parts of Bie, and are restoring order. The new splinter of UNITA, UNITA-R, has committed itself to the resumption of the peace process. Recent events, such as the shooting down of the two chartered UN flights over UNITA-held territory and the attack on the Yetwene diamond mine, indicate the need to keep the situation closely monitored. The government is applying, and may be extending, the mandatory two year period of military service, required of all males between the ages of 18 and 45 since 1993, although it had fallen into abeyance during the peace process. Further country information will be issued if the situation changes.
5. In addition to the country information already provided, UNHCR have expressed concern about a heightened level of risk to 2 groups:
 - young men, aged between 15 and 25, who are at risk of forcible conscription (press-ganging) into the armed forces
 - young women, who live outside Luanda, who are at risk of abduction as sex slaves for soldiers.

Rejected asylum seekers should only be removed to Luanda. Only those with current connections there should be removed. It is not safe to seek to return elsewhere in Angola. Only those who have previously lived in Luanda or have close contacts there should be removed. No-one falling within either of the groups identified at paragraph 5 above should be removed. Rejected asylum seekers, whose safety would be at risk if removed, should be granted exceptional leave to remain in accordance with instructions in the ADIs.