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BACKGROUND PAPER ON REFUGEES AND ASYLUM SEEKERS FROM ANGOLA

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PREFACE

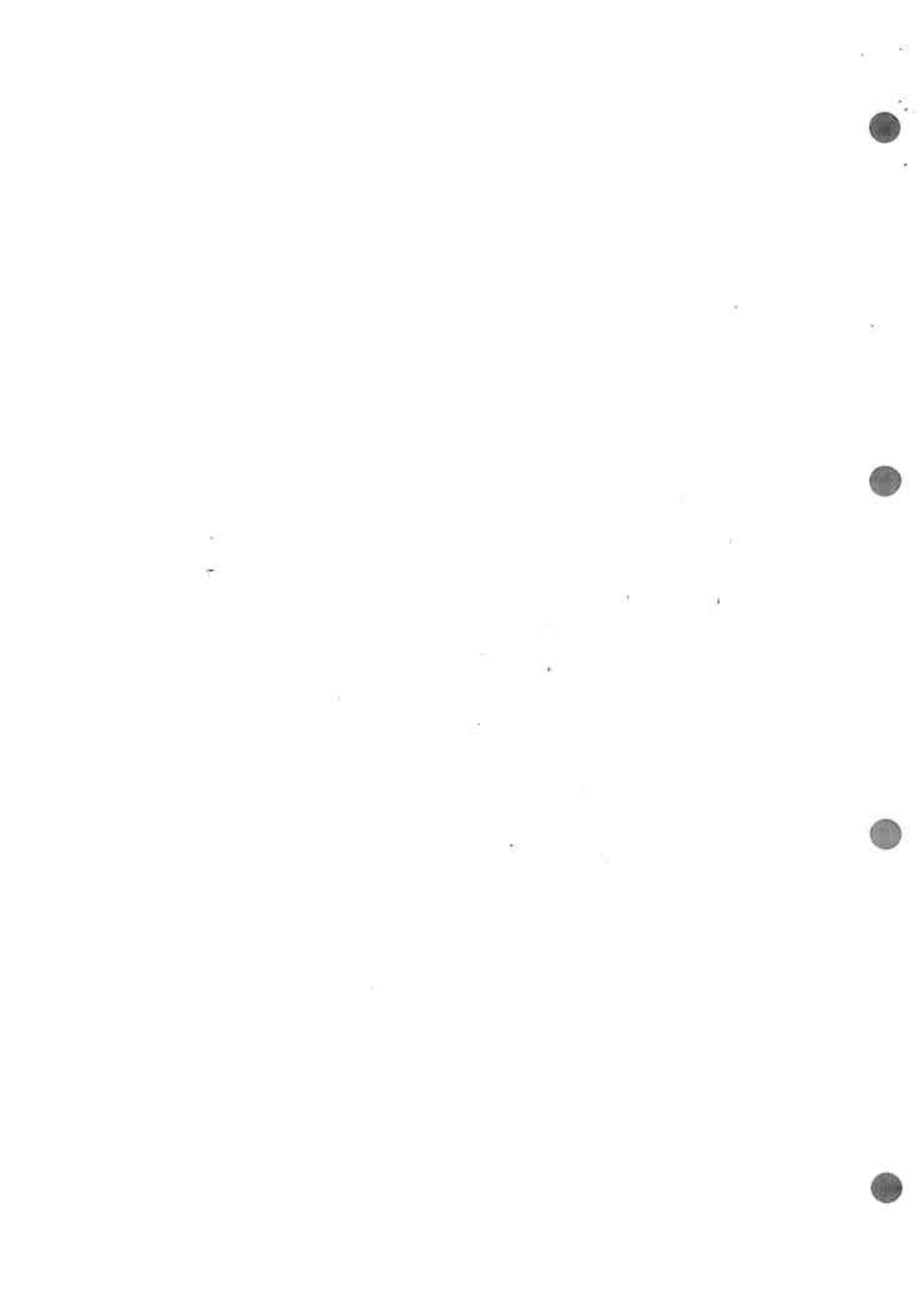
Angola has been an important source country of refugees and asylum-seekers over a number of years. This paper seeks to define the scope, destination, and causes of their flight.

The first and second part of the paper contains information regarding the conditions in the country of origin, which are often invoked by asylum-seekers when submitting their claim for refugee status. The Country Information Unit of UNHCR's Centre for Documentation and Research (CDR) conducts its work on the basis of publicly available information, analysis and comment, with all sources cited.

In the third part, the paper provides a statistical overview of refugees and asylum-seekers from Angola in the main European asylum countries, describing current trends in the number and origin of asylum requests as well as the results of their status determination. The data are derived from government statistics made available to UNHCR and are compiled by its Statistical Unit.

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1. Basic Country Information

The Republic of Angola is located on the western coast of southern Africa, south of the Equator. Land borders are shared by Namibia to the south, Zambia to the east and the Democratic Republic of Congo to the north. It covers an area of 1,246,700 sq. km and is composed of 18 provinces, one of which, Cabinda, is separated from the others by the oceanic outlet of the Democratic Republic of Congo.¹

The capital, Luanda, is located near the coast in the north-eastern part of the country and, with 2,250,000 inhabitants, represents by far the largest city in Angola.² Regional capitals include the cities of Luená, Lumbango, Uíge, Malanje, Kuito, Huambo, Benguela, Mocim da Capa and Namibe. The last national census, held in 1970, counted 5,646,166 inhabitants³, whereas in 1998, the Angolan population was estimated at approximately 12 million.⁴

The majority of Angola's population are part of the Bantu tribe, which in itself is composed of about hundred sub-groups, the most important being the Ovimbundu (37,2%) in central and southern Angola, the Mbundu (24%), who occupy the terrain inland from Luanda, and the Bakongo (13,2%) in the north-west and the Cabinda.⁵ Around 3,5% of the population are called *mestiços*, mainly of Portuguese ancestry.⁶

Various sources emphasize the fact that Angola is under-populated in respect to its size: in 1996, the population density was estimated at 9.5 persons per sq. km.⁷ The country's infrastructure is overwhelmingly rural: According to an Economist Intelligence Unit estimate, only about one third of the population is currently believed to be residing in rural centres.⁸ Another characteristic is the fact that 45% of the Angolan population is under 15 years old. The average life expectancy at birth in the period between 1990 and 1995 was 46.5 years.⁹

Most of Angola's citizens proclaim to be of Christian faith. About 70% of the population, mainly in the western area of the country formerly occupied by Portuguese settlers, is said to adhere to Catholicism, whereas various forms of Protestantism (20% of the overall population) are prevalent among particular ethnic groups.¹⁰ The remainder follow animistic religions or independent churches, in particular the Tocoist and Kimbanguist faith.¹¹ It is assumed, however, that despite a nominal profession to Christian faith, much of the population follows traditional African beliefs¹², which include

¹ Africa South of the Sahara 1999, p. 149

² The Economist Intelligence Unit (EIU): Country Profile Angola 1998-1999, p. 17

³ Africa South of the Sahara 1999, p. 149

⁴ EIU Country Profile 1998-1999, p. 3

⁵ Bundesamt für Flüchtlinge, Länderinformationsblatt Angola, Februar 1998, chapter 2

⁶ EIU Country Profile 1998-1999, p. 17

⁷ Africa South of the Sahara 1999, p. 149; Bundesamt für Flüchtlinge, Februar 1998, chapter 2

⁸ EIU Country Profile 1998-1999, p. 16

⁹ Africa South of the Sahara 1999, p. 149

¹⁰ Contemporary Religions: A World Guide, 1993, p. 392

¹¹ Bundesamt für Flüchtlinge, Februar 1998, chapter 2

¹² United Kingdom, Foreign & Commonwealth Office, Country Information Policy Unit: Country assessment on Angola, October 1998, p. 25; Encyclopedia of the Third World, 1992, p. 41; Europa Yearbook 1998, p. 379ff

the devotion to ancestral spirits, fear in the evil activity of witches and the protection by traditional medicine men.

Angola's official language is Portuguese, and a number of principal Bantu languages and dialects exist: Kikongo is spoken in the northern Zaire province, Kimbundu and Umbundu are spoken by the Mbundu in the Luanda and Benguela province respectively¹³, in Luanda and Bié the Kioka dialect is common, and Nganguela dialect is also spoken in Bié.¹⁴ None of these dialects, however, extend beyond its tribal area, and few have written scripts of any kind.

Angola's education is markedly low: although a major effort at increasing the level of adult literacy has lifted the literacy rate from 12% in 1970 to 42% in 1990 (in rural areas the illiteracy rate is estimated to be twice as high), school attendance has since fallen as a result of the war.¹⁵ According to a 1995 estimate, 66% of all Angolan children have had less than five years of school attendance.¹⁶

Angola is rich in natural resources, in particular oil, which accounted for 49,9% of the Angolan GDP in 1994¹⁷, and diamonds. Its diamond-bearing kimberlite pipes are believed to rank among the world's five richest deposits of embedded diamonds.¹⁸ Regarding the oil sector, Angola, after Nigeria, constitutes the second largest exporter of hydrocarbons in Sub-Saharan Africa.¹⁹ Other natural resources include gas and deposits of iron, ore, gold and other minerals.²⁰

Although 69,8% of the labour force worked in agricultural occupations in 1995, agriculture itself accounts for only 12% of the Angolan GDP agriculture.²¹ In 1973, 16% of the GDP could be attributed to manufacturing, but production fell by 75% in 1975.²² Before independence, Angola was self-sufficient in all key crops except wheat, and the world's largest producer of coffee as well as the third largest producer of sisal. However, the agricultural sector has been severely damaged by the civil war, and the country has been dependent on food aid since the mid-eighties.²³

1.1 Historical Overview

Angola has been at the centre of a civil war since, and even before, its independence in 1975. Judging from the fact that the conflict has lasted more than two decades, it is apparent that there is no one single factor serving as an explanation for the ongoing fighting, and various insights have been advanced during different stages of the conflict. While some analysts hold that 'the cardinal factor primarily responsible for the war [is] the want of political accountability rather than moral probity'²⁴, others assert that 'the

¹³ Bundesamt für Flüchtlinge, Februar 1998, chapter 2

¹⁴ Encyclopedia of the Third World, 1992, p. 41

¹⁵ EIU Country Profile 1998-1999, p. 18

¹⁶ Bundesamt für Flüchtlinge, Februar 1998, chapter 2

¹⁷ The Statesman's Yearbook 1997/1998, p. 90

¹⁸ Africa South of the Sahara, 1999, p. 162

¹⁹ Ibid.; EIU Country Profile 1998-1999, p. 22

²⁰ EIU Country Profile 1998-1999, p. 19

²¹ The Statesman's Yearbook 1997/1998, p. 90

²² EIU Country Profile 1998-1999, p. 21

²³ Ibid., p. 25

²⁴ Africa News Service, The Story Behind the Angolan Civil War, 2 March 1999, [internet]

key to an understanding of Angola's civil war lies with the enigmatic and charismatic rebel leader Jonas Savimbi'.²⁵

The conflict began as an upsurge against Portuguese rule, but that does not explain the emergence of three distinct anti-colonial movements which have ended up fighting one another. UNITA (União Nacional para a Independência Total de Angola) and the MPLA (Movimento Popular para a Libertação de Angola) continue to do so to the present day. During the 1970s and 1980s, scholars were prone to explain the conflict in Angola as a 'proxy war' between Western and Communist powers backing the respective warring parties. Others believe that explanations can be found within Angola's population structure itself: 'The long civil conflict has deep ethnic and urban versus rural roots. Many of the small number of white and mixed race Angolans who occupy technical and Governmental positions have strongly backed the MPLA'.²⁶

Searching for reasons, however, should not conceal the fact that the conflict has, above all, led to immense suffering of the Angolan population. As a diplomat was recently quoted saying: 'This is a war of poor people against miserable people. The people running the show [...] are immune from the tragedy'.²⁷

The Colonial Period

Parts of Angola were exposed to Portuguese influence as early as the late 15th century. Angola's capital, Luanda, was founded by Portuguese settlers in 1575. In the absence of gold and other precious metals which Portugal had hoped to find in the country, a vivid slave trade evolved at the hands of the colonial power. While Luanda itself quickly became a focus for the slave market, the interior of the country did not come under effective colonial administration until the early 20th century due to the strong resistance of the Angolan population.²⁸ In line with the colonial policy, which stated that the colonies were to be bound as closely as possible to the mother country, Portuguese nationals were encouraged to settle in Angola from the 1920s onwards. As a result, the white population had reached 330,000 by 1974.²⁹ Although a number of educated native Angolans gained access to wealth, power was largely confined in the white and mixed population, the so-called *mestiços*. Indeed, a number of scholars explain the present conflict in terms of competition between the rural native population and the city-based former colonial elite.

During the 1950s and 1960s, resistance against Portuguese rule developed in the form of African nationalist groups, including the MPLA, formed in 1956 and the Frente Nacional para a Libertação de Angola (FNLA) founded in 1962.³⁰ A further nationalist movement emerged when Jonas Savimbi left the FNLA in 1966 to form UNITA. An unsuccessful nationalist rebellion in 1961 was followed by severe repression at the hands of the government and a further wave of fighting in 1966, during which the nationalist movements gained control over large areas of eastern Angola.

²⁵ BBC News, Angola: The roots of the conflict, 28 January 1999, [internet]

²⁶ United Kingdom, Foreign & Commonwealth Office, Country Information Policy Unit: Country assessment on Angola, October 1998, p. 25

²⁷ Financial Times: UN peacekeepers give up on Angola's cat and mouse war, 4 March 1999

²⁸ Europa Yearbook, 1998, p. 384

²⁹ EIU Country Profile 1998-1999, p. 26

³⁰ Europa Yearbook, 1998, p. 379

Scholars note that 'Angola was unique among Portugal's colonies for not presenting a single united movement for independence: the divisions were reflected in superpower rivalry [...]'.³¹ In other words, the centrist FNLA was supported with arms and money by the United States, the Marxist-oriented MPLA received weapons from the Soviet Union and Cuba, and the 'ideologically flexible' UNITA allegedly drew support from South Africa and China.³² The same is true for regional, class and ethnic support of each group: whereas the FNLA was Zaire-based and backed mainly by the Bakongo in the North, the MPLA received support from the Mbundu and *mestiço* intellectuals from the coastal cities.³³ UNITA in turn, was supported mainly by Angola's largest ethnic group, the Ovimbundu, and up to this day claims to represent the 'real Africans, sons of the soil, living in the bush, fighting against a wealthy, cosmopolitan, better-educated elite'.³⁴ Fragmentation and conflicts within and between the movements severely reduced the nationalists' effectiveness.

Following a government change in Portugal in 1974, which was preceded by a *coup d'état*, Portuguese colonial policy softened and the right of Angola to self-determination was recognised. In January 1975, the three nationalist movements formulated a common political programme. In the same month the nationalist parties and the Government of Portugal agreed to set the date for independence at 11 November 1975. During the first half of 1975, fighting broke out between the FNLA and the MPLA on several occasions, and by October the MPLA controlled 12 of the country's regional capitals.³⁵

External support was provided not only in the form of monetary assistance, but outright military interference. South African forces entered the country in October 1975 in aid of UNITA and the FNLA, followed by the arrival of Cuban troops assisting the MPLA in November 1975. With the help of external support, the MPLA quickly managed to gain control over the capital, and although the FNLA and UNITA formed a united front to fight the MPLA, independence was unilaterally declared on 11 November 1975 by the MPLA. This was followed by the establishment of a government in Luanda under the presidency of the movement's leader, Dr Agostinho Neto. The FNLA and UNITA, in turn, proclaimed the People's Democratic Republic of Angola and a coalition government based in Huambo, but were effectively driven from power by the MPLA regime by the end of February 1976. The civil war, however, continued although the FNLA effectively ceased to function as a movement in 1984. The MPLA and UNITA have since independence continued 'a bitter conflict for control of the country'.³⁶

Post-Independence

The MPLA, restructured as a party under the official name MPLA-Partido do Trabalho (Workers' Party) in 1975, began to establish a Soviet-style one-party state in the People's Republic of Angola.³⁷ José Eduardo dos Santos, who came to power after

³¹ Maier, K., *Angola: Peace at last?*, WriteNet, 1997, p.3; *Africa South of the Sahara*, 1999, p. 150

³² *Ibid.*, *Europa Yearbook*, 1998, p. 379

³³ *Ibid.*; BBC News, *Angola: The roots of the conflict*, 28 January 1999 [internet]

³⁴ BBC News, *Angola: The roots of the conflict*, 28 January 1999 [internet]

³⁵ *Africa South of the Sahara*, 1999, p. 150

³⁶ United Kingdom, Foreign & Commonwealth Office, *Country Information Policy Unit: Country assessment on Angola*, October 1998, p. 5

³⁷ EIU *Country Profile 1998-1999*, p. 4

Neto's death in 1979, continued to maintain close links with the Soviet bloc and Cuba, whose troops remained present in the country but withdrew soon after Namibia gained independence in 1990. The U.S. Government kept on providing covert military support through Zaire to UNITA³⁸ and, after having received Jonas Savimbi as a 'head of state' at the urge of South Africa, officially resumed military aid in 1986.³⁹ UNITA also maintained close links with neighbouring Zaire.

The new government's agreement to allow the South African independence movement establish its bases in Angola led to a severe deterioration in Angolan-South African relations: South Africa made numerous armed incursions across the Angolan border with Namibia, ostensibly in pursuit of guerrilla forces belonging to the South West Africa People's Organisation (SWAPO).⁴⁰ Although South African troops were temporarily withdrawn in 1985 under the Lusaka accord between Angola and South Africa, South Africa remained militarily present in the country until 1988.⁴¹ Vital in this respect was the battle near Kuito Cuanavale in early 1988, where South African troops fought alongside UNITA soldiers against the MPLA but were eventually defeated by Cuban forces assisting the MPLA. The South African forces suffered heavy losses in the battle, which to this day gets referred to by Angolans as their country's Stalingrad.⁴² On 22 December 1988, however, both Cuba and South Africa agreed to withdraw their troops from Angola. The Accord, mediated by the U.S. Government, also gave birth to the first United Nations Angola Verification Mission (UNAVEM), which was set up to monitor the redeployment and withdrawal of Cuban armed forces⁴³.

Peace Initiatives

The numerous attempts to broker a cease-fire between the MPLA and UNITA did, however, not yield any results until 31 May 1991, when a peace agreement, mediated by the Soviet Union, the United States and Portugal (also known as the 'troika') was signed by UNITA and the MPLA in Bicesse, Portugal. The Bicesse accord provided for a cease-fire, monitored by a joint political committee comprising of representatives of the MPLA, UNITA, Portugal, the UN, the U.S. and the USSR. In addition, it called for the freezing of all arms imports to Angola. The two warring parties were to be demobilised, and a new national army comprising of equal numbers of the Angolan armed forces and UNITA soldiers was to be established. Lastly, the process towards multi-party democracy, which had started with the legislative approval for the formation of political parties in March 1991, was to lead to the holding of general elections, which took place in 1992.⁴⁴ To monitor the peace process, the United Nations Angola Verification Mission (UNAVEM II) was established.

The elections of 29-30 September 1992 resulted in a victory for the MPLA, which gained 49,6 per cent of the total vote, closely followed by UNITA with 40,1 per cent.⁴⁵ UNITA, which had threatened to resort to war if the movement was defeated in the

³⁸ Ibid., p. 5

³⁹ Maier, K., *Angola: Peace at last?*, WriteNet, 1997, p. 4

⁴⁰ *Africa South of the Sahara*, 1999, p. 379

⁴¹ Ibid., p. 151

⁴² Maier, K., *Angola: Peace at last?*, WriteNet, 1997, p. 4

⁴³ Ibid., p. 5

⁴⁴ Ibid., *Encyclopedia of the Third World*, 1992, p. 153

⁴⁵ EIU Country Profile 1998-1999, p. 5

elections, demanded a full investigation of alleged irregularities, which were dismissed by the government.⁴⁶ Demobilisation has been negligible, and violence escalated again on 11 October 1992, when fighting broke out in Luanda and several other cities and quickly spread throughout Angola. UNITA initially went from success to success on the battlefield, at times gaining control of up to 80 per cent of the country and dismissing numerous attempts at a peaceful settlement until 1994, when the government forces, after a siege of nine months in which over 15,000 people are believed to have died, managed to gain control of Kuito.⁴⁷

UNITA agreed to a further round of peace talks, held in the Zambian capital Lusaka, where a peace accord was signed on 15 November 1994. The Lusaka Protocol, mediated by the former foreign minister of Mali, Alioune Blondin Beye, called for a new cease-fire, demobilisation of UNITA troops and incorporation of many of them into a redeveloped army, UNITA participation at all levels of government and a new Joint Commission with participation of UNITA and the MPLA and the UN in the chair.⁴⁸ In order to monitor implementation of the process, UNAVEM III, the peace-keeping mission to replace UNAVEM II, was established in early February 1995. The operation, which was conditional on the cessation of hostilities and the disengagement of government and UNITA forces, comprised of some 7,000 peacekeepers – a presence far stronger than the previous missions. Unlike the former UN missions in Angola, UNAVEM III also had the mandate to monitor the quartering of UNITA troops in assembly areas and to be involved in their disarmament.⁴⁹ There was, however, no fixed date for a second round of elections.

In early May 1995, Jonas Savimbi and José Eduardo dos Santos met in Lusaka and agreed to establish a government based on the provisions of the Lusaka accord. The post of Vice-President, to be taken by Savimbi, was created in 1995, and UNITA was included on both legislative and executive levels of the new Government of National Unity and Reconciliation (GURN) in 1997. Savimbi himself, however, has stayed away from Luanda. Furthermore, the peace process had been constrained by continued cease-fire violations and difficulties in UNITA's demobilisation: despite having declared full demobilisation under the Lusaka accord, UNITA still had an estimated 10,000-15,000 troops in Angola by August 1998.⁵⁰

Another disruptive factor was the involvement of both government and UNITA troops in the civil war in Zaire in March 1997, where UNITA, which relied on Zaire as a conduit for importing arms and exporting diamonds, fought on the Zairian government's side, whereas Angolan government troops supported the rebels of Laurent-Désiré Kabila.⁵¹ Shortly after a new Rwandan-backed rebellion erupted in August 1998 in the Democratic Republic of Congo, the Government of Angola was asked for military support by President Kabila. Prime Minister Dos Santos was at first reluctant to be drawn into yet another conflict. However, when it became known that rebels in Western DRC were allying with troops loyal to the late President Mobutu, he agreed to support an initiative by the President Mugabe of Zimbabwe president who sent troops to Kinshasa in support

⁴⁶ Maier, K., *Angola: Peace at last?*, WriteNet, 1997, p. 8.

⁴⁷ *Ibid.*; EIU Country Profile 1998-1999, p. 5.

⁴⁸ *Ibid.*, p. 6.

⁴⁹ Maier, K., *Angola: Peace at last?*, WriteNet, 1997, p. 9.

⁵⁰ EIU Country Profile 1998-1999, p. 6.

⁵¹ *Africa South of the Sahara*, 1999, p. 158.

of Laurent-Désiré Kabila. The Economist Intelligence Unit notes that 'the Angolan government has little genuine enthusiasm for the Congolese leader, and the extent to which its support remains focused on eliminating Angola's enemies inside the DRC and securing the eastern border [...] remains unclear'.⁵²

1.2 Recent Political Developments

Although the period until mid-1998 had been relatively stable, tensions rose sharply in early 1998, when the extension of government administration to four symbolically important towns (Andulo, Bailundo, Mungo and N'Harêa), where UNITA had their strongholds, was repeatedly prevented by UNITA. On 19 May, a MONUA (United Nations Observer Mission in Angola) vehicle was attacked and an Angolan interpreter killed. These attacks were widely attributed to UNITA as 'policy of increasing destabilisation in a bid to win more time'.⁵³ Occasional attacks broke out in north-eastern diamond-rich regions and in Malange province as well as in Benguela, Huila, Bengo and Cabinda provinces. The government responded by a powerful campaign of intimidation and hostile propaganda⁵⁴ as well as by aggressive troop movements to the northern provinces of Angola. In response to the increasingly unstable security situation, international aid workers pulled their field staff back to the major towns or suspended their programmes altogether – for example, the High Commissioner for Refugees announced the definitive suspension of its programme in September 1998 at the 49th session of its Executive Committee⁵⁵, whereas MONUA's numbers had already been cut down from 7,000 to 1,000 observers during the period of stability in 1997.⁵⁶

In recognition of at least partial progress concerning the Lusaka accord, the Security Council voted on 30 June 1997 to replace UNAVEM with a scaled-down observer mission which came to be known as MONUA. Demobilisation, however, remained problematic, and in response to UNITA's failure to meet the deadline for disarmament of its troops (15 August 1997), the Security Council imposed new sanctions on the movement on 28 August 1997, which were extended on 31 October 1997.⁵⁷ The deterioration of the security situation was reflected in increased refugee flows and by mid-June the UN 'declared that the normalisation process had been reversed in 30 of the locations identified in the Lusaka protocol'.⁵⁸

Violence eventually escalated shortly after the international mediator for Angola, Alioune Blondin Beye, was killed in a plane crash in June 1998 near Abidjan.⁵⁹ While UNITA and an increasingly impatient government were still negotiating deadlines for the handover of the four mentioned cities, a new rebellion in the Democratic Republic of Congo threatened to disrupt the fragile balance in the region and prompted the Government of Angola to mount a major military attack against UNITA positions in the town of

⁵² EIU Country Report: Angola, 3rd quarter 1998, p. 4

⁵³ Ibid., p. 11

⁵⁴ Ibid., p. 12; The Economist, 8 August 1998, p. 55

⁵⁵ United Nations Humanitarian Assistance Coordination Unit, Humanitarian Situation in Angola, Annual Report 1998, p. 13

⁵⁶ Inter Press Service: Politics-UN: African Civil Wars Are about Diamonds, 15 March 1999, [internet]

⁵⁷ Africa South of the Sahara, 1999, p. 158ff

⁵⁸ EIU Country Report: Angola, 2nd quarter 1998, p. 11

⁵⁹ EIU Country Profile 1998-1999, p. 6; EIU Country Report, 2nd quarter 1998, p. 11; United Kingdom, Foreign & Commonwealth Office, Country Information Policy Unit: Country assessment on Angola, October 1998, p. 4

Milando, 75 km south of the DRC border in the second week of August 1998.⁶⁰ By mid-August, after indications that UNITA rebels in western DRC were forming alliances with troops loyal to the late President Mobutu, the Angolan government started to support Mr Kabila with troops. On 31 August 1998, UNITA was suspended from the Government of National Unity and Reconciliation (GURN) due to the movement's persistent refusal to complete the Lusaka protocol, including disarmament of UNITA troops.⁶¹ This decision, which the government described as 'definitive and irreversible',⁶² presented the turning point which led to the resumption of armed conflict.

During the following weeks, dissidents of UNITA, namely the former UNITA secretary-general Eugenio Manuvakola and the suspended tourism minister Jorge Valentim, broke away from the movement to form the so-called UNITA-Renovada (UNITA-R). This fraction enjoys the support of the government, who has declared that it sees UNITA-R as the only legitimate representative of the UNITA movement and is willing only to negotiate with them. It is suspected that the government hopes to isolate Mr. Savimbi's fraction by broadening the divisions within the UNITA fractions.⁶³ However, this strategy so far seems to have proved ineffective, as 'the breakaway fraction has no organisational structure or official representation outside the capital, and its leaders are regarded even in Luanda as mavericks, far removed from UNITA's ideological core'.⁶⁴ The troika powers, in their turn, have so far failed to recognise the dissidents. UNITA-R, however, has officially been recognised by the Southern African Development Community (SADC), which has declared Savimbi a war criminal in Mauritius on 14 September 1998.⁶⁵

In December 1998, the government eventually launched a major offensive against UNITA and seems committed to end the conflict by military means. On 29 January 1999, stating that now 'Angola had to wage war in order to achieve peace'.⁶⁶ Consequently, a mass conscription campaign by the government has been in place since mid-January.⁶⁷ During the last days of January, President dos Santos took over the direct control over the government by removing the Prime Minister and the Ministers for Defence, Finance, Home and Foreign Affairs and setting up a Permanent Commission under the Cabinet to manage the military crisis.⁶⁸ The new cabinet includes the new Defence Minister General Kundi Payama, a hard-liner likely to take a tough stance on UNITA.⁶⁹ On 2 February, parliament lifted the immunity of five leaders close to Savimbi, thereby further fuelling growing resentments.⁷⁰

⁶⁰ EIU Report, 3rd quarter 1998, p. 14

⁶¹ EIU Report, 2nd quarter 1998, p. 10

⁶² EIU Report, 3rd quarter 1998, p. 10

⁶³ *Ibid.*, p. 11

⁶⁴ *Ibid.*, p. 11

⁶⁵ United Kingdom, Foreign & Commonwealth Office, Country Information Policy Unit: Country assessment on Angola, October 1998, p. 7, 8; United Nations Humanitarian Assistance Coordination Unit Annual Report 1998, p. 6

⁶⁶ United Nations, Security Council, Report of the Secretary General on the United Nations Observer Mission in Angola, S/1999/202, 24 February 1999, [internet]

⁶⁷ BBC World Service, Angolan Government calls up more men, 16 January 1999, [internet]

⁶⁸ BBC World Service, Angola president takes control of government, 29 January 1999, [internet]; Financial Times, 4 March 1999

⁶⁹ Angola Peace Monitor 22 Feb, 2; BBC World Service, Angola's 'war for peace's sake', 31 January 1999, [internet]

⁷⁰ BBC World Service, Angolan parliament lifts UNITA MP's immunity, 3 February 1999 (Internet)

The cessation of direct negotiations has led to a resumption of armed conflict in ten of the country's 18 provinces.⁷¹ Since June 1998, UNITA recaptured large parts of in the eastern sections of the country near the border with Zambia, and some territory in the northern part near the border with DRC has equally come under UNITA control since August.⁷² The main towns, however, remain under government control. Predictions by the Economist Intelligence Unit that the government would carry out large-scale offensives in the central highlands after the peace process collapsed proved untrue. Rather, the latter half of 1998 was marked by low-scale violence in the form of attacks and counter-attacks.⁷³

Since the end of 1998, large-scale conventional fighting has spread from the central provinces of Bié and Huambo further north to Malanje, to the east of Luanda. In the same period, UNITA was defeated in battles for the towns of Huambo and Kuito. Fighting was expected to spread to the UNITA strongholds of Andulo and Bailundo as well as the areas around Moxico in the east, Uíge and Zaire in the north, and Caundo Cubango in the south.⁷⁴ In early March 1999, UNITA forces, who had held the government-controlled provincial capital of Malanje under siege since early January 1999, stepped up their assault on the town. Malanje is considered strategically important because it might represent a possible gateway for a rebel advance on the capital and strengthen UNITA's hold on the north-west of the country.⁷⁵ Although UNITA's military resources are considered to be less exhaustive than the government's, a defeat of UNITA might not lead to the end of the conflict: it is feared that UNITA, in the case of having been defeated in conventional warfare, might resort to its previous hit-and-run guerrilla tactics.

Although the Secretary-General and the Security Council were unanimous in blaming UNITA for the collapse of the peace process, their opinions diverged substantially on the issue of the United Nations Observer Mission in Angola (MONUA): in his report to the Security Council on 7 September 1998, Secretary-General Kofi Annan stated that there should be a full-scale review of MONUA by the end of November, and that if there had been no substantial progress by then, MONUA should be wound up by February 1999.⁷⁶ Despite the Secretary-General's statement of 8 October report that he planned to withdraw UN personnel from eight key bases if the pattern of UNITA non-compliance continued, another six-weeks extension of MONUA was granted by the Security Council on 15 October. Increasing doubts about the UN's future role in Angola coincided with statements by the Government of Angola indicating its unwillingness to keep a UN military presence in the country.⁷⁷ Amid the insecurity, the Security Council on 3 December extended MONUA's mandate once more until 26 February, specifically naming Jonas Savimbi as the major obstacle to peace.

⁷¹ U.S. Department of State, Angola Country Report on Human Rights Practices for 1998, 26 February 1999, [internet]

⁷² EIU Report, 3rd quarter 1998, p. 14

⁷³ Ibid., p. 14

⁷⁴ Oxford Analytica Daily Brief, 2 February 1999

⁷⁵ Reuters, Top World News, UNITA rebels step up advance on key Angolan city, 1 March 1999, [internet]

⁷⁶ United Nations, Security Council, Report of the Secretary-General on the United Nations Observer Mission in Angola, S/1998/838, 7 September 1998, [internet]

⁷⁷ Angola Peace Monitor, 3 November 1999 [Internet]; AFP: Angola rules out continued UN presence, 18 February 1999, [internet]

On 2 January 1999, a UN plane was shot down near the city of Huambo, presumably killing all of the crew and passengers.⁷⁸ Efforts by the United Nations to revisit the crash site near Vila Nova, where another UN plane had been shot down on 26 December 1998, have so far been unsuccessful. In his report to the Security Council on 17 January 1999, the Secretary-General stated that 'several statements made by the parties, together with the intensifying hostilities, effectively ended any hope for the resumption of the implementation of the provisions of the Lusaka Protocol in the foreseeable future'.⁷⁹ Consequently, the Security Council decided not to renew the mandate of MONUA on 26 February 1999, stressing, however, the 'great importance[of] a continued multi-disciplinary presence of the UN under the direction of a Representative of the Secretary-General in Angola'.⁸⁰ Hence, although the complete withdrawal of the military component of MONUA is expected to be completed by 20 March, the vital humanitarian operations of the UN in Angola are to be kept in place.⁸¹

The increasing number of violent incidents in the countryside has prompted not only the UN but also many other humanitarian organisations to re-think their activities in Angola, and many have already pulled out their staff. As an effect, the humanitarian situation is expected to deteriorate further: essential services have been disrupted, and international organisations, in particular WFP, have repeatedly warned of famine.⁸²

Angola's infant mortality (40%) is one of the highest in the world, and diarrhoea, malnutrition and unsatisfactory sanitary conditions are widespread. Only 32% of Angolans have access to safe drinking water, and only 16% benefit from adequate sanitation. The deterioration in the humanitarian situation can be directly linked to the resumption of fighting – for example, the re-mining of areas already considered safe or previously cleared prevents large numbers of farmers to carry out their activities and increases famine risk.

The eruption of fighting in early December 1998 led to the displacement of approximately 100,000 persons all over the country during only two weeks in December, increasing the number of new Internally Displaced Persons (IDPs) to over half a million during 1998. As of mid-March 1999, 650,000 persons were confirmed to have abandoned their homes and sought refuge within Angola out of a estimated total of 1.5 million displaced persons within Angola.⁸³ Since most of the displaced seek refuge in the provincial capitals (half of them in Malanje and Huambo provinces), the cities are becoming overcrowded, while the countryside is almost empty.

The new flows of IDPs have had an impact on the humanitarian and economic situation in the whole country. On the one hand, the fact that most of the provincial capitals which

⁷⁸ United Nations, Security Council, Report of the Secretary-General on the United Nations Observer Mission in Angola, S/1999/202, 24 February 1999, [internet]

⁷⁹ United Nations, Report of the Secretary-General on the United Nations Observer Mission in Angola, S/1999/49, 17 January 1999, [internet]

⁸⁰ United Nations, Security Council, Statement on the Situation in Angola, S/PRST/1999/3, 21 January 1999

⁸¹ Inter Press Service, Politics-UN: African Civil Wars Are about Diamonds, 15 March 1999, [internet]

⁸² Xinhua, Bleak Months Ahead For Angolan War Victims, 17 February 1999; The Guardian, Civil war cripples Angolan aid effort, 15 February 1999; Reuters, Angolan food crisis deepens as war rages on, 11 January 1999

⁸³ Reuters, 12 March 1999, Angola war displaces 650,000 internally; Xinhua, 15 March 1999, U. N. completes staff withdrawal from Central Angola

contain large numbers of IDPs are now under siege makes it very difficult for humanitarian workers to provide assistance. Costs are spiralling due to the fact that most of the provincial capitals can only be reached by plane. On the other hand, the high concentration of the people in these cities also increases the risk of epidemics like Malaria.⁸⁴ Other problems include mine risk, Angola being one of the most heavily mined countries of the world, and agriculture: since the planting season has been severely disrupted by fighting, the turnout of this year's harvest is expected to be very poor.

Ostensibly, extortion and theft on behalf of government personnel is common, including the confiscation of food (including donated relief supplies), livestock, and personal property. The Angola police forces frequently demand bribes or try to obtain goods by force, sometimes even wounding and killing those who try to resist.⁸⁵ It has also been suspected that threats of forcible recruitment are used by both police and government forces in order to extort money from young men.⁸⁶ In government-controlled areas there are reports of looting, including by government soldiers and police who were also accused of robbing and ill-treating civilians. UNITA, too, is believed to forcibly seize crops and harvest from agricultural areas in order to feed their soldiers.

1.3 Profiles of political parties and contending armed groups

National Union for the Total Independence of Angola/ União Nacional para a Independência Total de Angola (UNITA)

Led by Jonas Savimbi, UNITA fought against Portuguese rule since its foundation in 1966. After independence, the movement has been in opposition to the leading party, the MPLA, at times alongside the third liberation movement, the FNLA, which later ceased to exist. UNITA received support mainly from the Ovimbundu and Chowke tribes of central and southern Angola and was one of the three principal liberation movements of Angola. Savimbi himself is of the Ovimbundu tribe and appears to play on ethnic resentments of the Ovimbundu people against the coastal and Kimbundu tribes as well as descendants of the Portuguese, who used many Ovimbundu as farm labour.⁸⁷ Although Savimbi has a Maoist background⁸⁸, UNITA started out as a party oriented towards the centre, opposed to the 'regime imposed by the Cubans and Russians'.⁸⁹ Its ideology has since then changed direction several times.

Traditionally, UNITA is oriented towards the western powers and has, over the years, received considerable support from South Africa and the U.S.: General Magnus Malan, then South African Minister of Defence, admitted publicly on 20 September 1985 that 'South Africa had provided material, humanitarian and moral help to UNITA for a number of years' and added that such aid would not be suspended until all foreign forces had withdrawn from Angola.⁹⁰ South African Forces have been deployed in Angola almost constantly between 1975 and 1988, and allegations have been made that the government of Zaire had also undertaken to provide aid for UNITA during the 1980s.

⁸⁴ Angola Peace Monitor, 26 February 1999, [internet]

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ BBC News, Angola's forgotten Conflict, 28 January 1999, [internet]

⁸⁸ BBC News, Profile: Jonas Savimbi, Unita's local boy, 29 January 1999, [internet]

⁸⁹ Revolutionary and Dissident Movements of the World, 1999, p. 12

⁹⁰ Ibid., p. 13

Allegedly, the U.S. also provided covert aid, both in military and monetary form, to the movement in that period.⁹¹

Since the end of the Cold War, when 'allies like the U.S. and South Africa which once directly supported Jonas Savimbi's UNITA movement [...] turned their backs'⁹², UNITA has been increasingly financing itself through the exploit of Angola's huge diamond resources. UNITA has a strong base in the diamond-rich North-eastern part of Angola, which is believed to have 'yielded Savimbi around two-thirds of Angola's estimated \$7-800m diamond production in 1997'.⁹³ Despite United Nations sanctions imposed on UNITA at various times between 1994 and 1999, some sources believe that international diamond dealers are continuing to trade with the rebels.⁹⁴

The movement was defeated in the 1992 elections by the MPLA, where UNITA gained 40.7 of the votes in the national, and 70 out of 220 seats in the legislative elections. Under the terms of the 1994 Lusaka accord, UNITA has been participating in the newly formed Government of National Unity and Reconciliation (GURN) since April 1997 and in the national assembly since 20 October 1998. Savimbi, however, never took up the vice-presidency in Luanda for fear for his personal security.⁹⁵ Although a special status for Savimbi, allowing him to retain a 400-strong personal guard, was agreed in March 1998 by the government, this decision was reversed on 27 October 1998.⁹⁶

UNITA-Renovada, led by Jorge Valentim and Eugenia Manuvakola, has emerged on 2 September 1998, one day after UNITA's 70 deputies in the Assembleia Nacional, including four ministers and seven deputy ministers in the Government of National Unity and Reconciliation (GURN), had been suspended from their posts.⁹⁷ The government recognises UNITA-R as the only legitimate representative of the UNITA movement, and is said to have put pressure on UNITA parliament members to declare their support for UNITA-R, with uncooperative members allegedly receiving death threats or being put under house arrest.⁹⁸ UNITA-R, however, has so far neither been recognised by the UN nor by the troika states Russia, Portugal and United States. In addition, UNITA-R has been accused of ostensibly receiving money and other incentives from the government.⁹⁹ In early September 1998, 53 of the 70 UNITA deputies endorsed a declaration in which they dissociated themselves from the new fraction. This, however, is not to say that Sambivi's UNITA is fully supported by UNITA members in parliament: a large part of UNITA deputies, including Abel Chivukuku, Victorino Hossi, Marcos Samondo and Correia Victor, denounce ties with Sambivi's UNITA as well as UNITA-R.¹⁰⁰

Sambivi's UNITA faces increasing political isolation but still has about 15-20,000 troops and many more in village-based militias. Official government estimates UNITA's troop strength around 30,000. Although 'UNITA has clearly been buying large quantities of

⁹¹ Ibid., p. 13

⁹² BBC News, *Fuelling the war: Diamonds and oil*, 28 January 1999, [internet]

⁹³ Ibid.

⁹⁴ BBC News, *A war fuelled by the earth's riches*, 5 January 1999, [internet]

⁹⁵ *Africa South of the Sahara*, 1999, p. 158, EIU Report, 4th quarter 1998, p. 13

⁹⁶ *Angola Peace Monitor*, 1 October 1998, [internet]

⁹⁷ EIU Report, 4th quarter 1998, p. 11

⁹⁸ Ibid., p. 11

⁹⁹ Ibid., p. 12

¹⁰⁰ Ibid.

arms over several years to build up a formidable arsenal¹⁰¹ despite the UN embargo, it is not as yet clear where the arms supplies come from. Both Zambia and Uganda have been suspected by some observers to act as trans-shipment centres for weapons to UNITA, and there are allegations that South Africans and a British company, Air Atlantic Cargo, are involved in the arms deals.¹⁰²

People's Movement for the Liberation of Angola/ Movimento Popular para a Libertação de Angola (MPLA)

This party was founded in 1956 as a merger of the Angolan Communist Party with the nationalist Party of Struggle of the African of Angola. Under the leadership of Agostinho Neto, it played a major part in the revolt against Portuguese rule and proclaimed the People's Republic of Angola in November 1975, with Neto as president and a government headed by Lopo do Nascimento based in Luanda. Although the MPLA was recognised as the official government by many countries (not including the U.S.), UNITA has since then questioned the MPLA's legitimacy.¹⁰³ One scholar notes that 'it was a flagrant miscalculation for the MPLA to have imagined that its rightful claim to revolutionary leadership definitely precluded the sharing of power with equally legitimate revolutionary anti-colonial leadership groups'.¹⁰⁴ Upon his death in 1979, Neto was succeeded by José Eduardo dos Santos, who to the present day holds Angola's presidency.

Ethnically, the MPLA has been perceived as being dominated by 'mixed-race intellectuals from the coastal cities'.¹⁰⁵ In addition, the MPLA is believed to have maintained strong links with Cuba, who helped the MPLA in taking the capital in 1975 and has maintained a military presence in Angola,¹⁰⁶ and the Soviet Union, which allegedly has given the MPLA a total amount of \$300 million by 1979.¹⁰⁷ In 1993, the Government of Angola was recognised by the U.S., which has gradually turned away from its previous support of UNITA.

Initially, the MPLA had a strong communist focus, restructuring itself in 1977 as the Marxist-Leninist MPLA- Partido do Trabalho (Workers' Party). In the early nineties, the radical communist focus was abandoned in favour of 'democratic socialism' which included, among others, the establishment of a free-market economy, the formation of political parties and the commitment to freedom of expression. Due to constant resistance by UNITA, who opposed the one-party system, the MPLA announced in 1990 that it would 'allow Angola to evolve towards a multiparty system'.¹⁰⁸ The MPLA won the country's first multiparty elections in 1992, gaining 49.57 per cent of the vote and 129 of the 223 seats in the National Assembly.¹⁰⁹ The party is supervised by a 193-member Central Committee, elected every four years. The committee also elects the party leader and the Political Bureau, the overall policy-making body.

¹⁰¹ Angola Peace Monitor, 22 February 1999, [internet]

¹⁰² Ibid.

¹⁰³ *Revolutionary and Dissident Movements of the World*, 1991, p. 12

¹⁰⁴ Inter Press Service, 15 March 1999, [internet]

¹⁰⁵ Ibid.; BBC News, 28 January 1999 [internet]

¹⁰⁶ BBC News, 28 January 1999, [internet]

¹⁰⁷ Inter Press Service, 15 March 1999, [internet]

¹⁰⁸ *Political Parties of Africa and the Middle East*, 1993, p. 13

¹⁰⁹ Bundesamt für Flüchtlinge, Februar 1998, chapter 15

It has been noted that unlike 'UNITA, [which] funds its war almost entirely with diamonds, the Luanda-based government relies largely on oil'.¹¹⁰ One example of this is the billion-barrel Girassol field discovered in 1996, which currently yields 775,000 barrels per day, with production expected to increase to 2 million barrels per day within eight or ten years. In addition to this, further areas which are believed to contain large oil reserves are currently offered for exploration. If this proves to be true, the government could begin to enjoy an expanding resource advantage over UNITA, as diamond resources are gradually becoming degraded.

National Front for the Liberation of Angola/ Frente Nacional de Libertação de Angola (FNLA)

Founded in 1962 as a merger of the Angolan People's Union and the Democratic Union of Angola, this group has been, together with UNITA and the MPLA, one of the three major nationalist movements involved in the armed struggle against Portuguese rule. Its president, Roberto Holden, only returned to Angola in 1991 after 16 years in exile, reportedly in France.¹¹¹ After independence, the FNLA sided with UNITA in opposition against what they saw as illegitimate usurpation of political power by the MPLA. It is said to have been supported by General Mobutu of Zaire, but lost its support in the late 1970s.¹¹² Several of the FNLA's political and military leaders have, over the course of the years, surrendered to the MPLA.¹¹³ Several observers describe the party, which has carried out no significant military activity since the early 1980s, as having been reduced to near-insignificance.¹¹⁴ On the whole, the FNLA has not been too successful in transforming itself from a military movement into a party after the introduction of a multiparty system: in the 1992 elections, the FNLA gained 2,11% of the votes and is represented in parliament with 5 seats. On 3 September 1998, the founder Roberto Holder was publicly removed by a 51-strong caretaker committee. Until a replacement is found, Lucas Ngonda acts as coordinator.

National Front for the Liberation of the Cabinda Enclave/ Frente de Libertação do Enclave de Cabinda (FLEC)

Founded in 1963 under the leadership of Luis de Gonzaga Ranque Franque as a separate national liberation movement for the enclave of Cabinda, which, although bordered by Congo-Brazzaville and the DRC, does not have a separate border with Angola. The FLEC rejects the integration of the oil-rich Cabinda province into Angola and fought against the take-over of political power by the MPLA in 1964 under the leadership of Henriques Tiago N'zita. On 10 January 1967, a government in exile for the Cabinda province was formed under Pedro Simba Macosso in Tshela (Zaire). Shortly afterwards, the FLEC split into a pro-American and a pro-French wing. Since the 1970s, the movement has been riddled by internal divisions, which severely constrained its political effectiveness. What is left of the original FLEC has denounced violence, and its leader Franque has been negotiating for a political settlement of the Cabinda issue since 1992, aiming for autonomy status.¹¹⁵

¹¹⁰ BBC News, *Fuelling the war: Diamonds and oil*, 28 January 1999, [internet]

¹¹¹ *Revolutionary and Dissident Movements of the World*, 1991, p. 11

¹¹² *Political Parties of Africa and the Middle East*, 1993, p. 16

¹¹³ Bundesamt für Flüchtlinge, Februar 1998, chapter 15

¹¹⁴ *Ibid.*; *Revolutionary and Dissident Movements of the World*, p. 11

¹¹⁵ Bundesamt für Flüchtlinge, Februar 1998, chapter 15

**Armed Forces of Cabinda/
Forças Armadas Cabindesas (FLEC-FAC)**

Originally acting as the military wing of the FLEC, this movement split in the late 1970s. Since that time, it has been carrying out armed attacks, mostly in the centre and south-west of the province, and is described by one source as 'probably the most militant movement of Cabinda'.¹¹⁶ Negotiations with the MPLA towards a peace accord failed in 1996 due to the Government of Angola's refusal to yield to the FLEC's demands. The group is said to have about 1,000 armed forces at its disposal.

Several more splinter groups of the FLEC exist, including the Frente de Libertação do Enclave de Cabinda -Renovada (FLEC-R), which operates mainly in the south of Cabinda with a troop strength of about 1000 men under the leadership of António Bento Bembe and Arthur Chibasssa, and the Frente Nacional de Libertação do Enclave de Cabinda (FNLEC-MA), which is led by Bonifacio Zanga Mambo and seated in the DRC.

¹¹⁶ Ibid.

2. The Human Rights Situation

2.1 International Legal Framework

Angola has ratified or acceded to a number of international conventions. The status of accession by Angola as a state party to relevant international conventions is as follows:

Convention	Date of Accession/Ratification/Signature
Charter of the Organization of African Unity (1963)	1976 (r)
Convention relating to the Status of Refugees (1951)	23 Jun 1981 (a)
Convention Governing the Specific Aspects of Refugee Problems in Africa (1969)	03 Dec 1982 (a)
First Geneva Convention - Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (1949)	20 Sep 1984 (s)
Second Geneva Convention - Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (1949)	20 Sep 1984 (s)
Third Geneva Convention - Geneva Convention Relative to the Treatment of Prisoners of War (1949)	20 Sep 1984 (s)
Fourth Geneva Convention - Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949)	20 Sep 1984 (s)
Protocol I - Protocol Additional to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts (1977)	20 Sep 1984 (s)
Convention on the Political Rights of Women (1952)	17 Sep 1986 (a)
Convention on the Elimination of All Forms of Discrimination Against Women (1979)	17 Sep 1986 (a)
African Charter on Human and Peoples' Rights (1981)	09 Oct 1990 (a)
Convention on the Rights of the Child (1989)	05 Dec 1990 (r)
Protocol to the 1951 Convention relating to the Status of Refugees (1967)	10 Jan 1992 (a)
International Covenant on Civil and Political Rights (1966)	10 Jan 1992 (a)
Optional Protocol to the International Covenant on Civil and Political Rights (1966)	10 Jan 1992 (a)
International Covenant on Economic, Social and Cultural Rights (1966)	10 Jan 1992 (a)
Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (1997)	18 Sep 1997 (s)

Source: UNHCR *RefWorld*, Legal Databases, January 1999

Angola is not a state party to:

- the 1948 Convention on the Prevention and Punishment of the Crime of Genocide
- the 1973 International Convention on the Suppression and Punishment of the Crime of Apartheid
- the 1968 Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity

- the 1954 Convention relating to the Status of Stateless Persons
- the 1965 International Convention on the Elimination of All Forms of Racial Discrimination
- the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- the 1961 Convention on the Reduction of Statelessness

2.2 National Legislative Context

The Government of Angola adopted a Constitution for Angola in November 1975. It was amended in October 1976, and again in September 1980, March 1991, April and August 1992, and November 1996.¹¹⁷ As several scholars note, the most distinctive feature of Angola's state institutions is their high degree of centralisation: 'the most prominent feature of the political system at the central level was [...] the strong concentration of power in the hands of the president, who was head of the party, head of state, and commander in chief of the armed forces'.¹¹⁸ Although an independent judiciary was nominally instituted in the 1975 Constitution, the 'People's Revolutionary Tribunal' acted as the principal court of law from May 1976 onwards. The process of examination of political detained by the Tribunal's review commission was arbitrary, and an appeals tribunal was not created until 1980.¹¹⁹ Similarly, the National Assembly, created in the same year, was conceived as a single-party body.¹²⁰ However, constitutional changes took place during the early 1990s. Most importantly, Angola evolved from a one-party state towards a multi-party system, which was approved by the Central Committee of the MPLA in June 1990.¹²¹

The Constitution also provides for the protection of 'the human person and human dignity'¹²² as well as equality before the law in the form of an independent judiciary. Further provisions include freedom of expression, of assembly, of association and all other forms of expression, although these provisions may be curtailed in case of 'groupings whose aims or activities are contrary to the constitutional order and penal laws, or which, even indirectly, pursue political objectives through the organisations of a military, paramilitary or militarised nature'. The right to a defence and individual freedoms are guaranteed, and 'freedom of conscience and belief shall be inviolable'.¹²³

The National Assembly, composed of 223 deputies elected for a period of four years, is the supreme state legislative body. The Ministry of the Interior is responsible for internal security, a function which is exercised through the Angolan National Police (ANP), the Rapid Intervention Police (PIR), and other organs of state security. The Armed forces of

¹¹⁷ Africa South of the Sahara, 1999, p. 170

¹¹⁸ Tvedten, I., Angola: Struggle for Peace and Reconstruction, 1997, p. 46

¹¹⁹ Ibid., p. 48

¹²⁰ EIU Country Profile 1998/99, p. 7

¹²¹ Tvedten, I., 1997, p. 53

¹²² RefWorld, January 1999, Legal Database, National Legislation, Angola: Constitutional Law Amendment- Law No. 18/96 of 14 November 1996; Africa South of the Sahara, 1999, p. 170

¹²³ Ibid.

Angola are responsible for protecting the state against external threats.¹²⁴

In November 1996, the National Assembly adopted a constitutional revision extending the parliamentary mandate (which originally was due to expire the same month) for a period of between two and four years 'in order to allow for the establishment of suitable conditions for the conduct of elections'.¹²⁵ Furthermore, in accordance with the Lusaka peace accord, a new Government of National Unity and Reconciliation, in which UNITA held four portfolios, was inaugurated in April 1997.

The Economist Intelligence Unit notes that 'despite such reforms, the government remains highly centralised, with a strong presidency, only figurehead prime ministers and a National Assembly which has been increasingly marginalised since the arrival of UNITA members into its ranks. Real political, military and economic agendas are set by an inner circle around the presidency'.¹²⁶ The president has strong appointive powers, including the power to appoint Supreme Court judges without confirmation by the National Assembly. It has also been said that the court system, although nominally independent, 'in practice [...] lacked the means, experience, training, and political backing to assert its independence from the president and the ruling MPLA party'.¹²⁷ The judicial system is largely not functional, and a constitutional court did not exist by the end of 1998. Neither does the existing Supreme Court, the appellant division for questions of law and fact, have the authority to interpret the Constitution.

2.3 General Respect for Human Rights

Although Angola is party to a number of international treaties concerning the protection of human rights (see above), human rights organizations reported widespread human rights abuses even before the collapse of the peace process in 1998. According to the U.S. Department of State Annual Report on Human Rights Practices in Angola for 1998, 'the government's human rights record continued to be poor, and it continued to commit numerous serious abuses'.¹²⁸ Another source notes that 'although the government has taken steps to increase protection for human rights, there appears to be little real will to end human rights violations'.¹²⁹ The most widely reported human rights violations by government forces were extrajudicial executions, beatings, forced recruitment, intimidation and harassment, lengthy delays in trials, prolonged pre-trial detention, ill-treatment of prisoners, and restriction of the right to freedom of speech.

Serious human rights violations are believed to occur in UNITA-held areas too, although exact information is scarce due to lack of access to these areas. However, some reports indicate that 'UNITA troops killed and tortured civilians and burned houses'.¹³⁰ The United Nations Observer Mission in Angola (MONUA) received reports of 'allegations of indiscriminate and summary killings, torture and ill-treatment, harassment and intimidation, abductions, destruction of property and forcible displacement reportedly

¹²⁴ United States Department of State: Angola Country Report on Human Rights Practices for 1998, 26 February 1999, [internet]

¹²⁵ Africa South of the Sahara, 1999, p. 170

¹²⁶ EIU Country Profile 1998/99, p. 7

¹²⁷ U. S. DOS Country Report for 1998, [internet]

¹²⁸ Ibid.

¹²⁹ Human Rights Watch, World Report 1999: Angola: Human Rights Developments, [internet]

¹³⁰ Amnesty International: Angola Human Rights – The gateway to peace, February 1999, [internet]

committed in the course of attacks on villages and ambushes by UNITA elements'.¹³¹ However, 'it was very difficult to obtain details of reports of human rights abuses and in many cases it was impossible to determine the identity of those responsible'.¹³² To this day, UNITA rejects UN investigation to 'any claims of human rights abuses in areas of the country under its control unless those abuses were thought to be the work of government forces'.¹³³ Available information suggests that UNITA is responsible for extrajudicial executions, torture, disappearances, forced recruitment, rape, and restriction of freedom of speech, the press, association, assembly, and movement.¹³⁴

It is presumed that human rights violations by both parties to the conflict have significantly increased since the renewed outbreak of large-scale fighting in December 1998. However, lack of security for international personnel – in addition to the fact that the observation capacity of international monitors has been drastically reduced – constrains investigations to claims of human rights abuses in disputed areas.

Extrajudicial executions

There are many allegations of extrajudicial killings by the police and the armed forces. Most frequently, extrajudicial killings, which are reported to have increased since the collapse of the peace process in 1998, were committed against UNITA supporters.¹³⁵ Numerous people suspected of supporting UNITA have been forcibly abducted and died while in police custody – for example, on 26 July 1998, several young men were taken from their homes in Kampao (near Luanda) by masked policemen. Reportedly, the police shot five of them on the spot, while the others are supposed to have been taken away in a government truck and executed at a later time.¹³⁶ In April 1998, a UNITA municipal secretary and over 12 other UNITA officials are believed to have been publicly executed.¹³⁷ Several other people have allegedly been killed, sometimes through torture, by the Angolan police force between March and May 1998. None of the above incidents were investigated, nor was action taken against the persons responsible.

According to Amnesty International, at least five people are believed to have been extrajudicially executed by government forces in Kikolo, Luanda province, in July 1998.¹³⁸ Human Rights Watch notes high levels of violence in August 1998, with the 'national police targeting demobilised soldiers and UNITA officials and burning villages in areas sympathetic to UNITA'.¹³⁹ In September and October 1998, several UNITA supporters are believed to have been abducted and/or killed by police officers in Negage, Uige province.¹⁴⁰ Ostensibly, the handover of up to 200 localities to government administration over the course of the year involved the extrajudicial killing of UNITA

¹³¹ United Nations, Security Council, Report of the Secretary-General on the United Nations Observer Mission in Angola, S/1999/49, 17 January 1999, [internet]

¹³² Amnesty International, February 1999, [internet]

¹³³ U. S. DOS Country Report for 1998, [internet]

¹³⁴ Ibid.

¹³⁵ United Nations, Security Council, Report of the Secretary-General on the United Nations Observer Mission in Angola, S/1998/838, 7 September 1998

¹³⁶ U. S. DOS Country Report for 1998, [internet]

¹³⁷ Ibid.

¹³⁸ Amnesty International, February 1999, [internet]

¹³⁹ Human Rights Watch, World Report 1999, [internet]

¹⁴⁰ Amnesty International, February 1999, [internet]

administrators and persons accused of collaboration.¹⁴¹

Government forces in Cabinda province are also believed to have been responsible for extrajudicial killings during 1998. Reports state that at least 13 people suspected of supporting the FLEC have been killed between 22 and 24 August 1998 in northern Cabinda.¹⁴²

As for UNITA, there are reports that 'Savimbi personally ordered extrajudicial killings of opponents'¹⁴³. One source states that 'UNITA troops are reported to have abducted hundreds of civilians, including children, to have raped women and to have carried out deliberate and arbitrary killings'¹⁴⁴. Frequently, traditional leaders, known as *sobas*, have been targeted by UNITA elements: at least 20 *sobas* were killed during a four month period in 1998¹⁴⁵. In another incident on 26 June 1998, UNITA is believed to have publicly executed 14 young *sobas* in the town of Caninguil. Similar incidents have reportedly taken place throughout the whole country. Policemen are another frequent target of UNITA attacks – 14 are believed to have been killed in Base Porto on 28 March 1998, 'possibly as part of a campaign that resulted in approximately 200 known cases of police officers being killed by UNITA forces, including one incident near Kuito Cuanavale in which 18 officers were executed'.¹⁴⁶ In August 1998, at least 60 people, possibly many more, are reported to have been killed during a UNITA attack in Luremo, Luanda Norte province. Several persons suspected of opposing UNITA, including Savimbi's former wife, Ana Isabel, have been imprisoned and may have been killed by UNITA over the course of the years.

Since the beginning of renewed fighting in 1998, human rights abuses by UNITA seem to have increased massively: in an attack attributed to UNITA in mid-December near Kuito, over one hundred civilians, most of them internally displaced, were killed, and a further hundred were reported to have been killed by early January 1999¹⁴⁷. On 16 December, 'indiscriminate shelling, reportedly by UNITA, killed at least 25 civilians and wounded approximately four times that number [...] in Kunje, Bié Province'¹⁴⁸. Also in early January, 30 to 40 people died in Malange as a result of mortar shelling by UNITA which was ostensibly 'deliberately aimed at the city's heavily populated market places in an attempt to force civilians to flee'.¹⁴⁹

Torture

Torture and ill-treatment of persons arrested by security service personnel is believed to occur regularly: '[p]olice torture and induced concessions are acceptable forms of investigation and are rarely, if ever, punished'.¹⁵⁰ Prison conditions are life-threatening,

¹⁴¹ U. S. DOS Country Report for 1998, [internet]; Amnesty International, February 1999, [internet]

¹⁴² Amnesty International, February 1999, [internet]

¹⁴³ U. S. DOS Country Report for 1998, [internet]

¹⁴⁴ Amnesty International, February 1999, [internet]

¹⁴⁵ U. S. DOS Country Report for 1998, [internet]

¹⁴⁶ U. S. DOS Country Report for 1998, [internet]; Amnesty International, February 1999, [internet]; Human Rights Watch, World Report 1999, [internet]

¹⁴⁷ Amnesty International, AFR 12/01/99, February 1999, [internet]

¹⁴⁸ United Nations, Security Council, Report of the Secretary General on the United Nations Observer Mission in Angola, S/1999/49, 17 January 1999, [internet]

¹⁴⁹ Ibid.

¹⁵⁰ U. S. DOS Country Report for 1998, [internet]

as the prison system holds five times the number of prisoners it was built to hold, and many prisons lack the financial resources to adequately feed the people detained.¹⁵¹ Prison officials reportedly beat people, and those suspected of ties with UNITA in particular are said to be 'subjected to primitive and brutal forms of interrogation'.¹⁵² Several UNITA members have reportedly been tortured to death by police officers in 1997.¹⁵³

Persons who have fled UNITA-held regions report that 'abuse of suspects seems to be universal in areas under UNITA control, which is believed to 'use cruel and inhuman practices, including public torture, to punish dissent and deter further acts of disloyalty'.¹⁵⁴ Although information on torture by UNITA is hard to obtain due to the lack of access to UNITA areas, documented cases include public torture and execution of a man in Cuninga in April 1999.¹⁵⁵ Another incident involves the *soba* of Muena, who had both his ears cut off after having been detained and tortured by UNITA personnel in February 1998.¹⁵⁶

Arbitrary Arrest and Detention

Numerous cases of arbitrary arrest and detention by government forces have been reported.¹⁵⁷ Under Angolan law, a person caught in the act of committing a crime may be arrested and detained immediately, and although the constitution provides for the right to prompt judicial determination of the legality of the detention, this right does not seem to be exercised in practice. Hence, although under the law a person may not be held for over 135 days without trial, over 90 per cent of prisoners have been detained longer than this period.¹⁵⁸ The government has also arrested several UNITA officials on the grounds of illegal weapons possession or collaboration with UNITA, although formal charges rarely were filed.

There is strong evidence of UNITA detaining persons against their will, although the exact number is unknown.¹⁵⁹ Former UNITA Secretary-General and signatory to the Lusaka Protocol, Eugenio Manukavola, was held under UNITA arrest for three years, on his escape to Luanda giving credible reports of substantial numbers of persons under UNITA house arrest.¹⁶⁰ UNITA also is believed to have abducted at least 36 people between April and August 1998 in various parts of the country.¹⁶¹

¹⁵¹ United Nations, Security Council, Report of the Secretary-General on the United Nations Observer Mission in Angola, S/1999/49, 17 January 1999.

¹⁵² Ibid.

¹⁵³ Amnesty International 1998, Annual Report on Angola, [internet]

¹⁵⁴ U. S. DOS Country Report for 1998, [internet]

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ United Nations, Security Council, Report of the Secretary-General on the United Nations Observer Mission in Angola, S/1998/1110, 23 November 1998, [internet]

¹⁵⁸ U. S. DOS Country Report for 1998, [internet]

¹⁵⁹ United Nations, Security Council, Report of the Secretary-General on the United Nations Observer Mission in Angola, S/1998/838, 7 September 1998, [internet]

¹⁶⁰ U. S. DOS Country Report for 1998, [internet]

¹⁶¹ Ibid.

Civil Liberties

Observers note that, although 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 censorship, [...] the government does not always respect this right in practice'.¹⁶² The majority of the media is state-run and therefore fairly uncritical, and independent newspapers reportedly face intimidation and harassment by the government. Self-censorship is encouraged particularly with regard to issues relating to the military situation, internal security, or other highly sensitive matters like corruption or economic mismanagement. Journalists frequently receive anonymous telephone calls and letters, and investigation into the deaths of several journalists under strange circumstances during 1998 has been slow and inconclusive.¹⁶³

On the other hand, the government seems to use 'its control of the media to engage in a hostile propaganda campaign beginning in July [1998]',¹⁶⁴ publishing unfounded accusations of UNITA massacres although hostile propaganda is prohibited by the Lusaka Protocol.

UNITA, in turn, is believed to 'tightly restrict freedom of speech, the press, assembly, association, and movement', and observers report that 'no media organisations can function in UNITA-controlled areas except under the absolute control of party officials'.¹⁶⁵

Forced Conscription

It is widely believed that both UNITA and the government use forced conscription as a means to supply their respective armies with soldiers.¹⁶⁶ Government forces are said to have forcibly recruited young men, particularly in the poorer areas of Luanda according to a 'policy of preying on poor communities and unemployed young men'.¹⁶⁷ Although there does not seem to be a systematic campaign of conscripting minors, some of those conscripted appear to be under aged. In July 1998, government forces reportedly conscripted students, some as young as 14 years, in Caxito, Bengo province. Those who resist forced conscription frequently face beatings and risk being killed.¹⁶⁸

UNITA is equally believed to forcibly conscript civilians, including minors, for military duty, and there are allegations that Rwandan refugees may have been among those forcibly recruited into UNITA's forces.¹⁶⁹ One source states that 'recruits were taken to isolated military camps and subjected to psychological stress and extreme hardships, those who attempted to desert were executed'.¹⁷⁰

¹⁶² Ibid.

¹⁶³ Amnesty International, AFR 12/01/99, February 1999, [internet]

¹⁶⁴ U. S. DOS Country Report for 1998, [internet]

¹⁶⁵ Ibid.

¹⁶⁶ Ibid., Amnesty International, AFR 12/01/99, February 1999, [internet]; United Nations, Security Council, Report of the Secretary General on the United Nations Observer Mission in Angola, S/1999/49, 17 January 1999, [internet]

¹⁶⁷ U. S. DOS Country Report for 1998, [internet]

¹⁶⁸ Amnesty International, 1998 Annual Report on Angola, [internet]

¹⁶⁹ U. S. DOS Country Report for 1998, [internet]

¹⁷⁰ Ibid.

Landmines

Landmines are used by both the government and UNITA to 'strengthen defensive positions, and in case of UNITA, prevent residents within its own areas from fleeing to government-held areas'.¹⁷¹ Angola is a signatory to the Ottawa Landmine Convention, which came into force on 1 March 1999, but still appears to lay mines, as does UNITA.¹⁷²

2.4 The Situation of Specific Groups

Women

Although a Ministry of Women was created in 1997 to deal specifically with violence against women, discrimination and violence against women – especially in the form of wife-beating – remain common.¹⁷³ Women continue to suffer from discrimination in work and are mostly constrained to low-level positions. As a significant proportion of women depend on foraging for food and firewood in agricultural areas for their livelihood, they also are among the most frequent victims of landmines. If abducted to UNITA areas, women face rape and extreme hardships.¹⁷⁴ Due to dire economic circumstances, increasing numbers of women are forced into prostitution.¹⁷⁵

UNITA forces are reported to have abducted women, many as young as 13 years, to serve as porters and camp followers, and reports of sexual assault are widespread.¹⁷⁶ A 12-year-old girl was reported to have been raped by two police officers in Ombala district (Kwanza Sul province) in November 1998.¹⁷⁷

Members of the Church

Since December 1998, members of the Catholic Church have increasingly been victims of human rights abuses, with mission property and personnel being targeted for harassment, ill-treatment and killings or attempted killings. In December 1998, two priests and six nuns are reported to have been abducted after UNITA took control of a town in Bié province¹⁷⁸, and on 4 January 1999, three members of the Catholic Church were killed by unknown attackers.¹⁷⁹ 21 Members of the Evangelist Church are reported to have been killed in Cabinda province in January 1998.¹⁸⁰ In Cuanza Sul and eastern Uíge, government elements committed human rights abuses against members of Protestant

¹⁷¹ U. S. DOS Country Report for 1998, [internet]

¹⁷² Africa Confidential, Vol. 40, No. 5, 5 March 1999

¹⁷³ U. S. DOS Country Report for 1998, [internet]

¹⁷⁴ U. S. DOS Country Report for 1998, [internet]

¹⁷⁵ United Kingdom, Foreign & Commonwealth Office, Country Information Policy Unit: Country assessment on Angola, October 1998, p. 25

¹⁷⁶ Ibid.; Amnesty International, 1998 Annual Report on Angola, [internet]

¹⁷⁷ Amnesty International, 1998 Annual Report on Angola, [internet]

¹⁷⁸ U. S. DOS Country Report for 1998, [internet]; United Nations, Security Council, Report of the Secretary General on the United Nations Observer Mission in Angola, S/1999/202, 24 February 1999

¹⁷⁹ U. S. DOS Country Report for 1998, [internet]

¹⁸⁰ Amnesty International Report, AFR 12/2/98, April 1998, [internet]

churches whom they saw as being sympathetic to UNITA.¹⁸¹

Civilians in Cabinda

According to an Amnesty International report, 'unarmed civilians are being extrajudicially executed and tortured [...] in Cabinda, where government soldiers are facing armed fractions of the FLEC'.¹⁸² Members of the FLEC have allegedly taken hostages, killed unarmed civilians, recruited minors and deliberately killed government supporters. Government personnel, on the other hand, have been accused of torturing and deliberately killing unarmed civilians during armed raids and torturing people to obtain information or for punishment and intimidation.¹⁸³ Between December 1997 and January 1998, 25 people are thus believed to have been killed by government forces. Some of these killings occurred in conjunction with raids carried out after clashes between government troops and FLEC fractions.¹⁸⁴

Acts of abuse of official power by government soldiers and other officials is also reported: persons unwilling to comply to demands are harassed, threatened, and sometimes killed. A case in point is the killing of seven and wounding of eleven people on a truck by an army officer 'because a driver refused to give him a lift'.¹⁸⁵ There also appear to have been numerous cases of torture – ostensibly, civilians suffered beatings, wounds and electric shocks at the hands of government officials.¹⁸⁶ One example is an incident in August 1998, where 'government soldiers based in the DRC are reported to have crossed into central Cabinda where they raided houses, raped women and arrested and killed men'.¹⁸⁷

Separatist groups are reported to have 'taken hostages and [...] killed unarmed civilians'¹⁸⁸, usually in retaliation to government raids. They are also believed to have abducted minors for recruitment into their military ranks. A few known cases of abduction by FLEC exist¹⁸⁹, but on the whole, 'very little detailed information has emerged about the way FLEC groups behave towards unarmed civilians'.¹⁹⁰

¹⁸¹ United Nations, Security Council, Report of the Secretary General on the United Nations Observer Mission in Angola, S/1999/202, 24 February 1999, [internet]

¹⁸² Amnesty International Report, AFR 12/2/98, April 1998, [internet]

¹⁸³ Ibid.

¹⁸⁴ Ibid.

¹⁸⁵ Ibid.

¹⁸⁶ Ibid.

¹⁸⁷ Amnesty International, AFR 12/01/99, February 1999, [internet]

¹⁸⁸ Ibid.

¹⁸⁹ Ibid.

¹⁹⁰ Ibid.

3. Trends in Asylum Applications and Adjudication

ANGOLAN REFUGEES AND ASYLUM-SEEKERS, A STATISTICAL OVERVIEW

A. Refugee populations and changes during 1998

During 1998, the Angolan refugee population in the countries listed in Table 1 increased by 22 per cent, to reach 294,000 at the end of the year, despite the fact that some 15,600 Angolans repatriated from the Democratic Republic of the Congo (DRC). At the end of 1998, Zambia and the DRC host together 98 per cent of the Angolan refugee population in the eleven countries listed.

Table 1. Angolan refugee population in major asylum countries, 1998								
Country of asylum	Refugee population at 1 Jan.	Spontaneous arrivals		Other increases	Voluntary repatriation	Resettlement	Other changes	Refugee population at 31 Dec.
		Prima facie	Individ. recognized					
Zambia	147,200	890	10	2,000	3,100	-	4,800	149,800
DRC	87,700	33,000	-	31,500	15,600	10	410	137,000
Namibia	1,900	-	-	660	-	-	-60	2,500
South Africa	2,300	-	200	-	-	-	0	2,500
Brazil (1)	1,300	-	330	-	-	-	-330	1,300
Ukraine	240	-	30	-	-	-	0	270
Botswana	210	-	-	-	-	-	-60	150
Gabon	110	-	10	-	-	-	0	120
Congo	100	-	-	-	1,000	-	1,000	100
Swaziland	120	10	-	-	-	30	-10	90
Zimbabwe	50	-	10	30	-	-	0	90
Total	241,230	33,900	590	34,190	21,700	40	5,750	293,920
(1) Including asylum-seekers								
Voluntary repatriation based on figures provided by country of origin.								
Source: UNHCR.								

B. Asylum applications lodged in Europe during 1990-1998

During 1990-1998, some 42,300 Angolans applied for asylum in the 19 European countries listed in Table 2. The highest number of applications were recorded in 1990 and 1991, when the around 10,000 Angolans sought asylum. Since 1992, the annual number of Angolans who applied for asylum has remained fairly limited, less than 5,000. During 1990-1998, Germany and the United Kingdom received each 23 per cent of the total number of Angolans applying for asylum in Europe, followed France (17 per cent), Switzerland (12 per cent) and the Netherlands (11 per cent). Portugal, the country which shares the same language with Angola, received some 700 (2 per cent) Angolan asylum-seekers during the past nine years.

In 1998, the Netherlands received 30 per cent of all Angolan asylum applications, followed by Switzerland (19 per cent) and Germany (14 per cent).

Table 2. Asylum applications lodged by Angolan nationals in Europe, 1990-1998

Country	1990	1991	1992	1993	1994	1995	1996	1997	1998	Total
Austria	36	44	4	22	14	25	-	6	37	188
Belgium	291	341	273	671	349	179	111	93	224	2,532
Bulgaria	-	-	-	-	-	-	9	11	1	21
Czech Rep.	-	69	-	16	23	30	6	2	-	146
Denmark	-	-	2	8	7	6	4	2	3	32
Finland	-	-	12	44	12	11	16	5	8	108
France	2,808	1,638	307	592	606	372	232	269	263	7,087
Germany(1)	2,817	1,875	1,081	1,054	594	648	764	653	288	9,774
Greece	-	-	-	2	-	-	-	-	-	2
Hungary	-	-	-	-	-	2	-	-	6	8
Italy	15	36	6	42	31	39	24	19	5	217
Netherlands	258	159	119	541	1,373	741	422	373	608	4,594
Norway	4	2	-	2	6	1	-	2	3	20
Poland	-	-	-	-	-	4	2	2	-	8
Portugal	20	10	120	461	56	7	6	7	9	696
Spain	561	497	-	224	207	62	31	22	20	1,624
Sweden	95	56	-	16	-	5	15	1	1	189
Switzerland	1,134	796	96	482	1,059	493	468	251	392	5,171
United Kingdom(2)	1,685	5,780	245	320	605	555	365	195	150	9,900
Total	9,724	11,303	2,265	4,497	4,942	3,180	2,475	1,913	2,018	42,317

Notes

A dash ("-") indicates that the value is zero, rounded off to zero or not available.

(1) Refers to "new" and "re-opened" applications for 1990-1997, and to "new" applications for 1998.

(2) cases only.

C. Recognition of asylum-seekers in Europe during 1990-1998

As indicated in Table 3, some 2,100 Angolan asylum-seekers were granted Convention refugee status during the period 1990-1998, 54 per cent of whom were recognized by France. The number of Angolan nationals recognized as refugees has fallen since the early 1990s. In 1998, only 64 Angolan asylum-seekers were granted Convention refugee status, the lowest number in the past nine year.

Table 3. Convention recognition of Angolan asylum-seekers in Europe, 1990-1998

Country	1990	1991	1992	1993	1994	1995	1996	1997	1998	Total
Austria	1	4	3	-	-	1	-	5	1	15
Belgium	30	7	19	31	52	25	47	46	36	293
Bulgaria	-	-	-	-	-	-	-	-	-	-
Czech Rep.	-	21	7	3	-	-	-	-	-	31
Denmark	-	-	-	-	-	-	-	1	1	2
Finland	-	-	-	-	-	-	-	-	-	-
France	189	305	183	142	68	77	84	75	-	1,123
Germany	18	61	26	8	32	24	17	23	11	220
Greece	-	-	-	-	-	-	-	-	-	-
Hungary	-	-	-	-	-	-	-	-	-	-
Italy	2	5	4	3	4	8	4	6	-	36
Netherlands	1	2	2	-	37	19	52	19	4	136
Norway	-	-	-	-	-	-	-	-	-	-
Poland	-	-	-	-	-	-	-	-	-	-
Portugal	19	-	-	-	2	3	-	4	-	28
Spain	-	-	-	40	51	32	-	-	2	125
Sweden	-	8	-	1	-	-	-	-	-	9
Switzerland	-	1	1	-	2	3	3	7	4	21
United Kingdom(1)	5	5	10	10	5	-	10	10	5	60
Total	265	419	255	238	253	192	217	196	64	2,099

Notes

A dash ("-") indicates that the value is zero, rounded off to zero or not available.

(1) cases only.

As opposed to the number of Convention recognitions, the number of humanitarian status recognitions have in fact increased during the 1990s and reached a peak in 1996/7 (see Table 4). The Netherlands accounted for 52 per cent of all Angolans who were allowed to remain for

humanitarian reasons in Europe during 1990-1998. (It should be noted that the humanitarian status data for Switzerland are not complete.)

Country	1990	1991	1992	1993	1994	1995	1996	1997	1998	Total
Denmark	-	-	-	-	-	-	2	-	-	2
Finland	-	-	3	5	34	9	4	3	12	70
Germany	-	-	-	-	-	62	28	7	34	131
Netherlands	4	11	39	-	366	334	202	181	131	1,268
Norway	-	4	-	1	-	1	-	-	-	6
Portugal	-	-	-	-	27	2	-	-	-	29
Spain	-	-	-	-	-	9	1	-	-	10
Sweden	13	40	15	6	19	7	5	3	4	112
Switzerland	-	-	-	-	-	-	319	249	-	568
United Kingdom(1)	10	10	5	5	-	5	25	110	60	230
Total	27	65	62	17	446	429	586	553	241	2,426

Notes
A dash ("-") indicates that the value is zero, rounded off to zero or not available.
(1) cases only.

Table 5 indicates that the Total recognition rate for Angolan asylum-seekers in Europe during 1990-1998 amounted to 10.7 per cent. However, in Finland and Sweden, this rate was more than 60 per cent.

Country	1990	1991	1992	1993	1994	1995	1996	1997	1998	Total
Austria	2.8	9.1	75.0	-	-	4.0	-	83.3	2.7	8.0
Belgium	10.3	2.1	7.0	4.6	14.9	14.0	42.3	49.5	16.1	11.6
Bulgaria	-	-	-	-	-	-	-	-	-	-
Czech Rep.	-	30.4	-	18.8	-	-	-	-	-	21.2
Denmark	-	-	-	-	-	-	50.0	50.0	33.3	12.5
Finland	-	-	25.0	11.4	283.3	81.8	25.0	60.0	150.0	64.8
France	6.7	18.6	59.6	24.0	11.2	20.7	36.2	27.9	-	15.8
Germany	0.6	3.3	2.4	0.8	5.4	13.3	5.9	4.6	15.6	3.6
Greece	-	-	-	-	-	-	-	-	-	-
Hungary	-	-	-	-	-	-	-	-	-	-
Italy	13.3	13.9	66.7	7.1	12.9	20.5	16.7	31.6	-	16.6
Netherlands	1.9	8.2	34.5	-	29.4	47.6	60.2	51.6	22.2	30.6
Norway	-	200.0	-	50.0	-	100.0	-	-	-	30.0
Poland	-	-	-	-	-	-	-	-	-	-
Portugal	95.0	-	-	-	51.8	71.4	-	57.1	-	8.2
Spain	-	-	-	17.9	24.6	66.1	3.2	-	10.0	8.3
Sweden	13.7	85.7	-	43.8	-	140.0	33.3	300.0	400.0	64.0
Switzerland	-	0.1	1.0	-	0.2	0.6	68.8	102.0	1.0	11.4
United Kingdom(2)	0.9	0.3	6.1	4.7	0.8	0.9	9.6	61.5	43.3	2.9
Total	3.0	4.3	14.0	5.7	14.1	19.5	32.4	39.2	15.1	10.7

Notes
A dash ("-") indicates that the value is zero, rounded off to zero or not available.
(1) Total recognition rate: number of Convention and humanitarian recognitions divided by applications.
(2) cases only.

D. Asylum-seekers and refugee status determination world-wide, 1998

During 1998, some 3,900 Angolans applied for asylum in 43 countries world-wide. Countries receiving 5 Angolan asylum applications or more as listed in Table 2. South Africa received 30 per cent of Angolan asylum-seekers recorded in the Table below. The more than doubling of the

number of pending Angolan asylum applications in this country is noteworthy.

In total, some 2,580 adjudication decisions were taken, of which 600 (23 per cent) resulted in refugee or humanitarian status.

Table 6. Angolan asylum-seekers and refugee status determination, 1998

Country of asylum	Pending cases at 1 Jan.	New appl.	Refugee status	Humanitarian	Rejected	Others closed	Total decisions	Pending cases at 31 Dec.	Total refugee cases
South Africa	772	1,159	199	-	113	2	314	1,617	63.4%
Netherlands	-	608	4	131	176	231	342	-	24.9%
Switzerland	-	392	4	-	203	58	267	-	1.5%
Brazil	11	308	-	-	300	11	311	8	0.0%
Germany	-	288	11	34	506	19	570	120	7.9%
France	-	263	-	-	-	-	-	-	n/a
Belgium	-	224	36	-	116	6	158	-	22.8%
UK	-	150	5	60	60	35	160	-	40.6%
Ireland	-	104	7	-	3	-	10	-	70.0%
Canada	-	88	31	-	25	5	61	57	50.8%
Austria	-	37	1	-	6	13	20	-	5.0%
Ukraine	-	36	32	-	4	-	36	-	88.9%
Russian Fed.	7	28	-	-	25	-	25	10	0.0%
Zimbabwe	1	27	5	-	-	7	12	16	41.7%
Zambia	6	25	9	-	4	-	13	18	69.2%
United States	15	23	12	-	-	4	16	16	75.0%
Spain	-	20	2	-	20	-	22	-	9.1%
Mozambique	18	11	-	-	7	9	16	13	0.0%
Portugal	-	9	-	-	-	-	-	-	n/a
Finland	-	8	-	12	1	1	14	13	85.7%
Gabon	13	8	5	-	3	-	8	13	62.5%
Hungary	-	6	-	-	-	-	-	6	n/a
Italy	-	5	-	-	7	-	7	-	0.0%
Moldova	-	5	-	-	-	-	-	5	n/a
Total	843	3,832	363	237	1,581	401	2,582	1,912	23.2%

(1) Refugee status and Humanitarian status divided by total decisions.

All figures are provisional, subject to change.

Source: Governments, UNHCR.

Bibliography

- Agence France Presse, Angola rules out continued UN presence, 18 February 1999 [Internet: <<http://www.notes.reliefweb.int>>, accessed 19 February 1999]
- Africa News Service, The Story Behind Angolan Civil War, 2 March 1999 [Internet: <<http://customnews.cnn.com>>, accessed 3 March 1999]
- Africa South of the Sahara 1999, London 1998
- Amnesty International, Annual Report on Angola 1998 [internet: <<http://www.amnesty.org>> accessed 2 March 1999]
- _____: Angola Human Rights – The gateway to peace (AFR 12/01/99), February 1999 [Internet: Ibid., accessed 4 March 1999]
- _____: Angola: Extrajudicial executions and torture in Cabinda (AFR 12/2/98), April 1998 [Internet: Ibid., accessed 25 February 1999]
- Angola Peace Monitor, Issue No.1, Vol. V, 7 October 1998 [Internet: <<http://www.anc.org.za>> accessed 2 February 1999]
- _____, Issue No.12, Vol. IV, 3 September 1998 [Internet: Ibid., accessed 2 February 1999]
- _____, Issue No.2, Vol. V, 28 October 1998 [Internet: Ibid., accessed 2 February 1999]
- _____, Issue No.3, Vol. V, 27 November 1998 [Internet: Ibid., accessed 2 February 1999]
- _____, Issue No.4, Vol. V, 18 December 1998 [Internet: Ibid., accessed 2 February 1999]
- _____, Issue No.5, Vol. V, 22 January 1999 [Internet: Ibid., accessed 2 February 1999]
- _____, Issue No.6, Vol. V, 26 February 1999 [Internet: Ibid., accessed 3 March 1999]
- BBC News, Angola: The roots of the conflict, 28 January 1999 [Internet: <<http://news.bbc.co.uk>>, accessed 3 March 1999]
- _____: Angola's forgotten conflict, 28 January 1999 [Internet: Ibid., accessed 3 March 1999]
- _____: Fuelling the war: Diamonds and oil, 28 January 1999 [Internet: Ibid., accessed 3 March 1999]
- _____: Profile: Jonas Savimbi, Unita's local boy, 29 January 1999 [Internet: Ibid., accessed 10 March 1999]
- BBC World Service: A war fuelled by the earth's riches, 5 January 1999 [Internet: <<http://news2.thdo.bbc.co.uk>> accessed 10 March 1999]
- _____: Angola again rejects UN request, 15 March 1999 [Internet: Ibid., accessed 11 March 1999]
- _____: Angola president takes control of government, 29 January 1999 [Internet: Ibid., accessed 10 March 1999]
- _____: Angola's 'war for peace's sake', 31 January 1999 [Internet: Ibid., accessed 11 March 1999]
- _____: Angolan Government calls up more men, 16 January 1999 [Internet: Ibid., accessed 10 March 1999]
- _____: Angolan parliament lifts UNITA MP's immunity, 3 February 1999 [Internet:

- Ibid., accessed 10 March 1999]
- _____: Failed UN mission to leave Angola, 23 February 1999 [Internet: Ibid., accessed 11 March 1999]
- _____: Security Council says peacekeepers should stay in Angola, 22 January 1999 [Internet: Ibid., accessed 11 March 1999]
- _____: UN 'outrage' at Angola, 5 January 1999 [Internet: Ibid., accessed 15 March 1999]
- Bundesamt für Flüchtlinge: Länderinformationsblatt Angola, Givisiez, February 1998
- Contemporary Religions: A World Guide, Essex, 1993
- The Economist Intelligence Unit: Angola: Back to the brink, 23 November 1998 [Internet: <<http://www.eiu.com>, accessed 21 December 1998]
- _____: Country Profile Angola 1997-1998, London, 1997
- _____: Country Profile Angola 1998-1999, London, 1998
- _____: Country Report Angola 3rd quarter 1998, London, 1998
- _____: Country Report Angola 4th quarter 1998, London, 1998
- The Economist, Behind the murk in Angola, 8 August 1998
- Encyclopedia of the Third World, 4th ed., Angola, New York/Oxford, 1992
- Europa Yearbook 1998, London, 1998
- Financial Times: UN peacekeepers give up on Angola's cat and mouse war, 4 March 1999 (Nicholas Shaxton)
- Human Rights Watch: World Report 1999: Angola: Human Rights Developments [Internet: <<http://www.hrw.org>> accessed 25 February 1999]
- Inter Press Service: Politics-UN: African Civil Wars Are about Diamonds, 15 March 1999 [Internet: <<http://customnews.cnn.com>> accessed 16 March 1999]
- Maier, K., Angola: Peace at last?, May 1997, WriteNet, REFWORLD January 1999 edition
- Oxford Analytica Daily Brief, Angola: Intractable Conflict, 2 February 1999
- Political Parties of Africa and the Middle East, Essex 1993
- Reuters, Angolan food crisis deepens as war rages on, 11 January 1999
- Reuters, Angola war displaces 650,000 internally, 12 March 1999
- Reuters, Top World News: UNITA rebels step up advance on key Angolan city [Internet: <<http://www.sportsweb.com>> accessed 1 March 1999]
- Revolutionary and Dissident Movements of the World, Essex 1991
- The Statesman's Yearbook 1997/1998, 134 ed., London, 1998
- Tvedten, Inge: Angola: Struggle for Peace and Reconstruction, Oxford 1997
- United Kingdom, Foreign & Commonwealth Office, Country Information Policy Unit: Country assessment on Angola, October 1998
- United Nations, Humanitarian Assistance Coordination Unit: Humanitarian Situation in Angola, Reporting period 19 to 25 February 1999
- _____: Humanitarian Situation in Angola, Annual Report 1998
- United Nations, Security Council: Report of the Secretary General on the United Nations Observer Mission in Angola (MONUA), S/1998/838, 7 September 1998 [internet: <<http://www.undocs.unog.ch>> accessed 16 March 1999]
- _____: Report of the Secretary General on the United Nations Observer Mission in

Angola (MONUA), S/1998/1110, 23 November 1998 [internet: Ibid. accessed 16 March 1999]

_____: Report of the Secretary General on the United Nations Observer Mission in Angola (MONUA), S/1999/49, 17 January 1999 [internet: Ibid. accessed 16 March 1999]

_____: Statement on the Situation in Angola, S/PRST/1999/3, 21 January 1999 [internet: Ibid. accessed 16 March 1999]

_____: Report of the Secretary General on the United Nations Observer Mission in Angola (MONUA), S/1999/202, 24 February 1999 [internet: Ibid. accessed 16 March 1999]

_____: The situation concerning Angola, S/RES/1229, 26 February 1999 [internet: Ibid. accessed 16 March 1999]

United States Department of State: Angola Country Report on Human Rights Practices for 1998, 26 February 1999 [internet: <<http://www.state.gov>> accessed 3 March 1999]

Xinhua: U.N. Completes Staff Withdrawal from Central Angola, 15 March 1999 [internet: <<http://customnews.cnn.com>>, accessed 16 March 1999]

_____: UN Not to Abandon People of Angola after Staff Withdrawal, 15 March 1999 [Internet: Ibid., accessed 16 March 1999]

Zartman, William: Elusive Peace: Negotiating an end to civil wars, Washington D.C, 1995

