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Human Rights Watch World Report 2003

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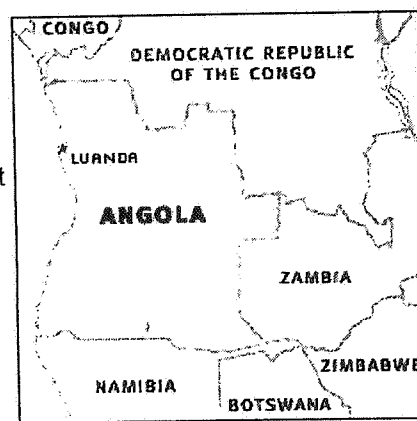
Angola

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HUMAN RIGHTS DEVELOPMENTS

Angola's twenty-seven-year civil war formally ended in August. The death in February of Jonas Savimbi, leader of the rebel National Union for the Total Independence of Angola (UNITA), was the final event that forced his greatly weakened and fragmented forces to agree to a ceasefire. On April 4, the Angolan armed forces (FAA) and UNITA signed a memorandum of understanding halting the fighting, and peace was formally declared on August 2.

Although the ceasefire meant a reduction in conflict-related abuses, a new humanitarian crisis emerged. Some eighty-five thousand demobilized and impoverished UNITA soldiers and their 340,000 family members became dependent on government or international aid, joining more than half a million civilians living in previously UNITA-controlled areas who had not been able to access humanitarian relief since 1998. The total number of people requiring food assistance reached 1.8 million by October 2002.



UNITA abuses against civilians continued during the last months of the war. In UNITA-controlled areas, inhabitants were regularly subjected to violence including extrajudicial killings and mutilations, and looting. A fragmented UNITA carried out hit-and-run attacks and also reprisals against civilians believed to support the government, causing massive displacement: villagers fled their homes and often spent days hiding in the surrounding bush, foraging for food. At times, UNITA also displaced entire villages, forbidding people to leave with their belongings and forcing them to survive in new locations, without clothes, food, or medicines. Fleeing civilians sometimes traveled for weeks and over hundreds of kilometers before reaching relative safety in government-controlled areas, where some assistance was available. Some died along the way, or only narrowly survived lack of food, landmine injuries, or disease.

Civilians who could not escape UNITA-controlled areas were often made to supply the rebels with food, or were forcibly conscripted or abducted by UNITA as forced laborers to carry arms, cut firewood, or loot. UNITA fighters sexually abused women and girls, including by using them as sexual slaves, as well as forcing them to wash uniforms, prepare campsites, and cook.

The Angolan National Police (PNA) and the FAA also contributed to the immense displacement of civilians. FAA "cleansing" operations in areas taken from UNITA involved clearing out the entire population in the name of securing the countryside, as well as rooting out possible UNITA supporters and recruiting able-bodied men for civilian militia groups to assist in fighting UNITA. With the FAA suspecting villagers in the conquered areas of generally having supported or collaborated with UNITA, harsh and abusive treatment including harassment, indiscriminate beatings, and sexual abuse were routine during such operations. Looting by FAA troops was also widespread. The FAA sent people cleared from the secured areas to the nearest municipality, which they were then forbidden to leave. These operations led to overcrowded municipalities where the health and welfare of the displaced deteriorated rapidly. In some cases, soldiers--themselves poorly supplied--rounded up the displaced to assist them in foraging expeditions for food, and the civilians were killed after they became trapped in skirmishes

with UNITA.

When a municipality could no longer contain the growing numbers of people, the displaced were moved to camps in provincial capitals or in their surrounding areas by military trucks and sometimes helicopters. Often this was done without sufficient consultation with those affected, or adequate preparation. Some camps were located in insecure areas or adjacent to active minefields. Some displaced were subsequently forcibly moved again to more distant provincial capitals or to Luanda, the national capital.

After the ceasefire, the gathering of UNITA troops in cantonment camps was the government's immediate priority. As an incentive, on April 2 the National Assembly approved a general amnesty law for all infractions of military discipline and crimes against the state security forces committed during the conflict. United Nations (U.N.) Under-Secretary-General and Special Adviser on Africa Ibrahim Gambari reported to the U.N. Security Council on April 23 that, in signing the memorandum relating to the amnesty, he had entered a reservation that the U.N. did not recognize any amnesty as applicable to genocide, crimes against humanity, and war crimes. The demobilization of UNITA military forces was successfully completed on July 30. Some five thousand former UNITA soldiers were then incorporated into the FAA and national police. The remainder and their families were in October still gathered in forty-two camps distributed around the country.

The process of "reintegrating" the internally displaced--their return or resettlement to rural communities and establishing sustainable livelihoods--represented a major challenge for the government, even though more than half a million displaced made their way home without formal assistance. Destroyed infrastructure such as broken bridges, mined areas, and houses destroyed and fields burnt under a scorched earth policy applied by both sides during the conflict were serious obstacles to the reintegration of displaced persons. Officials estimated that, out of 4.6 million internally displaced persons, the reintegration process would involve some 1.75 million. Despite a law adopted in January 2001--the Norms for the Resettlement of the Internally Displaced--and training given to provincial officials on its implementation, there were many reports of abuses associated with the reintegration process. In May 2002 the entire population of Trumba, in Bié province, was forced back to its area of origin by the local authorities without proper assistance. Forced return and restrictions to freedom of movement were also recorded in Huambo, Lunda Sul, and Kuando Kubango provinces.

Even after the ceasefire, there were frequent reports of widespread indiscipline within the army and the national police in the provinces of Bié, Huambo, Lunda Sul, Moxico, Uíge and Zaire. Harassment of displaced people and extortion were common practices at checkpoints, as well as violence including rape of women. Unidentified armed groups were reportedly engaged in banditry and operating unofficial checkpoints in southern Bié in July, while in August unidentified individuals in uniform ambushed and killed civilians in Cuango, Xa-Muteba and Caungula municipalities, Lunda Norte province.

Moreover, there were suspicions about the genuineness of UNITA's disarmament, given that by October 2002 only some twenty-six thousand light weapons (and little ammunition) were handed over to the FAA--equivalent to one weapon for every three UNITA soldiers.

There were no reports of new use of antipersonnel mines after the April ceasefire. The government created a new Inter-Sectoral Commission on Demining and Humanitarian Assistance to be responsible for policy-making, coordination of mine action and victim assistance, and the design of a new National Mine Action Plan. According to mine action organizations operating in Angola, 6.8 million square meters of land were cleared during 2001. A total of 339 mine and unexploded ordinance accidents, resulting in 660 casualties, were reported in 2001, a significant decline from the previous year; 75 percent of the victims were displaced people. Angola ratified the Mine Ban Treaty on July 5, 2002.

Unaffected by the August peace declaration was continuing fighting in Cabinda, an Angolan enclave separated by Congolese territory. In September the FAA launched an offensive against separatist groups linked to the Front for the Liberation of the Cabinda Enclave/State (FLEC). Widespread abuses against the civilian population were reported, including killings and forced displacement.

Freedom of expression improved, albeit outside Luanda and some of the main coastal cities it was difficult to access sources of information other than the state-controlled media. In July a technical committee was created to draft a new press law to regulate press activities in the country. The committee included members from the Bar Association of Angola, the Presidency, representatives of the Union of Angolan Journalists and the independent Media Institute of Southern Africa. There were fewer restrictions on journalists than in previous years, but there

were still cases of government intimidation and harassment. On May 31 Manuel Vieira, a correspondent in Lubango of Rádio Ecclesia, a station owned by the Roman Catholic Church, was summoned by the Office of Criminal Investigation (DNIC) after he reported on high death rates in a demobilization camp for UNITA soldiers. Vieira had quoted a spokesperson from the Military Joint Commission (CMM), who said that forty-five deaths occurred in the camps in one two-day period. After being interrogated by the DNIC, Vieira was summoned by the police on June 3, and had to hand over his recording of the CMM spokesman's statement.

Conditions of detention in prison continued to be of great concern, with overcrowding, poor hygiene, and lack of basic facilities. More than 60 percent of people in prison were held without any formal charge beyond the legal limit of pretrial detention, albeit civil society organizations succeeded in obtaining the release of a number of these.

DEFENDING HUMAN RIGHTS

The space for free public debate on human rights and reconciliation issues expanded with the end of the war.

In February, the Open Society Institute (OSI) organized a conference—broadcast countrywide by Rádio Ecclesia—on the role of the international community and civil society in the resolution of the Angolan conflict. In a unique effort to expand to the interior of the country the debate regarding the role of the churches and civil society in the search for peace, the Inter-Ecclesiastical Committee for Peace in Angola (COIEPA) organized in March a forum in the provincial capital of Huambo, in the central plateau region.

In September, a conference on "The Agenda of Peace and Reconciliation in Angola" was held in Luanda, under the auspices of OSI and the civil society coalition Reconciliation, Transparency and Citizenship. The conference called for an immediate ceasefire in Cabinda.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

In March 2002, in an "Arria Formula" oral briefing to the members of the U.N. Security Council, four international nongovernmental organizations—including Human Rights Watch—urged the Angolan government, the U.N., and the international community to address the humanitarian crisis and pay more attention to the protection needs of the internally displaced. They also argued that lack of good governance, transparency, and accountability was impeding greater respect for human rights.

In Resolution 1433 adopted on August 15, the U.N. Security Council authorized the establishment of the United Nations Mission in Angola (UNMA) as a follow-on mission to the United Nations Office in Angola (UNOA). A resident special representative of the secretary-general was appointed to complete the outstanding tasks under the 1994 Lusaka Peace Agreement (also in August the "troika" monitors of the 1994 Lusaka Peace Agreement—Portugal, Russia, and the United States—confirmed their observer function under the Lusaka process in August 2002, albeit did not pay particular attention to human rights issues). UNMA was requested to assist the Angolan government in ensuring the promotion and protection of human rights. Until the establishment of the new mission, UNOA continued to support capacity-building projects, including human rights training of army and police, facilitating access to the judicial system, monitoring prison conditions, and supporting media programs.

U.N. Secretary-General Kofi Annan visited Angola shortly after Resolution 1433 was adopted, to assist with winding up the work on the peace agreement and with coordination of the humanitarian and development efforts of the ten U.N. operational agencies working in the country.

The U.N. ban on senior UNITA officials traveling outside Angola was temporarily suspended twice, in May and August, in order to allow the participation of UNITA in the revitalized peace process, and the travel ban was finally ended in November. Arms and petroleum embargos, a prohibition on diamond trading, and a freeze on UNITA's financial assets remained in place. The U.N. monitoring mechanism that verified compliance was, at this writing, to run until December 19.

In July, the U.N. emergency relief coordinator visited Angola. The increasing numbers of people to be assisted forced the U.N. to twice revise its appeals to the donor community, reaching an overall request of U.S.\$290 million.

On September 28, Angola was elected to the U.N. Security Council for two years from January 2003.

International Financial Institutions

The Angolan government's relationship with the International Monetary Fund (IMF) remained strained throughout 2002, primarily because of the government's refusal to comply with the terms of the expired Staff Monitored Program (SMP), and in particular the government's failure to publicly account for its oil revenues and actual expenditures. On February 19, the IMF reaffirmed that in order to qualify for a formal program, the government would have to "record and transfer to the treasury all revenues, including the total amount of signature oil bonuses" and "publish data on oil and other government revenues and expenditures, as well as on external debt; and conduct independent financial audits of the 2001 accounts of Sonangol [the state oil company] and of the central bank" as part of the key steps that would need to be completed before a program could commence.

In a positive government step, responding to parliamentary inquiries on June 5 Oil Minister José Bothelho de Vaconcelos told parliament that the government received a U.S.\$30 million signature bonus payment from the consortium partners in Block 16. Although the amount was relatively small compared to other bonus payments, it was believed to be the first time that the government disclosed this type of information publicly and suggested that there would be greater scrutiny of the government's activities.

Nevertheless, serious problems remained with corruption scandals involving oil revenues, and the limited positive steps the government took were overshadowed by more hostility towards allegations of corruption. Swiss authorities investigated allegedly irregular transactions involving oil for arms deals during the course of the year. The investigation involved the renegotiation of Angola's approximately U.S.\$5 billion debt to Russia. Swiss authorities reportedly froze more than U.S.\$700 million held in Swiss bank accounts that were part of a complex debt repayment deal after Swiss authorities alleged that hundreds of millions of dollars were paid to "Russian and Angolan dignitaries" as part of this deal. After these investigations became public, the Angolan state media reported in June that the government planned to "take legal action" against the Swiss investigating magistrate for "defamation of the image and prestige of Angolan authorities, particularly of the Head of State, José Eduardo dos Santos." President dos Santos also reportedly wrote to Swiss President Kaspar Villiger to protest the investigation, and the government withdrew its ambassador to Switzerland in June.

The World Bank funded a project resettling twenty thousand displaced people in Huambo province, and in October allocated funds over the next three years to support resettlement in other areas of the country. In October, it confirmed support for a program of vocational training and small business microcredits for ex-combatants and their families.

European Union

The E.U.'s 2002 contribution to humanitarian relief and development totalled €125 million (U.S.\$122 million), double the amount in the previous year.

Both the European Parliament and the Joint Parliamentary Assembly of E.U. and African-Caribbean-Pacific countries endorsed the military and political steps taken by the Angolan government and UNITA to consolidate the ceasefire and urged development of an inclusive peace and reconciliation process.

United States

The end of the war, coupled with the strategic importance of Angolan oil to the United States, led to increased U.S. government attention to developments in the country. Soon after the death of Savimbi, President dos Santos

visited the U.S., meeting with President George W. Bush and Vice-President Dick Cheney.

Assistant Secretary of State for Africa Walter Kansteiner visited Angola in July, and in his public statements focused on the important role that the private sector—foreign and domestic—would play in the new phase begun with the end of the war, and on the importance of the country's oil exports to the U.S. Angola, not a member of the oil producers' cartel OPEC, supplied 5 percent of U.S. oil needs in 2002, a figure that was projected to triple within ten years. In August, U.S. Secretary of State Colin Powell stopped briefly in Luanda on his way to Gabon, and spoke, among other things, on the need to reduce corruption within the Angolan government.

The U.S. was the largest bilateral donor to Angola providing more than \$122 million in emergency assistance in fiscal year 2002, and began implementing a new strategy covering the period 2001-05, based on a mix of emergency, transitional, and development assistance. The total amount earmarked for the five-year period was \$73 million.

The U.S. House of Representatives held hearings on Angola in June, showing interest in the consolidation of Angolan civil society and the role of church groups in reconciliation work. Among those who addressed the House Subcommittee on Africa was Reverend Daniel Ntoni-Nzinga, executive director of COIEPA.

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