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# ANGOLA COUNTRY REPORT

October 2004

**Country Information & Policy Unit** 

IMMIGRATION AND NATIONALITY DIRECTORATE HOME OFFICE, UNITED KINGDOM

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# 1. Scope of the Document

- 1.1 This Country Report has been produced by Immigration and Nationality Directorate, Home Office, for use by officials involved in the asylum / human rights determination process. The Report provides general background information about the issues most commonly raised in asylum / human rights claims made in the United Kingdom. It includes information available up to 1 September 2004.
- 1.2 The Country Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any Home Office opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum / human rights determination process.
- 1.3 The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- 1.4 The structure and format of the Country Report reflects the way it is used by Home Office caseworkers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- 1.5 The information included in this Country Report is-limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented; rather that information regarding implementation has not been found.
- 1.6 As noted above, the Country Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties etc. Country Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text.
- 1.7 The Country Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent

documents. All sources contain information considered relevant at the time this Report was issued.

- 1.8 This Country Report and the accompanying source material are public documents. All Country Reports are published on the IND section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the Home Office upon request.
- 1.9 Country Reports are published every six months on the top 20 asylum producing countries and on those countries for which there is deemed to be a specific operational need. Inevitably, information contained in Country Reports is sometimes overtaken by events that occur between publication dates. Home Office officials are informed of any significant changes in country conditions by means of Country Information Bulletins, which are also published on the IND website. They also have constant access to an information request service for specific enquiries.
- 1.10 In producing this Country Report, the Home Office has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to the Home Office as below.

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# 2. Geography

2.1 As documented in several sources, the Republic of Angola (República de Angola) is situated in southern Africa on the Atlantic coast. Land borders are shared with Namibia to the south, Zambia to the east and the Democratic Republic of Congo (DRC), formerly Zaire, to the north and east. The separate enclave of Cabinda in the north is bordered by DRC to the south and the Republic of Congo to the north. [1] (p39) [2c] (p2) [17e] [17w] Several reports inform that Angola covers an area of 1,246,700 sq. km and is composed of 18 provinces ranging in area from 2,500 sq. km to 223, 000 sq. km. [1] (p54) [17w] [42b] (p10) The Europa Regional Surveys of the World: Africa South of the Sahara 2004, the UN county map January 2004 and the United Nations Development Programme (UNDP) report accessed August 2004 stated that the provinces comprise of:

Bengo, Benguela, Bié, Cabinda, Cuando Cubango, Cuanza Norte, Cuanza Sul, Cunene, Huila, Luanda, Lunda Norte, Lunda Sul, Malanje, Moxico, Namibe, Uige,

Huambo, Zaire [1] (p54) [17e] [17w]

- 2.2 Europa 2004 noted that Luanda is the country's capital city. Other principal cities include Huambo, Lobito, Benguela, Lubango and Malanje. [1] (p39) As documented in the UNDP report, accessed August 2004, the United Nations (UN) officially estimated the population of Angola in 2003 to be 13.8 million, [17w] with an annual growth rate of 1.97 percent, according to the Central Intelligence Agency (CIA) World Factbook 2004. [10]
- 2.3 The Foreign and Commonwealth Office (FCO) letter dated 26 August 2004, the CIA World Factbook 2004, the UNDP report accessed August 2004 explained that Angola has three main ethnic groups Ovimbundu (language Umbundu) 37 percent, Mbundu (Language Kimbundu) 25 percent, Bakongo (language Kikongo) 13 percent. Mixed racial (Mestiço) make up 2 percent, European account for 1 percent and others, such as Chokwe, Nganguela, Herero and Ovambo, make up the last 22 percent of the population. [4h] [h] [10] [17w] The United States State Department (USSD) background note April 2003 noted that Portuguese make up the largest non-Angolan population, with at least 30,000 (though many native-born Angolans can claim Portuguese nationality under Portuguese law). [2c] [p1,2) (See also section 6B on Ethnic Groups and Annex D on Tribes and Languages) Several reports documented that the official and predominant language of Angola is Portuguese, but various Bantu languages are also spoken, such as Umbundu, Kimbundu, Kikongo, Chokwe and Nganguela. [2c] (p1,2) [4h] (p1) [17w] [42b] (p10)
- 2.4 The UNDP report accessed August 2004 stated that in 2001 approximately 68 percent of the population were Roman Catholics, 20 percent adhered to various

protestant religions and 12 percent conformed to more traditional indigenous beliefs. (See also section 6A on Freedom of Religion) [17w]

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# Economy

- 3.1 As documented in Europa 2004, the CIA World Factbook 2004 and the Economy Intelligence Unit (EIU) country profile 2003, Angola is a country rich in mineral wealth and natural resources including diamonds, petroleum, iron ore, gold, extensive forests, Atlantic fisheries, phosphates, copper, feldspar, bauxite and uranium. [1] [p47, 57] [10] [426] [p27,32,37] Europa 2004 and the USSD report 2003, published in February 2004 stated that the largest source of income for the country is petroleum mining, production and export. [1] [p47, 57] [2a] (p1) The CIA World Factbook 2004 noted that the end of the civil war saw commercial and agricultural activity increase. About 85 percent of the population were employed in subsistence farming. [10] According to the Action for Southern Africa report August 2004 "The IMF [International Monetary Fund] reported that GDP [Gross Domestic Product] grew by about 3.5 percent in 2003, and with higher oil prices GDP may grow by over 10 percent in 2004." [374] (p5) According to the FCO letter dated 26 August 2004 "There are now reasonable indications that Angola will sign a Staff Monitored Programme with the IMF at around the turn of the year [2004]." [4h] (p1)
- 3.2 According to several sources, the economy has been severely mismanaged and is in disarray, as a direct consequence of the civil war. (1) (p47) (5c) (p2,91) The Human Rights Watch (HRW) report January 2004 explained that it was "For this reason the International Monetary Fund (IMF) has been pushing for greater economic transparency in Angola. (5c) (p2) (See also section 6C on Corruption) A statement by the IMF dated July 2004 reported that "Recent improvements in transparency, particularly regarding oil revenues, external debt, and transactions involving Sonangol, resulted in some commendable clarification of the government's overall fiscal position in 2003, but major deficiencies remain in fiscal information. Weak monitoring and control of public expenditure is inhibiting assessment of the current fiscal position." [63b]
- 3.3 The same report observed that "Since 2000, Angola has embarked on a gradual process of economic stabilization that has yielded some positive results." (63a] (p4) The USSD report 2003 stated that "The Government took some steps to improve its management of the economy, including increasing transparency of oil sector accounts and reducing the estimated 50 percent of state expenditures not reflected in the official budget, but its commitment to reform remained uncertain." (2a) (p1) A statement by the IMF dated July 2004 noted that "Angola faces daunting economic challenges during the current decade, following the return of over 4 million refugees and internally displaced persons, the destruction of infrastructure, continuing mine clearance requirements and the decline in human capital." [63b]
- 3.4 The International Bar Association (IBA) report 2003 advised that extreme poverty exists in Angola despite a wealth of natural resources. [14] (p13) According to the HRW report January 2004, the number of people living below the poverty line in Angola has increased since 1995. [5c] (p40) The USSD report 2003, published in February 2004, added that approximately 80 percent of the population were living in poverty during 2003. [2a] (p1) The IBA report 2003 stated that "Angola is one of the poorest countries in the world and is ranked 161 out of 173 counties in the Human Development Index (HDI) value, 2000." [14] (p11) The FCO letter dated 26 August 2004

added that "In the 2004 Human Development Index, Angola is ranked 166 out of 175 countries plus Hong Kong and the Occupied Territories." [4h] (p1)

3.5 As documented in Europa 2004, the currency used in Angola is the kwanza, which replaced the readjusted kwanza in December 1999. [1] (p56) The FCO letter dated 26 August 2004 noted that there are 100 centavos to 1 kwanza. [1] (p56) The exchange rate on 31 August 2004 was £1 sterling to 104.497 kwanza. [20]

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# 4. History

# Post-Independence Background Since 1975

4.1 Europa 2004 stated that Angola gained independence from Portugal on 11 November 1975. This followed an armed struggle against the Portuguese and internecine conflict between the liberation movements, the Movimento Popular de Liberatacao de Angola (Popular Movement for the Liberation of Angola, MPLA), its rival Uniao Nacional Para a Independencia Total de Angola (Union for the Total Independence of Angola, UNITA) and the Frente Nacional de Libertacao de Angola (National front for the liberation of Angola, FNLA). With backing from international supporters the MPLA quickly gained control of the capital, Luanda, and established itself as the superior power and governing body of Angola, although UNITA with its own backers (and initially in concert with the FNLA) fought on. Since independence the two main opponents, MPLA and UNITA continued a bitter conflict for control of the country.

## Multi-Party Politics and the 1992 Elections

- 4.2 Europa 2004, the CIA World Factbook 2004 and the EIU country profile 2003 noted that following a nominal multiparty system that emerged in May 1991, the first multiparty presidential and legislative elections were held on 29 and 30 September 1992. [1] [p42] [2a] [p10] [42b] [p12] According to the EIU report 2003, the elections passed off peacefully with a 91 percent turnout. [42b] [p12] Europa 2004 reported that only in Cabinda, where the Frente de Libertação do Estado de Cabinda (Front for the Liberation of the Cabinda Enclave, FLEC) had urged its supporters to boycott the election, was the turn-out low. [1] (p42) The presidential elections were won by José Eduardo dos Santos (MPLA) with 49.57 percent of the vote. The other main challenger, Dr Jonas Malheiro Savimbi (UNITA), received 40.07 percent of the vote.
- 4.3 Europa 2004 documented that the MPLA also won the majority of seats in the National Assembly (Assembléia Nacional) with 129. The UNITA gained 70 seats. [1] (p60) (See also Annex E on Election Results) Europa 2004 and the USSD report 2003 observed that international observers, half of whom were provided by the United Nations (UN), monitored the voting. They subsequently announced that the conduct of the elections had been 'generally free and fair'. [1] (p43) [2a] (p10) However, Europa 2004 noted that the results were not accepted by Savimbi, who demanded an investigation into the alleged electoral irregularities. [1] (p42)
- 4.4 The same report observed that as a result of the announcement of the official election results intense fighting erupted in Huambo and Luanda, and by October 1992 had extended throughout the whole country. Thousands of people across the country lost their lives, including senior UNITA officials. A second round of the presidential elections was consequently postponed. [1] (p43)
- 4.5 The Center for International Development and Conflict Management (CIDCM) report 2002 noted that "By early 1993 UNITA forces were in control of over two-thirds of the country's territory. However, by 1994 the military tide had turned as Government troops captured the UNITA stronghold of Huambo." [64] (p2)

#### The Lusaka Peace Accord

- 4.6 Europa 2004 and the FCO country profile documented that the first attempt at a peace process began in 1989 and resulted in the signing of the Bicesse Accords in May 1991 and a ceasefire. [1] [p42] [4a] (p1) As documented in Europa 2004, further talks led to the signing of the Lusaka Protocol of 20 November 1994 by representatives of the MPLA and UNITA. [1] (p43) The FCO country profile advised that a formal ceasefire was declared two days later. [4a] (p2) The Lusaka Protocol set out a series of measures designed to bring an end to the civil war. The HRW report September 1999 stated that "The Lusaka Protocol provided for a cease-fire, the integration of UNITA generals into the government's armed forces (which were to become nonpartisan and civilian controlled), demobilization (later amended to demilitarization) under U.N. supervision, the repatriation of mercenaries, the incorporation of UNITA troops into the Angolan National Police under the Interior Ministry, and the prohibition of any other police or surveillance organization." [5a] (p1)
- 4.7 Europa 2004 explained that in January 1995, the Forças Armadas de Angola (Angolan Armed Forces, FAA) and UNITA agreed to the immediate cessation of hostilities and the disengagement of troops. Despite these endeavours the hostilities continued. (1) (p43)
- 4.8 Europa 2004 and the FCO country profile documented that in February 1995 a UN Security Council (UNSC) resolution authorised the deployment of a 7,000 strong peacekeeping force, United Nations Angola Verification Mission III (UNAVEM III), to oversee implementation of the Lusaka Protocol, in particular the demobilisation of troops on both sides. [1] [943] [44] (p2) The UN Department of Peacekeeping Operations (UN DPKO) noted in 1996 that the UNAVEM's mandate included monitoring the process of national reconciliation and the cease-fire; assisting with the establishment of quartering areas; the disengagement of troops and the disaming of civilians. [176]
- 4.9 Europa 2004 documented that in late September 1995 the Government signed a four month cease-fire agreement with FLEC-Renovada (FLEC-Renewed, FLEC-R), a breakaway faction of the main FLEC separatists. In mid May 1996, the Government and FLEC-Forças Armadas Cabindesas (FLEC-Cabindan Armed Forces, FLEC-FAC) signed an agreement outlining the terms of a cease-fire. Nevertheless, as a result of further fighting between the government forces and the secessionists, FLEC-FAC announced that a cease-fire would only follow the withdrawal of the FAA from Cabinda. (1) (p43)
- 4.10 The same report also stated that in April 1997 Savimbi was given the special status of official 'leader of the opposition'. [1] [p43] Europa 2004 and an article by the Cambridge International Reference on Current Affairs (CIRCA) dated 14 July 2004 informed that the Government of Unity and National Reconciliation (GURN), which was established as part of the Lusaka Protocol, was inaugurated on 11 April 1997. [1] [p43] [9] The same reports, as well as the USSD report 2003 stated that UNITA received four Ministerial posts and seven Vice (Deputy) Ministerial posts. A further ten minor political parties were represented in the GURN. [1] [p43] [23] [p1] [9] (See also Annex H on Political Make-up of Government)

- 4.11 As documented in Europa 2004 and the UN DPKO report 1998, in June 1997 the UNSC unanimously approved a recommendation that UNAVEM III be disbanded and replaced by a (MONUA). MONUA was given a mandate to oversee the remaining tasks of the Lusaka Accord. [1] [p43-44] [17a] (p1) The UN DPKO report and the EIU country profile 2003 stated that following UNITA's failure to comply with its obligations under the Lusaka Protocol, the UNSC imposed a second package of sanctions against UNITA in late October 1997, including restrictions on the travel of UNITA personnel. [17a] (p2) [42b] (p12)
- 4.12 In its 1998 report the UN DPKO observed that towards the end of January 1998, the UNSC extended MONUA's mandate until 30 April 1998. It was further extended on 29 April 1998 until 30 June 1998. [17a] [p2] The UN DPKO report 1998 informed that in June 1998 Mr Alioune Blondin Beye (the UN Secretary General's Special representative to Angola) was killed in a plane crash in Côte d'Ivoire whilst on an extensive international mission. He had been seeking to persuade influential supporters of Savimbi to convince him to return to the peace process. Despite the efforts by MONUA, the situation in Angola deteriorated. Hostilities between the Government and UNITA subsequently increased. Several more extensions to the MONUA mandate followed. In February 1999, however, the decision was taken to withdraw MONUA as there was no longer a tangible peace process for them to oversee. The human rights element of the mission nevertheless continued to operate. [17a] (p7)

## Political Situation and Developments in the Civil War from September 1999 - February 2002

- 4.13 Both Europa 2004 and the EIU country profile 2003 reported that in mid-September 1999 Government forces launched a major offensive against UNITA. [1] (p44) [42b] (p13) A number of reports noted that by 20 October 1999 the Government formally announced that it had pushed UNITA out of its stronghold in the Central Highlands. Throughout late 1999 the Government continued to make considerable advances into rebel territory. [1] (p44) [177] (p3) [48a] According to the UNSC report January 2000, in December 1999 the FAA captured UNITA's former headquarters at Jamba and claimed to have gained control of almost the entire southern border. In the south, the Namibian Government closed the border in the Caprivi Strip to prevent UNITA troops from retreating to Namibian soil. [177] (p3) The UNSC report July 2000 noted that during the first half of 2000, the Government reclaimed territory held by UNITA in the south and east of the country. [17] (p3) Several documents reported that at this time, UNITA returned to guerrilla attacks and high-profile hit-and-run ambushes, particularly along the border with Zambia. [1] (p44) [80] [17e] [17j] (p3) The UNSC report July 2000 added that the FAA and the police protected the diamond rich provinces of Lunda Norte and Lunda Sul, limiting UNITA to acts of banditry against the civilian population. [17][(p3)
- 4.14 Nevertheless, an article in the Angolan Mission Observer, dated November/December 2000, informed that in November 2000, in honour of Angola's 25<sup>th</sup> anniversary of independence and partly in response to international criticism of abuses of preventive detention, President dos Santos submitted an amnesty bill to legally guarantee clemency and formalise the practice, which the Government of Angola had been following for some time. On 29 November 2000 the Angolan

National Assembly passed legislation that grants amnesty to all those who lay down their arms. [486] (p1-2) The Government of Angola stated in January 2001 that the law covered all military crimes committed up to the date of its introduction, except those of a violent nature and which included death. [34] The Angolan Mission Observer, dated November/December 2000 advised that "Under the new law, amnesty will be granted to all individuals who have committed crimes against humanity in armed conflict, if they renounce war. The law also grants amnesty to offenders of petty crimes." [486] (p1) The same report observed that under the law, which came into force on 15 December 2000, those who wanted to be granted an amnesty had 90 days to report voluntarily to the authorities and confirm their willingness to be reintegrated into society. [34] [486] (p1-2)

- 4.15 The same report observed that most of the individuals that surrendered to the Government in the first few weeks of the Amnesty were ex-UNITA officials and traditional leaders. [486] (p1-2) According to a report by the Government of Angola, dated January 2001, the FLEC-FAC rebels in Cabinda also surrendered in response to the amnesty. [34]
- 4.16 The UNSC report October 2001 explained that in the first six months of 2001, UNITA continued their guerrilla activities with new outbreaks of violence being reported daily. UNITA had begun to target civilians with greater force. [1710 [p4] Europa 2004 observed that fighting also continued between UNITA and the FAA throughout early and mid 2001. The worst affected areas were the provinces of Bié and Cuanza-Norte. [1] [p45]
- 4.17 Europa 2004 reported that in the last few months of the war, both FAA and UNITA increasingly turned to 'scorched earth' tactics. [1]p45] A news article by the Cable News Network (CNN) dated 29 October 2001 reported that, "The Angolan army says it killed 216 rebels and captured light weapons during a month of fighting in an area south of the capital, the Portuguese news agency Lusa reported on Monday. An army spokesman told Lusa that government forces had captured five rebel fighters and freed more than 2,000 civilians from rebel-controlled areas near Sumbe, about 275 km (165 miles) south of the capital Luanda." [51]
- 4.18 According to Radio Nacional de Angola 9 November 2001, in November 2001, there were increased instances of rebel soldiers defecting from UNITA to the FAA. [50] Europa 2004 added that between December 2001 and January 2002, there were few reports of significant conflict between the FAA and UNITA in the provinces. In early 2002, the FAA nevertheless continued to further weaken UNITA's position by depriving UNITA of its rural support and gaining control of a substantial proportion of Angola. [1] (p45) On 17 February 2002, it was reported by the Angola Press Agency (ANGOP) on 18 February 2002, that five high-ranking UNITA generals were killed or captured in combat in Moxico. [35q]

## End of the Civil War and Political Situation since February 2002

4.19 As documented by Europa 2004 and the FCO country profile 2004, on 22 February 2002 UNITA's leader Jonas Savimbi was killed in a remote part of the eastern province of Moxico. [1] [p45] [46] [p2] [7] Europa 2004 reported that UNITA's overall position

continued to worsen on 5 and 6 March 2002 when a number of reports confirmed the demise of Savimbi's successor General Antonio Dembo. On 13 March 2002, the FAA announced that it had halted all military operations against UNITA and had entered into negotiations with the remaining UNITA forces. [1] (p45) UNITA finally agreed to a ceasefire on 30 March 2002, and an official agreement was ratified in Luanda on 4 April 2002. [1] (p45) [44b] [42b] (p13)

- 4.20 The HRW report August 2003 observed that the Luena Accords (also known as the Memorandum of Understanding (MOU)), which were signed by the FAA and the UNITA military forces, ended the fighting between the Angolan Government, led by the ruling party MPLA and UNITA. [54] (p5) The report stated that "The Luena Accords provide for the implementation of a cease-fire through the demilitarization, quartering and demobilization of UNITA's military forces, integration of UNITA officers into the government army and national police, and a general amnesty law for all crimes committed during the conflict." [54] (p5)
- 4.21 The HRW World report 2003 stated that "As an incentive, on April 2 [2002] 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." [51] (p2) A British Broadcasting Corporation (BBC) report dated 2 April 2002 noted that it also covered crimes against the security of the state and low level crimes such as theft. [71]
- 4.22 Europa 2004 noted that according to the terms of the agreement, within nine months 50,000 UNITA fighters and 300,000 family members were to be cantoned in 38 quartering centres; only some 5,000 UNITA fighters were to be integrated into the FAA, all weapons were to be handed over to the FAA. [1] (p46) Europa 2004 and the FCO letter dated 26 August 2004 advised that UNITA officials were to remain in four ministerial positions allocated under the Lusaka accord. The process was to be supervised by a Joint Commission, with a minor role for the UN, US, Russia and Portugal. [1] (p46) [4h] (p1) On 15 July 2002 the FAA began recruiting 5,000 former rebels to join the military and police in the final stage of the demobilisation process. [4a] (p2) [44c] [44d]
- 4.23 The FCO country profile dated 1 July 2004 noted that on 21 November 2002, a ceremony in the Angolan National Assembly declared the Lusaka Process, including the role of the Joint Commission, to have ended. On 9 December 2002, the UN Security Council voted unanimously to lift all remaining sanctions against UNITA. [4s]
- 4.24 Europa 2004 observed that a total of 400,000 soldiers and their dependants were moved to Family Reception Areas by November 2002. By April 2003, little more than half of the UNITA soldiers and their dependants had been demobilised. However by that time, the Government had closed 33 of the 35 Family Reception Areas and removed the remaining UNITA members and their families to quartering areas. [1] (p46)
- 4.25 According to the HRW report August 2003, "A year after the signing of the peace accord, more than two million internally displaced persons and approximately 25 percent of refugees living abroad have already returned to their places of origin." [54] (p1) The FCO letter dated 26 August 2004 added that "By mid-2004, the process of return of IDPs was effectively completed." [4h] (p1)

- 4.26 As stated in the FCO country profile dated 1 July 2004, "At UNITA's ninth Congress in June 2003 Isaías Samakuva was elected President of UNITA after coming ahead of two other candidates in a secret ballot of members. The MPLA held its fifth Congress in December 2003 with António Pitra Neto appointed Vice-President and Julião Mateus Paulo ('Dino Matross') as Secretary-General. President José Eduardo dos Santos continues as MPLA President." [4a] (p2)
- 4.27 A report by IRIN news dated 13 May 2004 stated that, UNITA have called for the presidential and legislative elections to be held in 2005. [8at] However, according to a Xinhua news article dated 28 July 2004, "The President asked parliament to 'take the necessary steps' to define the constitutional and legal framework to prepare the simultaneous presidential and legislative votes [in 2006], key elements of the peace accord that brought the nearly three-decade civil war to an end in April 2002." [49c] The report added, "The opposition argues that, with minor amendments, the current constitution is sufficient for holding the elections, not requiring the major revision under way and considered a pre-condition by the government." [49c] (See also section 5 on the Constitution and section 5 on Presidential and Legislative Election Plans)

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# 5. State Structures

## The Constitution

- 5.1 As documented in Europa 2004, the Republic of Angola is governed by a Constitution adopted in November 1975. The Constitution has been amended several times, most recently in August 1992 when the word 'People's' was removed from the official name of the country. [1] (p58)
- 5.2 Article 18 of the Constitution stipulates that, "All citizens shall be equal under the law and shall enjoy the same rights and be subject to the same duties, without distinction as to color, race, ethnic group, sex, place of birth, religion, ideology, level of education or economic or social status." [3a] Article 32 of the Constitution stipulates that "Freedom of expression, assembly, demonstration and all other forms of expression shall be guaranteed." [3a] At the same time, groupings whose aims and activities are contrary to the Constitutional order and penal laws, or that, even indirectly, pursue political objectives through organisations of a military, paramilitary or militarised nature, shall be forbidden. [3a] Europa 2004 also reported the same information. [1] (p58)
- 5.3 The Action for Southern Africa report dated February 2004 stated that "A draft of the new Angolan constitution has been drawn up by a technical commission, and on 27 January [2004] it was presented to the Constitutional [Affairs] Commission of the Angolan Parliament, the National Assembly." [37a] (p1) An article by the Angola Press Agency (ANGOP) dated 19 June 2004 informed that the Constitutional Committee comprised 44 MPs, 25 from the MPLA, 15 from UNITA and four representing the minor parties in parliament. [36y] According to a news report by IRIN news dated 12 February 2004, "[Isaias] Samakuva [the President of UNITA] claimed the government of President Eduardo Dos Santos was deliberately delaying the approval of a new constitution, a pre-condition for scheduling presidential and legislative elections." [86] Several articles noted that on 12 May 2004, however, opposition parties suspended their participation in the Constitutional Committee, demanding that a date should be set for the general elections. [36y] [36z] [37c] (p3) The FCO letter dated 26 August 2004 stated that "On 12 May 2004 the Angolan opposition parties suspended their participation in the Constitutional Affairs Commission until such time as President dos Santos agreed to consult the country's political forces with a view to approving an electoral timetable. The Council of the Republic, the highest consultative body in Angola, met on 2 July [2004] and recommended to the President that he call elections by September 2006. However, as at 12 August [2004], when the Constitutional Commission reconvened, the opposition parties had not resumed their participation." [4h] (p1)

## Citizenship and Nationality

5.4 Under Article 19 of the Constitution, "Angolan nationality may be by origin or acquired. ... The requirements for the attribution, acquisition, loss, or re-acquisition of Angolan nationality be determined by law." [34] According to the United States Office of Personal Management (OPM) report 2001 "Citizenship laws are based upon Law #13/91 dated May 13, 1991." Citizenship can be obtained by birth, descent, marriage or naturalisation. Dual citizenship is not recognised in Angola, with

the exception of children up to the age if eighteen born abroad to Angolan parents, that obtain the nationality of the country of birth. [59]

- 5.5 The CEDAW report dated June 2004 explained that article 12 of the Nationality Law allows a foreign citizen married to an Angolan national citizen to acquire the Angolan nationality provided s/he applies for it. The declaration of nullity or cancellation of the marriage does not prejudice the nationality acquired by the spouse who contracted it in good faith. [174] (p27, 48-49)
- 5.6 The same report explained that "All laws on nationality which have come into force since independence always gave privilege to the nationality based on the rule of jus sanguini, being considered as angolan citizen of full rights the child to an angolan citizen (man or woman) either born in Angola or abroad." [174] (p27)
- 5.7 The Nationality Law provides that nationality by origin is awarded to children who have an Angolan mother or father, who were born in Angola, or to the children of an Angolan mother or father born abroad (Article 9), and that nationality by acquisition results from adoption, marriage, naturalization, or a declaration of will (Articles 10, 11, and 12). [17x] (p9)
- 5.8 The OPM report 2001 stated that "The following is grounds for involuntary loss of Angolan citizenship:
  - Person voluntarily acquires foreign citizenship.
  - Naturalized citizen is convicted of crimes against the State.
  - Naturalized citizen serves in the military of a foreign State.
  - Naturalized citizenship was obtained by fraud or false statements." [59]

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# **Political System**

5.9 Articles 1 and 5 of the Constitution state that Angola shall be an independent and sovereign state that is democratic, unitary and indivisible. [1] (p58) [3a] Article 3 of the Constitution stipulates that "Sovereignty shall be vested in the people, who shall exercise it in the manner provided for in the present Law.... The Angolan people shall exercise political power through periodic universal suffrage to choose their representatives, by means of referendums and other forms of democratic participation in national life." [3a] Europa 2004 stated that the Constitution provides for the right to vote by a universal, equal, direct, secret and periodic suffrage to all citizens over the age of eighteen years, other than those legally deprived of political and civil rights, rtt (p58) Article 28 of the Constitution adds "It shall be the right and duty of all citizens aged over 18, other than those legally deprived of political and civil rights, to take an active part in public life, to vote and stand for election to any State body, and to fulfill their offices with full dedication to the cause of the Angolan nation." [3a] The USSD report 2003 and the IBA report 2003 noted that the Constitution also provides citizens with the right to change their government peacefully. [2a] (p10) [14] (p43) However, according to the USSD report 2003, in practice citizens had no effective means to change their Government. [2a] (p10) Both the USSD

report 2003 and the IBA report 2003 advised that the last elections took place on 29 and 30 September 1992. [2a] (p10) [14] (p43)

- 5.10 Europa 2004 explained that the executive is personified in the President, elected for a five-year term, which is renewable up to three times. The President is the Head of State, Head of Government and Commander in Chief of the FAA. The current president is José Eduardo dos Santos, who assumed office on 21 September 1979. The President has the power to appoint and dismiss the Prime Minister, the Council of Ministers and other government officials determined by law. (See also Annex H on Political Makeup of Government) (1) (p59)
- 5.11 Several reports noted that on 5 December 2002, President dos Santos appointed the Minister of Interior, Fernando da Piedade Dias dos Santos 'Nando', as the new Prime Minister. [78] [9] [177] [92] The FCO letter dated 26 August 2004 added "Aguinaldo Jaime was appointed to the new post of Deputy Prime Minister with particular responsibility for overseeing economic issues." [46] [91-2] Several documents also reported that new cabinet ministers were subsequently appointed for the interior, finance, petroleum and energy and water portfolios; the Ministers of Defence, Foreign Affairs, Justice, Planning and Public Administration were re-appointed. [177] [92] [364] [365] The UNSC report February 2003 stated that "In accordance with an understanding reached between the Government and UNITA, all former UNITA-Renovada Cabinet ministers were reappointed as representatives of the reunified UNITA." [177] [92] The report added, "Some opposition parties and members of civil society felt, however, that the new cabinet did not represent sufficient change. Members of civil society also criticised the re-appointment of some senior Government officials who they alleged had embezzled and misappropriated funds." [177] [92)
- 5.12 A report by CIRCA dated 14 July 2004 explained that under the Constitution adopted at independence, the sole legal party was the MPLA. [9] Europa 2004 documented that in December 1990, the MPLA announced that the Constitution would be revised to permit opposition parties and in March 1991 legislative approval was granted for the formation of political parties. [1] (p42) Nevertheless, Europa continued, the MPLA has retained the presidency since independence in 1979. In the 1992 presidential elections President dos Santos won 49.57 percent of the votes. The MPLA also holds majority of the seats in the National Assembly (Assembléia Nacional). In the legislative elections, held in September 1992, the MPLA obtained 129 of the seats in the National Assembly. [1] (p60-61) The FCO country profile dated July 2004 stated that "The Uniao Nacional Para a Independencia Total de Angola (UNITA) is the largest opposition party, with 70 seats in the National Assembly. Seven minor parties share the balance of 21 seats in the National Assembly." (See also Annex B on Political Organisation and Annex E on Election Results) [44] (p1)
- 5.13 Europa 2004 stated that "The Assembléia Nacional [National Assembly] is the supreme state legislative body, to which the Government is responsible." According to the Constitution the National Assembly should be composed of 223 deputies elected for a four-year term. However, three of the seats have never been filled. (See also Annex E on Election Results) [1] [p59] Article 82 of the Constitution restricts members of the National Assembly from holding ministerial posts, paid employment 'by foreign companies or international organisations', and other commercial activities on the

board of limited companies, and prohibiting judicial or military candidates from standing for election to the National Assembly. [38] The IBA report 2003 noted the same information. [14] (p18)

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## Presidential and Legislative Election Plans

- 5.14 Europa 2004 stated that at the time of the peace agreement on 4 April 2002, the Government had indicated that the next general elections were envisaged to take place in 2004. [1] (p46) However, according to an IRIN news report dated 9 February 2004, various news reports have stated that the Government was considering delaying the general election until 2006. [86] [256] An article by IRIN news dated 13 May 2004 stated that "The main opposition party, UNITA, has called for elections by mid-2005, but the ruling MPLA has laid out 14 tasks to be completed before the country can hold its first ballot since 1992." [887] An IRIN news report dated 9 August 2004, [880] and an AFP news report dated 17 August 2004 [446] also made the same observations.
- 5.15 As documented by a FCO letter dated 26 August 2004, "On 06 February 2004 the MPLA introduced a list of 14 tasks which it considered 'essential to prepare for and hold the next general elections.' These included the approval of legislation, registration of voters and the drawing up of electoral rolls, along with infrastructure improvements and approval of a national consensus agenda to allow for Angola's economic development over the next 25 years. [4h] (p2)
- 5.16 The IRIN report of 13 May 2004 added that "Passing a new electoral register law, creating an electoral council and establishing basic administrative functions in remote areas are among other tasks that need to be accomplished before an election can be held, the government has argued." [Bar] Several reports noted that approval of the revised constitution is seen by some as a precondition to holding a general election. [Bar] [Bar] [25c]
- 5.17 The FCO letter dated 26 August 2004 added that "On 07 April [2004] President dos Santos passed the MPLA's recommendations to the National Assembly for discussion. On 27 July 2004 President dos Santos accepted the recommendations of the Council of the Republic (which met on 02 July [2004]) to call for elections before the end of September 2006, and asked the National Assembly to define the legal framework for them to be held." [4h] (p2)
- 5.18 The Action for Southern Africa report August 2004 noted that:

"The ruling party however appears to be winning part of the diplomatic battle. The European Union on 4 August [2004] welcomed the findings of the Council of the Republic and the President's subsequent letter asking for parliament to 'take the necessary steps to implement the legal framework to prepare the next elections'. According to a declaration from the Presidency of the European Union 'this statement reflects the Angolan commitment to the democratic and electoral process'." [374] (p1) (See also section 5 on the Constitution)

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# Judiciary

5.19 Article 142 of the Constitution states that "The Judicial Proctorate shall be an independent public body the purpose of which shall be to defend the rights, freedoms and guarantees of citizens ensuring by informal means the justice and legality of the public administration." [3a] The USSD report 2003 noted that "The Constitution provides for an independent judiciary; however, the judiciary, where it functioned, was subject to executive influence." [2a] [p5] For example, according to the IBA report 2003, "There have reportedly been attempts by the Government to influence Angola's judges [particularly in the provinces, and that this may include financial inducements]." [14] [p5, 35] The USSD report 2003 added, "In practice the court system lacked the means, experience, training, and political backing to assert its independence." [2a] [p6] Nevertheless, the IBA report 2003 stated that the "Angolan courts have ruled against the Government in cases involving free press and political demonstrations. International pressure is thought to have been a factor in these rulings." [14] (p34)

#### **Court Structure**

- 5.20 The USSD report 2003 advised that "The court system consists of the Supreme Court at the appellate level plus municipal and provincial courts of original jurisdiction under the nominal authority of the Supreme Court." [22] (p5) The IBA report 2003 also made the same observations. [14] (p29) Although the Supreme Court has 16 seats, the IBA report 2003 noted that only nine were filled. In exceptional cases, the Supreme Court sits as a court of first instance, where it considers cases based on fact and law. When the Supreme Court sits as an appeals court, it decides cases based only on law. [14] (p29-30)
- 5.21 The IBA report 2003 stated that the Constitution provides for a court above the Supreme Court, the Constitutional Court. [14] (p30) However, according to the IBA report 2003, the court had not functioned and the seven seats in the Constitutional court had not been filled. [14] (p30) The USSD report 2003 added that "The Constitution provides for judicial review of constitutional issues by the Supreme Court until the Constitutional Court provided for in the 1991 Constitution is established." [2a] (p5)
- 5.22 The USSD report 2003 and the IBA report 2003 informed that the Accounting Court or 'Anti-Corruption Court' (Tribunal de Contas) was established in 1996 but did not begin operating until 2001. It was headed by a judge who was also a deputy in the National Assembly. [23] (p6) [14] (p31) According to the IBA report 2003 "The Accounting Court is supposed to operate with seven judges, but currently only five including the court's President, have been appointed." [14] (p31) The report added that although 88 cases have been presented to the Accounting Court since January 2003, the Court only issued its first written opinion on 26 March 2003. [14] (p31)

#### Traditional Courts

5.23 The IBA report 2003 stated that community-based courts and judges practise traditional law, outside the jurisdiction of the Constitution and the official legal system. Community-based courts and judges are not a substitute for those that the Constitution provides for. The report explained that "The reason is that traditional notions of justice often violate the Angolan Constitution and international legal norms that Angola adheres to." [14] (p35)

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## The effect of the Civil War on the Judiciary

- 5.24 It is documented in several reports that, as a result of the civil war, the judicial system was significantly hampered. [2a] (p6) [8o] The IBA report 2003 noted that "Only 23 of the 168 municipal courts were operational. All 19 provincial courts are functioning [Benguela Province has two] and in areas without municipal courts, cases are sent to the provincial courts. The situation has created delays and a large backlog of cases. Many courts are in a poor state of repair." [14] (p4) The USSD report 2003 explained that "During the year [2003], the Government continued to rebuild courts; however, where provincial courts existed, there was often only one judge to cover all cases, civil and criminal, in the province." [2a] (p6)
- 5.25 The IBA stated in its 2003 report that "Angola needs more lawyers and there are very few lawyers practising in the provinces, which means there is little access to justice for many Angolans." [14] (p4) The report stated that the provinces of Moxico, Kuando Kubango, Luanda Norte and Bié had no lawyers and a further five provinces only had one lawyer. [14e] (p23)
- 5.26 The Amnesty International (AI) report 2004 covering the events of 2003, reported that "A commission was set up to study the criminal justice system and propose reforms, and a project to revise the penal code was initiated. Several municipal and provincial courts were rehabilitated and judges appointed. Juvenile courts were established in Luanda and other provinces. However, in many areas, access to justice was severely limited, including by the lack of human and material resources." [11h] (p2)
- 5.27 The USSD report 2003 observed that "During the year [2003], the Human Rights Division of the U.N. Mission in Angola (UNMA) [United Nations Human Rights Office] continued to support human rights training of municipal magistrates begun in 2002 by the Ministry of Justice. Approximately 100 magistrates to (sic) work in municipal police stations and intervene to protect the rights of individuals in police custody." [2a] (p6)

## Corruption in the Judicial System

5.28 The HRW report January 2004 stated that "It [the Government of Angola] has failed to establish hundreds of courts and allowed the judiciary to become dysfunctional, undermining Angolan's ability to hold government officials and others accountable." [5c] (p1) The FCO country profile 2004 stated that "Corruption and lack of investment have almost completely destroyed the judicial system, leaving all but the wealthiest unable to access any form of justice." [4a] (p4) The HRW report January 2004 added, "The underfunding of the judiciary has prevented Angolans from having adequate recourse when their rights are violated, impeding another mechanism of government accountability". [5c] (p59) The same report also noted that "The lack of a functioning judiciary also has a serious impact on detainees and defendants. In the absence of functioning municipal courts, cases are transferred to provincial courts. This creates a high backlog of cases. Prolonged pretrial detentions are common and often last two to three years." [5c] (p64)

5.29 According to the HRW report January 2004 "U.N. representatives have repeatedly stressed that chronic underfunding of the judiciary has had a negative impact on human rights. For example, Angolans displaced by the war - many of whom suffered rape, sexual harassment, killings, beatings, or extortion - do not have adequate judicial redress and lack of judicial resources is one important cause. [5c]

## Legal Documents

5.30 According to the USSD report 2003, "Under the law, a person caught in the act of committing a crime may be arrested and detained immediately. Otherwise, the law requires that a judge or a provincial magistrate issue an arrest warrant. Arrest warrants also may be signed by members of the judicial police and confirmed within 5 days by a magistrate; however, security forces did not always procure an arrest warrant before placing individuals under detention." [2a] (p5)

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# Legal Rights/Detention

- 5.31 Article 36 of the Constitution states that "No citizen may be arrested or put on trial except in accordance with the law, and all accused shall be guaranteed the right to defense and the right to legal aid and counsel." [3a]
- 5.32 The IBA report 2003 stated that the cost of legal representation varied considerably from one lawyer to another. It was therefore often difficult for members of the public to afford legal costs. [14] (p24) The report goes on to say that one of the Angolan Bar Association functions is to provide lawyers to clients who cannot afford the legal fees, providing the client can demonstrate the financial need to the Government. However, according to the same report "One NGO [Non-Governmental Organisation] criticised this process for taking three months." [14e] (p27) The IBA report 2003 observed that the Angolan Bar Association was able to provide criminal defence lawyers to 122 defendants during 2002. [14] (p37)
- 5.33 According to Articles 37 and 38 respectively, "Preventive detention shall be permitted only in cases provided for by the law, which shall establish the limits and periods thereof" and "Any citizen subject to preventive detention shall be taken

before a competent judge to legalize the detention and be tried within the period provided for by law or released." [3a]

- 5.34 The IBA report 2003 explained that "Angolan law allows: people suspected of crimes punishable for up to two years in prison to be detained for a maximum of 120 days; people suspected of crimes punishable for over two years in prison to be detained for a maximum of 135 days; and people suspected of crimes against state security to be detained for a maximum of 215 days." [14] (p37-38) However, several sources reported that these limits were often violated. [2a] (p5) [5e] (p2) [14] (p38)
- 5.35 Article 7 of the African Charter on Human and Peoples' Rights, to which Angola has acceded, states that everyone has "The right to be tried within a reasonable time by an impartial court or tribunal" [114] (p19) The HRW overview 2003 explained that "Arbitrary arrest and imprisonment without due process are among the most common abuses in Angola." (5e) (p2) The IBA report 2003 stated that the problem was largely as a result of the lack of resources in the justice system as well as the lack of personnel. [14] (p39) A report by the UN Office for the Co-ordination of Humanitarian Affairs (OCHA) dated 15 June 2004 noted that "Pre-trial detention periods are now being tracked through a computerised database, which has resulted in a significant reduction in the number of illegal detainees." [175]
- 5.36 Article 40 of the Constitution provides prisoners with the right to receive visits by family members and friends without prejudice. [34] The USSD report explained that "The Constitution also provides prisoners with the right to receive visits by family members; however, such rights were sometimes ignored in practice or made conditional upon payment of a bribe. There was a scarcity of personnel and resources and a lack of official determination to ensure these rights." [24] (p5)
- 5.37 The USSD report 2003 observed that the Constitution provides defendants with the presumption of innocence until a judicial decision is taken by the court and the right to appeal the decision. [2a] [p6] [3a] The report stated "Legal reform in 1991 established the right to public trials, a system of bail, and recognised the right of the accused to counsel; however, the Government did not always respect these rights in practice." [2a] [p6] The report added that "Trials are open to the public, but each court has the discretion to close proceedings arbitrarily. Defendants do not have the right to confront their accusers. Judges were often not licensed lawyers; however, the Ministry of Justice increased efforts during the year [2003] to recruit and train lawyers to serve as magistrates. The judge and two lay persons elected by the full court, act as the jury." [2a] [p6]

## Death Penalty

5.38 According to the AI reports dated 4 March 2004 and 1 September 1999, Angola abolished the death penalty for all crimes in 1992. [11a] [11b] (p2) Article 22 of the Constitution stipulates that "The State shall respect and protect the life of the human person." It also states that the death penalty is prohibited. [3a] [11b] (p2,7) However, according to the AI report 2004, "There were reports of extrajudicial executions by the security forces." [11b] (p3) (See also section 6 on Human Rights)

# Internal Security

5.39 The USSD report 2003 noted "The Ministry of Interior, through the Angolan National Police (ANP), is responsible for internal security. The internal intelligence service is directly answerable to the Office of the Presidency. ... The civilian authorities maintained effective control of the security forces." [2a] (p1) According to the same source "Security forces continued to commit serious human rights abuses." [2a] (p1)

## Angolan National Police (ANP)

- 5.40 The USSD report 2003 stated that "Police are responsible for internal security and law enforcement. The National Police are under the Ministry of the Interior. Other than those personnel assigned to elite units, police were poorly paid, and the practice of supplementing their income through the extortion of the civilian population was widespread." [23] (p4)
- 5.41 According to the AI report November 2003 "There are police stations in all municipalities, and a project to restructure and reform the police has been initiated. However, the lack of adequate training and resources and low salaries have contributed to the incidence of unnecessary and excessive use of force and acts of corruption. Furthermore, not enough has been done in the past to prevent abuse or to bring to justice those suspected of carrying out human rights violations." [111] The International Crisis Group (ICG) report April 2003 noted that "In many locations, police are feared for aggressive shakedowns rather than sought after for protection." [16] [94] However the same report stated that police abuses were declining [16](93)
- 5.42 The OCHA monthly analysis July 2004 reported that "In Huila, a 24-hour office opened by provincial authorities to handle complaints and allegations of police abuse is having a positive effect. According to the Provincial Police Chief, the office is a useful tool to enhance the democratisation process and is a main source of information on police performance. Since the office opened in the beginning of 2004, 15 policemen have been arrested or suspended in connection to robberies or corruption." [17z] (p5)

# Armed Forces of Angola (Forças Armadas de Angola, FAA)

5.43 As documented in Europa 2004, in agreement with the Bicesse Accords, signed in May 1991, a new Armed Forces of Angola (FAA) was established comprising of an equal proportion of Government forces, Forças Armadas Populares de Libertação de Angola (FAPLA) and UNITA soldiers, Forças Armadas de Libertação de Angola (Armed Forces for the Liberation of Angola, FALA). [1] (p66) According to the FCO letter dated 26 August 2004, "The FAA is currently estimated to consist of between 120,000 and 140,000 personnel, including 110,000 to 128,000 strong army, 3,000 to 4,000 navy and 6,000 to 8,000 air force." [4h] (p2) The report added that "Overall strength of the FAA is due to reduce to about 90,000 over the next 10 years as military structures adapt to peace-time requirements." [4h] (p2) The ICG report April

2003 noted that "The military is slowly turning into a peacetime entity, with appropriate reductions-in-force." [16] (p4)

5.44 The USSD report 2003 noted that "The Armed Forces of Angola (FAA) is responsible for external security but also has domestic responsibilities; the FAA conducted counterinsurgency operations against the Front for the Liberation of the Enclave of Cabinda-Armed Forces of Cabinda (FLEC-FAC)." [2a] (p1) (See also section 6A on Freedom of Association and Assembly and Section 6A on Freedom of Religion)

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## Prisons and Prison Conditions

- 5.45 The USSD report 2003 observed that "Prison conditions were harsh and life threatening." (2a) (p4) According to the report cells were overcrowded. It stated "The prison system held approximately 5 times the number of prisoners that it was built to hold and in some jails up to 10 inmates were held in cells built for 2 inmates." (2a) (p4) The HRW overview 2003 confirmed that the prisons in Luanda suffered from overcrowding. [5e] (p2) The USSD report 2003 added that "In August [2003], there were approximately 1,750 inmates in the Luanda prison designed for 800." (2a) (p4) The report added that the prisons outside Luanda were notably worse, "Warehouses in Bengo, Malange, and Lunda Norte provinces were used to hold prisoners [2a] (p4) The USSD report 2003 noted "Many rural prisons, such as Chitato in Lunda Norte, were cited by local human rights organizations for not having toilets, beds, mattresses, water, or medicines." (2a) (p4)
- 5.46 Both the USSD report 2003 and the HRW overview 2003 noted that many prisons suffered from corruption, ill treatment, poor sanitary conditions, inadequate food and health care. [2a] (p4) [5e] (p2) The USSD report 2003 stated "There were credible reports from local NGOs that prisoners died of malnutrition and disease. At the Luanda prison, malnutrition and disease were pervasive problems." The report noted that prisoners had to rely on family members, friends and relief organisations to provide basic assistance, including supplying food. [2a] (p4) However, the HRW overview 2003 reported that "Visits by family, friends and others, including rights defenders are limited and arbitrary." [5e] (p2) The USSD report 2003 noted that prison officers were severely underpaid and often resorted to stealing and extortion from the prisoners and their families. [2a] (p4)
- 5.47 The USSD report 2003 noted that "Female prisoners were held separately from male prisoners; however, there were reports that prison guards sexually abused female prisoners." [2a] (p4) The report added "Juveniles, often incarcerated for petty theft, were housed with adults and suffered abuse by guards and inmates" and "Pretrial detainees frequently were housed directly with sentenced inmates, and prisoners serving short-term sentences often were held with inmates serving long-term and life sentences for violent crimes." [2a] (p4) The USSD observed that there were no reports of political prisoners held in Angola. [2a] (p6)

5.48 According to the USSD report 2003, "The Government permitted foreign diplomatic personnel and local and international human rights observers to visit prisons during the year [2003]; however, the Government did not consistently report the arrest of foreign nationals to the appropriate consular authorities. There were reports that NGO officials were temporarily denied access or limited access to some prisons." [20] (p4)

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# Military Service

5.49 Laws on conscription have been extant since 26 March 1993. Article 152 of the Constitution stipulates that "The defence of the country shall be the right and the highest indeclinable duty of every citizen." [3a] The Constitution also specifies that "Military service shall be compulsory." [3a] [23] (p1) According to an FCO letter dated 9 February 1998 and a report by War Resisters International July 1998, Law 1/93 made conscription compulsory for all males between 20 and 45 years of age. [45] [23] (p1) Females within the same age range could also be conscripted if it was considered necessary by the Council of Ministers. [46] [156] According to the Coalition to Stop the use of Child Soldiers Report 2001, "Women between the ages of 20 and 45 could also be called up, but were not actually recruited." [15a] The report added that "In November 1998 the Council of Ministers approved the compulsory conscription of Angolans born in 1981, thus lowering the minimum age for conscription to 17 years." [15a] The War Resisters' International report 1998 observed that "Those over the age of 30 only serve in the Reserve Force." [23] (p1) Military Service in the army is for a period of two years including training time. [46] In the navy and air force service is for three years. For those in higher ranks service is for four years, and some may be reserved longer.

5.50 An FCO letter of advice dated 21 July 2004, however, stated that:

"Officially, young men must register with the Department of Recruitment and Mobilisation (DRM) in the Ministry of Defence at the age of 18 and they could expect to be called up for military service between the ages of 20 and 21. If abroad, they are expected to register at their nearest embassy or consulate. In practice, because the armed forces are now much bigger than they need to be, conscription has been effectively suspended while new systems are worked out. However, registration remains necessary and is enforced. The option of applying for community service, as opposed to military service, does not currently exist in Angola." [49]

5.51 According to a letter from the FCO dated 1998, "Service can be postponed if the person is still in full-time education. The same applies to teachers, both with formal and without formal qualifications, who are in full-time teaching posts. Additionally, the Council of Ministers approve annually a list of technicians and specialists who are exempt from conscription. In practice, compulsory service is only applied during times of crisis or shortage." [46]

Forced Conscription

5.52 The HRW report August 2003 stated that "During the civil war, both the government and UNITA committed widespread abuses against the civilian population." The abuses included forced conscription. [54] (p6) Nevertheless, according to the USSD report 2003, there were no reports of the FAA, police or UNITA forcibly recruiting persons into military service during 2003. [2a] (p16)

5.53 According to a news report by Angola Press Agency (briefly referred to as ANGOP) dated 6 January 2004, "the national citizens that for unjustified reason failed to turn up in the registration offices, will be considered as in fault and will be subject to punishment according to the law on the military service." [366]

#### Draft Evasion and Desertion

5.54 Draft evasion and desertion is punishable under the 28 January 1994 Military penal code 4/94. Desertion in peacetime carries a prison sentence of between two and eight years. If carried out during a time of war or on military operations, the penalty increases to between eight and twelve years. Those who fail to report for compulsory service and are subsequently apprehended face between three days and two years after which new call-up papers may be issued. [23] (p3) The FCO letter dated 26 August 2004 noted that "In current (Aug 04) practice, however, because the FAA is so much larger than it needs to be following the end of the civil war, most conscription appears to have been unofficially temporarily suspended while new requirements are worked out. Registration remains necessary and is enforced." [44](p2)

5.55 An FCO Letter of 21 July 2004 noted that those who have returned to Angola having never previously registered for military service, would be expected to register without delay. However, the FCO judge that they would be most unlikely to face any punishment or penalty. [49]

#### Child Soldiers

#### 5.56 The HRW report April 2003 stated that:

"It is Human Rights Watch's position that no one under the age of eighteen should be recruited, either voluntarily or involuntarily, into any armed forces whether governmental or non-governmental in nature. During the war, both UNITA and the government forcibly recruited children into the conflict in violation of treaties and conventions to which they were bound. Armed forces on both sides subjected them to torture and ill treatment, hazardous duty, and in the case of girls, sexual violence." [59] (98)

## 5.57 The report added that:

"No official figures exist for how many children fought with UNITA and the government in the last resumption of the war from the period 1998 to 2002. The Coalition to Stop the Use of Child Soldiers estimates that 7,000 children served with UNITA and government forces, Angola Armed Forces (Forças Armadas Angolanas, FAA). Child protection workers in Angola have suggested that as

many as 11,000 from the two sides may have lived and worked in combat conditions. Some children received weapons and arms training and were active in the fighting. Many others acted as porters, cooks, spies, and wives to UNITA soldiers. Whatever their duties, the work they performed was hazardous and has had an emotional impact on many of them." [5g] (p2)

5.58 The Coalition to Stop the use of Child Soldiers Report 2003 noted that "Some child soldiers recruited during the civil war remained within the Angolan armed forces (FAA), aithough many will have reached the age of majority. Some under-age soldiers may remain in the FAA." [15b] (See also section 6B on Children Affected by War)

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## Medical Services

5.59 A number of reports noted that although much of the medical care was provided free of charge, its availability was limited by the lack of resources. [24] (p8) [39] [300] Underinvestment in health, coupled with three decades of conflict, has caused an almost complete break down in health services. [56] (p64-66) [300] According to the HRW report January 2004 and an IRIN news report dated 1 July 2004, an estimated 60-70 percent of Angola's health infrastructure was destroyed. [56] (p66) [80g] An IRIN news report dated 20 February 2004 also reported that "Most infrastructure in the interior is still destroyed, and there is no basic health care in 60 or 70 percent of the country." [89] A Reuters report dated 26 February 2004 stated that "Even after two years of peace, medical institutions struggle to provide adequate treatment even for common illnesses." [300] However, a report by the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) June 2004 stated that "In the country, there are 1,032 health units working, divided into 8 national hospitals, 64 provincial hospitals, 201 health centres, 759 medical posts and 70 family planning rooms." [17v] (p39)

5.60 As documented by the World Health Organisation (WHO) country briefing September 2003, Médecins Sans Frontières (MSF) report 27 February 2004 and an ANGOP report dated 2 April 2004, many diseases including tuberculosis, acute diarrhoea and acute respiratory diseases were endemic in many parts of the country and preventative services were very limited. [188] [346] [36x] An ANGOP report dated 3 September 2003 stated that the Health Ministry announced that 1 million cases of malaria had been recorded throughout the country and 6,325 persons had died from the disease during the first quarter of 2003. [364] Another ANGOP report dated 8 September 2003 noted that 8,594 new cases of tuberculosis were also recorded in Angola during the same period, in comparison to 7,118 recorded cases in 2002. [36e] An article by Reuters dated 26 February 2004 and the US Agency for International Development (USAID) report January 2004 reported that figures show that Angola has the world's third-highest child mortality rate with 25 percent of children likely to die before reaching the age of five. [30b] [38a] (p4) The US Committee for Refugees (USCR) report 2003 stated that childbirth mortality was extremely high and nearly two percent of all births resulted in maternal deaths, 131al

5.61 The International Federation of Red Cross and Red Crescent Societies (IFRCRC) country profile accessed 26 March 2004 stated that the Ministry of Health's National Health Plan, initiated in 2000, focused on improving treatment to control epidemic diseases, malnutrition, malaria, STD including HIV/AIDS and reproductive health. [32] Several sources documented that in some remote regions all basic health services were provided by humanitarian agencies such as the International Federation of Red Cross and Red Crescent Society, United Nations Children's Fund (UNICEF), UNDP, Médecins Sans Frontières (MSF) and the World Health Organisation (WHO). [17c] [17c] [17c] [12c] [32] [32a] [32a] [32a] A news report by IRIN dated 1 July 2004 stated that "Since mid-March [2003], the Angolan Ministry of Health in Miunha has benefited from the extra expertise and drug supplies of a mobile team from MSF. For many Angolans this is the only access to health care for kilometres, and it is not uncommon for them to walk for hours or even days to reach it." [8ag]

5.62 According to various reports, Angola has few qualified medical personnel. [89] [889] 300 An IRIN news report dated 1 July 2004 stated that "The government said recently that there was one doctor for every 13,000 Angolans, but that average figure is boosted by better coverage in the more prosperous coastal cities." [889] An IRIN news article dated 20 February 2004 [89] and a Reuters news report dated 26 February 2004 [890] also made the same observations. The Reuters news report added that the vast majority of doctors were in Luanda. [300] The IRIN report dated 1 July 2004 noted that in some provinces the situation is much worse. "In the central province of Bié, which was at the heart of the fighting, there are only four Angolan doctors to look after one million people." In another report by IRIN dated 20 February it stated that in Moxico in the east, where hundreds of thousands of displaced people have returned since the end of the war, there are two doctors for half a million people. [89] The report added that there was also a poor supply of medicines and equipment in Angolan hospitals, with drugs often failing to arrive at the hospitals at the right time or in the right quantities. [89]

5.63 According to a report by WHO dated 29 August 2003, "Since the 4 April 2002 ceasefire in Angola, WHO, UNICEF, NGOs and the other partners have been supporting the country by providing a minimum health care package including vaccinations, HIV, malaria, TB, leprosy, trypanosomiasis and other disease control activities. Other health partners include the European Union, USAID, Italy, the Centers for Disease Control and Prevention and Japan among others which have provided primary health care services for hundreds of thousands of Angolans as they returned home." [186] An IRIN report dated 1 July 2004 noted that "A pharmacy attached to the consultation room [in a hospital in Camacupa] dispenses drugs in plastic bags with picture instructions to make sure the largely illiterate population take the right amount of medicine at the right time." [88g] However, according to the Reuters news report dated 26 February 2004 and the USAID report dated 7 January 2004, the country's infrastructure was not restored to a level that would enable any significant improvement in the state provision of healthcare and medical treatment. [30b] [38a] [p4)

5.64 Despite significant challenges, an article by the WHO dated 29 August 2003 stated that "The success of national immunization campaigns against polio and measles in reaching every corner of Angola shows that it is possible to provide health care to all Angolans." [186] The Government of Angola 22 August 2003, [36] Government of Angola 10 June 2004 [3m] and Afrol news dated 17 May 2003 [35] all make the same observations. According to the WHO report and an article by the UN Children's Fund

(UNICEF), during the period September 2002 to August 2003 7.3 million children under 15 were inoculated against measles as part of the National Measles 'catch-up' Campaign. The nation-wide campaign was launched in April 2003 with the aim of vaccinating all children between nine months and 15 years of age. [184] [334] The WHO report added that two hundred suspected measles cases were recorded between June and July 2003, compared with an estimated 2,781 during the same period the year before. [184] The WHO report also note that during the same period over five million children received the vaccine against polio. As a result no cases of polio have been found in Angola since September 2001 in comparison to 1999 when Angola had the largest outbreak of polio in Africa. [184]

## 5.65 The OCHA monthly analysis July 2004 reported that:

"More than 20,000 immunisation teams went house-to-house in a countrywide campaign to administer the polio vaccine and vitamin A to children during the eighth round of National Immunization Days from 23-25 July [2004]. Preliminary results indicate that more than 90 percent of the 5 million children targeted were vaccinated. The nationwide effort, a result of extensive coordination between the GoA, UN agencies, NGOs and sectors of civil society including churches, traditional authorities, nurses and students, aims to vaccinate all children under five in Angola against polio and is part of the world-wide effort to eradicate polio." [172] (p5)

## 5.66 The OCHA monthly analysis May 2004 stated that:

"Although the nutritional situation has stabilised, a monthly admittance rate of roughly 1,000 children with severe acute malnutrition continues to be recorded countrywide. As planned, many international NGOs have gradually withdrawn assistance in the area of feeding centres over the past year and have been handing over responsibility to the Ministry of Health in conjunction with capacity building programmes in management of nutrition programmes. Currently, there are 20 therapeutic feeding centres and 33 supplementary feeding centres being run by the Ministry of Health and an additional four therapeutic feeding centres and 10 supplementary feeding centres still under NGO management." [171] (p3)

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## HIV/AIDS

5.67 An article by ANGOP dated 3 March 2004 advised that the first case of AIDS in Angola was reported in 1985. The article stated that "In Angola, over 500,000 people are infected with the HIV/AIDS virus, which is equal to 5.5 per cent of the adult population. Of this number, 53 per cent of the cases were women." [35a] A World Vision report dated 20 February 2004 noted that the prevalence rate of HIV/AIDS among commercial sex workers was 33 percent. [39] The USAID country profile May 2003 [35b] and Refugees International (RI) report dated 25 April 2003 [40a] also reported the same figure. A study conducted by the Joint United Nations Programme on HIV/AIDS (UNAIDS) in conjunction with the WHO in September 2002, revealed that total recorded

cases of HIV/AIDS increased threefold between 1999 and 2001. [130] (p2) A OCHA Quarterly Analysis report dated April to June 2004 informed that "By the end of 2003, 12,576 cases of AIDS had been officially reported, but these figures undoubtedly dramatically underestimated. Cunene province reported the highest HIV infection rate of nearly 13 percent among pregnant women, while in Moxico the same group reported less than 2 percent." [174] The Angolan Embassy in the UK newsletter dated April 2004 also reported the same information. [66c] (p3)

5.68 The USAIDS country profile May 2003 stated that according to the Ministry of Health 1999 estimations, approximately 30 to 40 percent of infants born to infected mothers became infected with HIV. Mother-to-child transmission accounted for about 14 percent of all HIV infections. [386] The USAID report noted that the most common mode of HIV transmission in Angola was multiple partner heterosexual activity. [386]

5.69 According to a UNICEF report, 32 percent of women between the ages of 15 and 49 years had never heard of HIV/AIDS. The report added that only eight percent of Angolan women, of the same age, had adequate knowledge of HIV/AIDS transmission and prevention. [33c] (p3)

5.70 An IRIN news report dated 7 August 2003 observed that in August 2003, the first of four youth centres, which aimed to promote safe sex and HIV prevention, was opened in Luanda. [84] In 2002, the Angolan Government formed the National Commission in the Fight Against AIDS. The Commission involved the civil society and NGOs, and was led by President dos Santos, according to an ANGOP report dated 3 March 2004. [366] An ANGOP article dated 2 March 2004 and an RTP Internacional TV news report dated 3 March 2004 both noted that the country's first hospital for HIV/AIDS patients was inaugurated in Luanda on 3 March 2004. [366] [416] According to the Portuguese RTP Internacional TV news report dated 3 March 2004, the hospital, which is called "Esperança" (Hope), was a pilot project with the capacity to cater for 200,000 patients per year. [416] The report added, "The government will assist by providing patients with free treatment." [416] A report by the Government of Angola dated 6 July 2004 noted that "The institution does not face any shortage of anti-retrovirals, since they have enough stock to assist the patients." [9]

5.71 According to an article by the Embassy of Angola in the UK dated June 2004:

"The National Assembly passed a law on HIV/Aids on 24 June [2004] with 158 votes in favour, none against and no abstentions. The law, which was discussed at length by deputies after it was tabled by Minister of Health Albertina Hamukwaya, is aimed at protecting and promoting full health through the adoption of measures needed to prevent, control, treat and investigate HIV/Aids. It sets out the rights and duties of sufferers, health personnel and others at risk of contagion and of the population as a whole. Those affected have, among others, the right to free public health care, employment and confidentiality in respect of information on their state of health. Their duties include practising safe sex and informing their spouses, partners or others with whom they have or intend to have sexual relations of their HIV status. The new legislation makes it an offence punishable by law to transmit HIV intentionally or through negligence." [85a] (p5-6)

## People with Disabilities

- 5.72 According to an IRIN report dated 28 October 2003, Angola had a large proportion of persons with physical disabilities essentially as a result of landmines, polio, war and poverty. [89] According to an ANGOP news report dated 3 December 2002, the Angolan Government estimated the number of people with a disability to be 150,000. [369] The USSD report 2003 noted that this figure included more than 80,000 landmine survivors. Handicap International estimated that up to 10 percent of the population had a physical disability. [24] (p14)
- 5.73 Article 47 of the Constitution stipulates that "The State shall promote the measures needed to ensure the right of citizens to medical and health care, as well as child, maternity, disability and old-age care, and care in any situation causing incapacity to work." [34]
- 5.74 The USSD report 2003 added "While there was no institutional discrimination against persons with disabilities, the Government did little to improve their physical, financial, or social conditions. There is no legislation mandating accessibility for persons with disabilities in public or private facilities, and, in view of the degradation of the country's infrastructure and high unemployment rate, it was difficult for persons with disabilities to find employment or participate in the education system." (2a) (p14)
- 5.75 A report by IRIN news dated 28 October 2003 noted that in 2001, the Government drafted a new law, with the assistance of the international community, to increase the rights of disabled persons. [8g] A news article by ANGOP dated 25 July 2004 added "The former war combatants and disabled are, from now on, exempted from employment revenue taxes, and can benefit from exemption on fiscal and customs taxes, according to resolution of the Cabinet Council, published on the July 13th [2004] edition of the State Gazette. ... Thus, the decree number 43/04 attributes Christmas subsidy, the decree 44/04 regulates the attribution of subsidy of death, whereas the decree 45/04 stipulates the granting of funeral subsidy, all destined to the former war combatants and disabled." [35ac]
- 5.76 An ANGOP report dated 8 September 2003 observed that the National Association of Handicapped (ANDA) has resettled 183 people disabled persons and their families in 14 of the country's provinces during the period September 2002 to September 2003. [366]
- 5.77 According to its report dated May 2004, the International Committee of the Red Cross (ICRC) provided support to the Ministry of Health rehabilitation centres in Luanda, Huambo and Kuito. It also assisted over 3,000 disabled people from seven provinces. Patients were provided with artificial limbs, crutches and wheelchairs, free of charge. [19]
- 5.78 According to a news report by IRIN dated 21 May 2004, "In Luena, the provincial capital of Moxico in eastern Angola, the Vietnam Veterans of America Foundation

(VVAF) runs one of eight orthopaedic centres that help amputees get prosthetic limbs, while the Angolan NGO, Centro de Apoio a Promocao e Desenvolvimento de Comunidades (CAPDC), provides psychosocial support. About 85 percent of the patients are landmine victims." [8sh]

5.79 According to a USAID report date 10 August 2004 "With the support of USAID, Vietnam Veterans of America Foundation (VVAF) has run a regional rehabilitation center in the capital of Moxico Province since 1996. The Center produces and distributes prosthetic limbs, crutches, and wheelchairs to landmine survivors and other persons with physical disabilities. VVAF also works with local partner organizations to provide psychosocial supports to landmine survivors." [384]

5.80 An article by the Embassy of Angola in the UK dated June 2004 noted that:

"Forty teachers in Ndalatando, Kwanza Norte Province, took a ten-day course in mid-June on teaching people with visual, speech, hearing and mental handicaps how to read and write. ... Marcelina Manuel [one of the monitors on the course] said that similar courses had already been given in the provinces of Bengo, Lunda Sul, Namibe, Cunene, Uije, Benguela, Huila and Kwanza Sul, and that the provinces of Kuando Kubango and Malanje were next on the list." [566a] (p7)

#### Mental Health Treatment

5.81 According to the WHO report 2001. "Mental health is not a part of the primary healthcare system. Actual treatment of severe mental disorders is not available at the primary level. ... There are no community care facilities for patients with mental conditions. ... NGOs are involved with mental health in the country. They are mainly involved in advocacy and rehabilitation." [186] The report added, "The country has specific programmes for mental health for disaster affected population and children." [186]

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# **Educational System**

5.82 Europa 2004 and the USSD report 2003 observed that although primary and secondary education was free and compulsory until the sixth grade, students often had to pay significant additional expenses. [1] (p66) [2a] (p13) Europa 2004 stated that primary education began at the age of six and lasted for four years. It was compulsory, but there were not enough schools, and many children had to work to support their families. Secondary education began at the age of 10 and lasted up to seven years. [1] (p66) According to the USSD report 2003 40 percent of children in the relevant age group enrolled into school. [2a] (p13)

5.83 An IRIN news report dated 14 January 2004 stated that primary school attendance was just over 50 percent. [8k] According to Europa 2004 and the USSD report 2003, only 30 percent of children remained in school after grade five. There was a significant gender gap in the enrolment rate, favouring boys over girls. [1] [956]

(2a) (p13) According to a report by the Women's Commission for Refugee Women and Children in December 2003, two million children did not have access to the education system. [47] The report added that an estimated 58 percent of the adult population was illiterate. [47] The USSD report 2003 stated the illiteracy rate for women was significantly higher than that of men. [2a] (p13) [89]

- 5.84 As documented in several reports, the educational infrastructure was severely damaged during the civil war. [2a] [p13] [8k] [8r] [8l] An article by the Organization of the Petroleum Exporting Countries (OPEC) Fund for International Development dated 16 June 2004 observed that "The education sector has been seriously affected, with a shortage of schools, properly trained teachers and educational materials. As a result, an estimated one million children are denied a basic education. One of the hardest hit areas is the Huambo Province, where only around 12% of children are enrolled in primary school. Schools are overcrowded, necessitating double/triple shift systems, learning materials are scarce, and there is a chronic need for qualified teachers." [60]
- 5.85 According to the HRW report January 2004, about 5,000 schools were destroyed during the war. [5c] (p67) As a result there was a lack of schools and many children were forced to work instead of attending school. [2a] (p13) [8k] [8k] [8k] An IRIN news report dated 27 October 2003 observed that "The war destroyed at least 4,000 classrooms in Angola." [8r] The USSD report 2003 noted that "Teachers were chronically unpaid and often demanded unofficial payment or bribes from students." [2a] (p13) The USSD report 2003 and an ANGOP news article dated 27 July 2003 noted that during 2003, several strikes over pay and work conditions took place, involving the teaching profession. [2a] (p13) [36m]
- 5.86 As documented in several reports, since the end of the civil war in April 2002 there have been notable developments in terms of pupil and teacher intakes and the provision for new schools and facilities. [84] [85] [89] [330] [330] [330] [340] A news article by ANGOP dated 6 February 2003 noted that in February 2003, the Government announced that 661,440 new pupils had been registered for the forthcoming academic year, this included 40,000 in Luanda. [360] In light of the increase in pupil intake, an article by UNICEF accessed 2 April 2004 stated that the Government initiated regional campaigns to enlist more teachers, as well as construction projects to expand the number of schools and classrooms nation-wide. [336] The article added that during 2003, UNICEF initiated a 'back to school' campaign in the two central highland provinces of Bié and Melanje province in the north. [336] According to the UNICEF report, about 250,000 children went back to school under the programme. [336] Several documents noted that in addition, the Angolan Government announced funding for a further 29,000 teachers across the country with the aim of increasing the number of children in the first four grades by 90 percent during 2004. [87] [85] [81] [330] [330]
- 5.87 The OCHA monthly analysis February 2004 noted that "February marked the official start of the academic year with a massive increase in both the number of children enrolled and teachers posted at schools. School systems remain very week (sic) and the rainy season put a hold on construction of classrooms and rehabilitation projects, but now that populations are more settled, there are signs of improvement in the educational system in most provincial capitals and semi-rural locations." [17m] (p1)

5.88 Despite several developments in the education sector, the OCHA Quarterly Analysis dated April to June 2004 advised that "More than 57,000 children are not in school in Malanje province, due to contractual delays for newly trained teachers. Although 5,000 teachers have been contracted in Benguela, it is estimated that at least 3,000 more teachers were needed to meet just 75 percent of the needs in the education sector. In Bocoio in Benguela, teachers are refusing to take up posts in the municipalities due to lack of housing, delays in salary payments and other lack of facilities." [17u]

5.89 Europa 2004 observed that the Government approved legislation allowing the establishment of private education institutions in 1991. [1] (p66) According to the United Nations Educational, Scientific and Cultural Organization (UNESCO) report 2003, there were two Universities in Luanda; one was state funded and the other was supported by the Catholic Church. [177] An ANGOP report dated March 2004 explained that there was also a University in Huila, which offered a limited range of courses and had a lack of lecturers. [364] According to the USSD report 2003, "The Government did not restrict academic freedom, and academics actively criticized government policy and participated in civil society-based advocacy campaigns." [24] (p13) The report added that "Academics did not practice self-censorship and frequently served as commentators for independent media and spoke at public forums in Luanda. Students were permitted to speak and read freely; however, the Government tightly controlled student and other protests or demonstrations." [24] (p13)

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# 6. Human Rights

# 6.A Human Rights Issues

### General

- 6.1 Article 23 of the Angolan Constitution stipulates that "No citizen may be subjected to torture or any other cruel, inhuman or degrading treatment or punishment." [3a]
- 6.2 Since the end of the cessation of hostilities in April 2002 substantial improvements have been made in much of the country. According to a HRW overview 2003:

"While Angola's transition to peace after almost thirty years of civil war has been characterized by substantial improvements in much of the country, serious human rights abuses continue. Among the most pressing issues in Angola are the return and resettlement of those displaced by the war; violations of freedom of expression and association; lack of due process for criminal suspects and poor prison conditions; forced evictions; inadequate responses to HIV/AIDS and AIDS-related discrimination; and high levels of corruption." [5e] (p1)

6.3 The UNSC report dated February 2003 also noted:

"Although war-related violations of human rights have virtually disappeared since the cessation of hostilities, other human rights abuses continue to occur. Violations against war-affected populations, including harassment, looting, extortion, intimidation, physical abuse, rape and arbitrary detention have continued, particularly in areas where State administration is weak or has been extended only recently and where mechanisms for redress remain inadequate. Many of those violations have affected internally displaced persons and have included forced resettlement and return as well as exclusion from social services and humanitarian assistance. A number of violations have also been reported in reception areas, where populations have only limited access to the formal judicial system." [177] (p6)

6.4 An article by IRIN news dated 23 August 2004 reported that "After almost three decades of civil war, the Angolan government faces an enormous challenge to rebuild the country's shattered health and education systems and infrastructure. Persistent poverty, landmines and the return of millions of refugees and internally displaced people mean its task is far from easy." [8am]

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Freedom of Speech and the Media

- 6.5 Article 32 and 35 of the Constitution provides for freedom of expression and the freedom of the press respectively. The Constitution states that "Freedom of press shall be guaranteed and may not be subject to any censorship, especially political, ideological or artistic." [3a] Article 19 of the International Covenant on Civil and Political Rights, to which Angola ratified in 1992, stipulates that "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice." [17a] According to the HRW report July 2004, "The Angolan Press Law (Lei de Imprensa) [of June 1991] provides that the right of expression, and the right to teach and learn, can be exercised in all forms: by written and spoken means, and through intellectual, scientific, and cultural discourse." [5h] (p15)
- 6.6 However, several reports stated that press freedom was restricted in practice during 2003. [2a] (p7) [14] (p45) [25a] [26] The USSD report 2003 noted that "There were fewer restrictions on journalists during the year [2003]; however, the Government continued to harass, beat, and detain journalists." [2a] (p7) This view was endorsed in the Committee to Protect Journalists (CPJ) report 2003, "Journalists say the climate has improved, but problems remain. State media are still dominant, and the independent press is limited almost exclusively to the capital, Luanda." [26] Nevertheless, Reporters Sans Frontières (RSF) explained in their 2004 annual report that:

"This was the calmest year [2003] for Angola's journalists since the civil war began in 1975. The April 2002 peace accord between the Angolan armed forces and the National Union for the Total Independence of Angola (UNITA) had an immediate impact on press freedom. Overnight, taboos were lifted, there was room to breathe and journalists could work without constant fear of a crackdown." [24]

# 6.7 The HRW report July 2004 observed that:

"The end of the conflict has encouraged Angolans to start exercising again their right to debate the future of their country. In 2003 alone, four new weekly newspapers were established and the detention of journalists became less common. ... The occurrence of positive changes has been confined mainly to Luanda and other coastal regions. Even in Luanda, however, a journalist was detained without trial for a month in February 2003 while working on a story that was potentially embarrassing to government officials." [8h] (p3)

- 6.8 The RSF report 2004 noted that "Hitherto preoccupied with press freedom violations, press unions began to look at work conditions. There were demands for more pay, especially in the state-owned media, and unions talked of the right to strike for the first time since Angola became independent." [24]
- 6.9 According to the USSD report 2003, "Defamation against the President or his representatives is a criminal offense, punishable by imprisonment or fines. Truth is not a defense to defamation charges; the only allowable defense is to show that the accused did not produce the actual material alleged to have caused harm." [22] [98]

The report continued to state that "The 2002 Law on State Secrecy provides the executive branch broad authority to classify public information and impose criminal penalties on individuals who publicize information that the Government views as damaging. Under the law, the Government has authority to censor reports from international financial institutions or international press stories that criticize the Government or expose official corruption." [2a] (p8)

## Newspapers

6.10 Various sources noted that the majority of the media was state-run and carried very little criticism of the Government. [2a] (p7) [5h] (p8) [25] The HRW report July 2004 stated that:

"The private press, often viewed as the only section of the media to reflect a range of political views, is growing slowly. As of 2004, there were seven private newspapers in Angola: Folha 8, established in 1994; Agora, established in 1996; O Angolense, established in 1997; and Semanário Angolense, Actual, A Capital, and A Palavra, all established in 2003. These run weekly. ... Newspaper distribution is limited almost exclusively to Luanda and the papers cost on average 120 Kwanzas (approximately \$1.50 (U.S.)) each. Therefore, they reach just a few thousand Angolans." [5h] (p10)

- 6.11 According to the HRW overview 2003, "Government authorities often confiscate independent publications; and the state-owned airline will not carry private media publications into the provinces." [56]
- 6.12 The USSD report 2003 advised that "The Government owned and operated Jornal de Angola, the only daily newspaper." [2a] (p7) A report by the Government of Angola, accessed March 2004, noted that the Jornal de Angola had an estimated circulation of 41,000. [3c] Europa 2004 and the BBC country profile dated 10 July 2004 explained that Angola's only news agency was ANGOP. [1] (p62) [7a]

#### Radio and Television

- 6.13 The HRW report July 2004 explained that "Angola's public television station (TelevisÃo Pública de Angola, TPA) and its National Radio of Angola (Rádio Nacional de Angola, RNA) rule the national airwaves. TPA operates two television channels and RNA operates five radio stations in Luanda. RNA is also the only broadcaster to offer programs in indigenous African languages." [5h] (p9)
- 6.14 In a letter dated 26 August 2004 the FCO advised that "The independent Catholic radio station Radio Ecclesia, has been seeking to extend its FM broadcasts to the rest of Angola outside Luanda. It is receiving financial support from the international community to enable it to do so. So far it has been unable to secure licensing permission to do so." [4h] (p2)
- 6.15 According to the HRW report July 2004, "The Angolan capital also has four private radio stations operating under government license: LAC (Luanda Antena Comercial, since 1992); Rádio Ecclésia, a Catholic-owned radio station; Radio

Escola, designed to train new professionals; and, since March 2003, Radio CEFOJOR [Centro de Formação de Jornalistas de Angola], a commercial radio station also designed to train young radio journalists." [5th] (p9)

# 6.16 The HRW report July 2004 added:

"The Angolan government has continued in its efforts to prevent the Catholic broadcaster, Rádio Ecclésia (RE), from extending its signal outside of Luanda. RE is known in Luanda as a station which gives space to a wide range of opinions from politicians and civil society, and which reports on controversial actions by the government such as police violence or housing evictions. ... The continuing absence of RE from the provinces means that the government enjoys a near-monopoly over the media outside of Luanda. The only exceptions are private radio stations in Cabinda, Benguela, and Lubango, which, according to journalists, seldom broadcast material critical of the government." [5h] (p22-23)

6.17 As documented in several reports the only television channel in Angola, Televisão Pública de Angola (Public Television of Angola, TPA) was state owned. [1] [p63] [2a] [p7] [5h] [p9] [25a] The HRW report July 2004 noted that "According to a 2003 study by the United Nations Children's Fund (UNICEF), 38 percent of households in Angola own radios; only 14 percent own televisions." [5h] [p4] An Afrol news report dated 13 June 2003 stated that "The media legislation now in force stipulates that radio and television broadcasting is the domain of the state." [25a] The FCO letter of 26 August 2004 stated that "In his speech to the MPLA Congress on 6 December 2003, President dos Santos emphasised that the media is seen as a 'key element of a democratic regime' and that 'a media law more adequate to the changes already registered in the country will be approved at the right time, and could end the state monopoly over television, with the possible opening up of this sector to private operators'." [4h] [p2]

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#### Journalists

- 6.18 The USSD report 2003 and the CPJ report 2003 claimed that although the situation for journalists improved during 2003 and there were fewer restrictions, problems still remained. [2a] (p7) [26] The HRW overview 2003 noted that "Journalists criticizing the government face a series of abuses, including physical abuse, threats, lawsuits and defamation campaigns, as well as limited access to official information, including data on public expenditure and other public policies." [56] (p1)
- 6.19 According to the USSD report 2003, "There were reports that the Government limited access by independent journalists to certain events and interviews, and journalists acknowledged that they exercised self-censorship when reporting on highly sensitive matters." [2a] (p7) The report added, "There were reports that the Government paid journalists to publish pro-government stories." [2a] (p7) The USSD report 2003 and the CPJ report 2003 noted that corruption was a particularly sensitive subject for the media. [2a] (p7) [26]

- 6.20 The HRW report July 2004 observed that "Although the private press is now generally free to scrutinize government policies, it can still be dangerous for journalists to investigate certain high-ranking government, MPLA, and UNITA officials. In some provinces, such as in Cabinda, journalists have reported that they still find MPLA membership application forms in media offices." [5h] (p10)
- 6.21 The same report noted that on 22 February 2003, officials of the National Directorate of Criminal Investigation (DNIC) arrested Jorge Artur, a journalist with the Folha 8 newspaper. Artur was held in custody until 28 March 2003 after attempting to interview officials for a news article about alleged malpractice surrounding the sale of a state-owned hotel. The HRW report stated that Artur was 'offered a bribe' for him not to publish the story. [5h] (p18-19)
- 6.22 The same report added that "On May 31, 2003, the Police Office of Criminal Investigations detained and interrogated Manuel Vieira, a correspondent in the southern Hulla Province for the Catholic-owned station Rádio Ecclésia. For several hours, Vieira was pressed to explain why he had chosen to report on the high death rates in the transit camps the Angolan government had built for demobilized UNITA fighters. Vieira was warned against further disclosures and then released." [5h] (p19)
- 6.23 The HRW report July 2004 also documented that, "In January and February 2003, the newspaper O Angolense published a series of high-profile reports, criticizing Angola's new millionaires and speculating on the murky origins of their fortunes. The reports on the 'largest secret fortunes of Angola that exceed \$50 million' sparked fury among some of those named. The two editors of O Angolense were threatened, followed by unknown persons, and publicly accused by the political bureau of the MPLA of being anti-patriotic." [5h] (p19)
- 6.24 The RSF report 2004 explained that "Angolense stopped publishing in early March [2003], giving serious financial problems as its reason. Immediately afterwards, a new weekly called Semanário Angolense appeared, with almost the same staff." [24] An article by RTP Internacional TV news report dated 25 March 2004 reported that Felisberto de Graça Campos, the director and editor of Semanário Angolense, was sentenced to 45 days imprisonment in March 2004 and the payment of compensation for the article that claimed to list Angola's richest men. [416] The HRW report July 2004 explained that "The charges invoked Article 43 of the Press Law, which concerns 'abuse of the press,' and Article 407 of the Penal Code." [56] (p20)

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# Freedom of Religion

6.25 The USSD report 2003 stated that the Constitution provides for freedom of religion including the separation of church and state. [2a] (p9) Article 45 of the Constitution stipulates that "Freedom of conscience and belief shall be inviolable. The Angolan State shall recognize freedom of worship and guarantee its exercise, provided it does not conflict with public order and the national interest." [3a] According to the USSD International Religious Freedom report December 2003, this right was

respected by the state and Government policy continued to contribute to the generally free practice of religion. [26] (p1) An ANGOP report dated 2 March 2004 explained that "According to the Minister [of Justice, Paulo Tjipilica], his sector has officially recorded 83 churches or religious congregations, in Angola, till the year 2002, whereas 880 others await legalization." [36]

6.26 According to the USSD International Religious Freedom report 2003, "The Government requires religious groups to register with the Ministries of Justice and Culture by providing general background information." [2b] (p1) The report added, "Colonial-era statutes banned all non-Christian religious groups from the country; while those statutes still exist, they no longer are in effect. In early 2002, the colonial-era law granting civil registration authority to the religious groups was put back into effect." [2b] (p2) The same report noted that "In May [2003] a draft law to establish stricter criteria for the registration of religious groups was sent by the Council of Ministers to the National Assembly for approval." [2b] (p1) The information was also stated in the ANGOP report dated 21 May 2003 [36c]

6.27 An ANGOP news article dated 2 March 2004 observed that in early 2004, the Angolan Parliament approved the draft law on the exercise of freedom of conscience of cult and religion. [36i] Another ANGOP news article dated 3 March 2004 noted that in May 2004, the National Assembly approved a law on freedom of conscience, worship and religion. [36iai] According to a news article by ANGOP dated 7 July 2004, "The legal precept stresses the State's laity, equal treatment to religious confessions, and stipulates the mechanisms for their recognition and registration. It also sets that any citizen is free to confess or not a religious faith, to change or quit the religion he or she belongs to. The document warns that no citizen can be compelled into declaring his religious confession if any, except out of confidential initiative or in response to statistic enquiry demanded by law." [36iab]

### **Religious Groups**

6.28 Europa 2004 and the USSD report 2003 advised that the vast majority of the country's population adhere to Christianity, with Roman Catholicism as the largest denomination. [1] (p62) (2b) (p1) According to USSD International Religious Freedom report 2003 "The Roman Catholic Church claims 5 million adherents, but such figures could not be verified." [2b] (p1) The same report noted that "A small portion of Angola's rural population practises animism or traditional indigenous religions. There is a small Islamic community based around migrants from West Africa. There are few atheists in the country." [2b] (p1)

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# Freedom of Association and Assembly

6.29 Article 32 of the Constitution and article 22 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Angola in 1992, provide for the right of association. [38] [14] (p46) [17q] (p8) The HRW report July 2004 noted that the African Charter on Human and Peoples' Rights, to which Angola is also party to, provides for the right to free association and the right not to be compelled to join an association.

[5h] (p12) Article 32 of the Constitution stipulates that "Groupings whose aims or activities are contrary to the fundamental principles set out in Article 158 of the Constitutional Law and penal laws, and those that, even indirectly, pursue political objectives through organizations of a military, paramilitary or militarized character, secret organizations and those with racist, fascist or tribalist ideologies shall be prohibited." [3a]

6.30 The USSD report 2003 emphasised that "The Constitution provides for the right of association; however, the Government sometimes restricted this right in practice." [2a] (p8) The HRW report July 2004 explained that:

"Associations are required to submit their request for registration and founding statute to the Ministry of Justice. If the ministry is satisfied with the documentation, it will publish the association's statute in the official government paper, Diário da República. After this publication, the association should send a copy of the Diário da República to the Attorney General (Procurador Geral da República) to register the association's statute. The association should then be sent an official registration number, proof of its registration as a legal recognized entity." [55] (p17)

6.31 Although the USSD report 2003 observed that the Government approved most applications, including those for political parties, [2a] (p8) the HRW report July 2004 noted that, "Requests for registration are often denied, even when these organizations comply with all the official registration requirements." [5h] (p30) Several sources stated that the Ministry of Justice failed to grant the registration of the Association for Justice, Peace, and Democracy (AJPD) the application originally filed in 2000. AJPD, nevertheless, continued to function throughout 2003 without government interference. [2a] (p8-9) [5h] (p30) [14] (p46)

# 6.32 The HRW report July 2004 observed that:

"There are some 126 political parties registered in Angola, though only a few are active in organizing public protests against the government, adopting public policies, and calling for new elections. Among them, the small opposition party, Party for the Democratic Support and Progress of Angola (Partido de Apóio Democrático e Progresso de Angola, PADEPA, also known as PADPA), which was created in June 1995, has suffered repressive reactions to its public protests. National legislation was recently changed and the state no longer subsidizes the creation of new parties; however, state funds are still available to parties with seats in the National Assembly." [5h] (p11)

- 6.33 The same report added, "The situation of opposition political parties and civil society groups remains precarious outside of Luanda. In particular, the former rebel movement UNITA has faced difficulties in its attempts to establish civilian political structures in the provinces, following the demobilization of its military forces." [5h] (p26)
- 6.34 An article by IRIN news dated 16 July 2004 noted that "As Angola moves towards its first post-war general election, opposition parties have expressed their concern over what they believe is a rising level of political violence. Two weeks ago

an opposition parliamentarian was killed in the capital, Luanda. State media said he had been murdered by thugs, but his party, the Democratic Party for Progress-Angolan National Alliance, alleged the MPLA had ordered his killing." [8an]

- 6.35 According to the HRW overview 2003, "Excessive administrative and bureaucratic burdens, such as the imposition and arbitrary enforcement of onerous registration requirements, undermine the work of civil society associations, including journalists' and university professors' unions." (50) (p1)
- 6.36 Article 32 of the Constitution and article 21 of ICCPR provides for the right of assembly. [3a] [11c] (p12) However, according to the USSD report 2003 and the International Confederation of Free Trade Unions (ICFTU) report 2004, the Government restricted this right in practise. [2a] (p8) [61] The USSD report 2003 stated that "There were fewer reports than in previous years that demonstrations were dispersed or applications for assemblies denied. The law requires a minimum of 3 days' prior notice before public or private assemblies are to be held, and makes participants liable for 'offenses against the honor and consideration due to persons and to organs of sovereignty." [2a] (p8)
- 6.37 The HRW report July 2004 also noted that:

"According to the Law on the Right of Assembly and Demonstration (Lei Sobre o Direito de Reunião e de Manifestação), organizers of protests must inform authorities in writing of the intended protest three days before it is to happen, identifying at least five organizers, including their personal information such as address and occupation. ... In practice, however, the Angolan authorities use these requirements to prevent legitimate protest; organizers who go to inform the authorities of their intention to protest are frequently informed that the demonstration will be illegal. The Law on the Right of Assembly and Demonstration also establishes conditions that justify police intervention to terminate an authorized protest. Among these conditions are acts or statements that affect the 'honor' of the Angolan government or public officials." [5h] (p17)

- 6.38 The IBA report 2003 added, "Under Angolan law, the Government must respond within 48 hours to applications for permits to hold demonstrations." [14] (p46) The International Confederation of Free Trade Unions (ICFTU) report 2004 stated that "While the authorities routinely grant applications for pro-government assembly without delay, those for protest assemblies, including trade union demonstrations, are rarely granted." [61] The USSD report 2003 added, "Applications for progovernment assemblies were granted routinely without delay; however, applications for protest assemblies were sometimes denied." [20] (p8)
- 6.39 Although, according to the USSD report 2003, official tolerance for public protest increased during 2003. [2a] [p8] The HRW overview 2003 noted that "Angolan police continue to break up demonstrations violently." [5e] (p1) For example, according to the HRW report July 2004 "On April 22, 2004, armed men believed to be police and/or private security operatives opened fire on a crowd in Cafunfo, Lunda Norte province, north-eastern Angola. Those present had gathered to protest attempts by a

diamond company operating in the area to remove generators that had been used to supply electricity to the neighborhood." [5h] (p31)

- 6.40 The Al report 2004 also documented that "Riot police arrested six members of the Partido de Apoio Democrático e Progresso de Angola (PADEPA), Democratic Support and Progress Party, during a peaceful demonstration in Luanda in June [2003]. Three days later the six were tried on charges of holding an illegal demonstration and acquitted. The judges ruled that their detention was unlawful as they had not been brought promptly before a magistrate, and that the provincial authorities' decision to ban the demonstration was illegal." [11h] (p2-3)
- 3.41 Nevertheless, the HRW report July 2004 stated that "On October 3, 2003, more than 1,000 Angolans protested in the streets of Luanda, in a call for elections in 2004. This was the country's first authorized anti-government demonstration since the end of civil war. The event, organized by a coalition of eighty-seven small opposition parties, proceeded without any major incidents." [5h] (p33-34)
- 6.42 The OCHA monthly analysis July 2004 reported that:

"Invited by the civic association Mpalabanda, 15,000 Cabindans marched peacefully through the main roads of Cabinda town demanding peace and dialogue in an unprecedented event on Sunday, 18 July [2004]. At the final point of the march, the Cultural Centre Chiloango, the organizers read out a petition to be sent to the government, the Liberation Front of the Enclave of Cabinda, the United Nations, and the African Union. The provincial government did not forbid the demonstration and the police ensured order and security. This march was the first public event of Mpalabanda, which was set up earlier this year [2004], after a march planned in February [2004] to celebrate the group's formation was prohibited by the authorities." [172] (p4-5)

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#### Political Activists - UNITA

- 6.43 Europa 2004 reported that between the declaration of independence in November 1975, and April 2002, the Uniao Nacional Para á Independencia Total de Angola (UNITA) and the MPLA continued a bitter conflict for control of the country. [1] [640-45] Europa 2004 and the EIU report November 1998 observed that during the conflict, UNITA comprised at least two major groups; in addition to which there were also known sympathisers. The main distinction was between the military wing, led by Jonas Savimbi, and those who formed the parliamentary wing UNITA-Renovada (UNITA-R). [1] [644] [42a] [61]
- 6.44 Several sources noted that until its dissolution UNITA's military wing or army was known as the Forças Armadas de Libertação de Angola (Armed Forces for the Liberation of Angola, FALA). [75] [12] [42a] (p11) Like many other liberation movements UNITA also had both women's and youth sections. The women's section was known as the Liga da Mulher Angolana (LIMA) [44] [54] (p2,23) [5h] (p27) whilst the youth section was known as the Angolan Youth Movement, known as Jura. [44] According to FCO advice

dated 14 September 2000, the Parliamentary faction, UNITA-R, had very little credibility, any it did have was lost with its recognition as the official opposition and de facto inheritor to UNITA's obligations under the Lusaka Protocol. [46]

- 6.45 The HRW World report 2003 explained that the death of Jonas Savimbi at the hands of Government forces on 22 February 2002 left UNITA's military wing in disarray. UNITA continued to commit human rights abuses until the end of the war. [51] (p1) The USSD report 2003 stated "Following the cessation of the war in 2002, there were no reports that UNITA committed human rights abuses." [2a] (p2) The USSD report 2003 advised that during 2003, UNITA-R ceased to exist. [2a] (p11)
- 6.46 As documented in a number of sources the demobilisation, resettlement and reintegration of UNITA ex-combatants since June 2002 have comprised one of the areas of continued and acute concern, and was considered one of the Government's main priorities in order to ensure stability in the country. [43a] (p6,7,25-26) [55] (p2)
- 6.47 According to HRW World report 2003, the demobilisation of UNITA excombatants was successfully completed on 30 July 2002. [57] (p2) The UNSC report dated February 2003 noted that "By the end of January 2003, approximately 90,000 ex-combatants had undergone the registration process, while an estimated 15,000 were still waiting to move to their designated reception areas from the provinces and neighbouring countries." [177] (p3) According to the Global IDP Project report March 2004 the Government prioritised the reintegration of demobilised UNITA soldiers in January 2004. [55] (p2-3) Government figures released in January stated that approximately 92,000 demobilised soldiers and 286,000 dependants returned to their areas of origin by the end of December 2003. [177] (p4)

#### Political Developments since April 2002

- 6.48 A BBC report accessed 21 August 2002 and an ANGOP report dated 16 April 2002 observed that in April 2002 UNITA began the process of redefining itself as the main political opposition to the MPLA by establishing a Reconciliation and Reunification Commission to support and monitor the peace process, and encourage a move toward unifying the movement. [74] [36] Another article by the BBC dated 30 June 2003 reported that in June 2003, Isaias Samakuva became the new leader of UNITA. Samakuva was elected with 78 percent of the vote, beating his rival Paulo Lukamba 'Gato', UNITA's interim head since the death of founder president Jonas Savimbi in 2002. [74] [81]
- 6.49 The UNSC report dated February 2003 noted that the political commissions of the ruling MPLA and UNITA held talks in Luanda from 2-5 December 2002, in which it discussed issues of national interest, including the review of the Constitution. [171] (p1) The same report stated:

"In the course of those talks, the parties agreed on four main issues, namely that the President should remain head of State and Government, as well as party leader, the President would appoint provincial Governors, upon the recommendation of the majority party in each province, the legislature would be unicameral and a National Council would be established in addition to the

legislature, as a consultative body in which 'traditional rulers' could participate." [177] (p1)

- 6.50 According to the UNSC, those decisions were not supported universally. Some political parties argued that the bilateral agreements between MPLA and UNITA had circumvented the Parliament's Constitution Drafting Committee, in which other parties are represented. [178] (p1)
- 6.51 An article by the Portuguese Lusa News Agency dated 13 March 2003 reported that in February 2003, UNITA continued to emphasise its political rehabilitation by highlighting to the public the role it had played in the successful completion of the Lusaka Protocol, pointing out that the international community recognised that role by lifting all sanctions against it. [46] Several reports noted that the party took a further step towards national reconciliation when, in early January 2003, several of its representatives publicly apologised for the role of UNITA in the atrocities committed during the protracted conflict. [76] [254] [361]
- 6.52 An FCO letter dated 26 August 2004 stated that:

"In May 2004 UNITA and the other opposition parties, suspended their participation in the Constitutional Affairs Commission of the National Assembly until such time as President dos Santos agreed to consult the country's political forces with a view to approving an electoral timetable. Their demands appeared to have been largely met when the President convened a meeting of the Council of the Republic, at which opposition leaders are represented, in July [2004] and subsequently accepted the Council's recommendation to call for elections before the end of September 2006, asking the National Assembly to define the legal framework for them to be held. However, as at 12 August [2004], when the Constitutional Commission reconvened, the opposition parties had not resumed their participation." [4h] (p2-3)

- 6.53 According to an article by IRIN news dated 16 July 2004, "UNITA has raised concerns since last year over increased incidents of intimidation of its members by individuals allegedly belonging to MPLA militia groups. In August 2003 opposition party members claimed they were prevented from establishing offices in the central province of Huambo." [8an] This is also noted in an IRIN news report dated 4 August 2004. [8aa]
- 6.54 Futhermore, an FCO letter dated 26 August 2004 noted that "During 2003-2004, UNITA complained repeatedly about persecutions, intimidations and violence perpetrated against its officials in various provinces and municipalities in the interior of the country. During a meeting on 15 July 2004, MPLA and UNITA agreed to coordinate efforts to curb such acts. A common mission from both parties would visit affected areas in order to investigate alleged incidents." [4h] (p3)
- 6.55 According to a news article by ANGOP dated 22 July 2004, "Five thousand former soldiers have been reintegrated in society as part of a 'Special Project' under the General Demobilisation and Reintegration Programme (PGDR)." [36p]

6.56 According to an article by the Angolan Embassy in the UK dated May 2004:

"Six thousand former Unita soldiers are to be reintegrated in economic activity in Huambo Province by the end of this year [2004] in the areas of agriculture, self-employment, micro companies, services and community work. Luis Garcia, provincial director of the institute for the social and vocational reintegration of former soldiers, said they had 26,000 former Unita soldiers on their lists and more than 1,000 had already been given work in metal working, carpentry, building and electricity, after undergoing training. ... Financed by the World Bank and other donors, it would benefit about 105,000 former Unita soldiers and their family members and 33,000 former government soldiers over the next four years." [666] (p5)

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#### Political Activists - FLEC

- 6.57 The Political Parties of the World publication 2002 explained that Frente de Libertação do Estado de Cabinda (FLEC) was formed in 1963 as a nationalist movement seeking separate independence for Cabinda. (45) (p13) According to the Ad-Hoc Commission for Human Rights in Cabinda report 2002, "Right from the independence of Angola, in 1975, separatist guerrillas, from the Front for Liberation of the Enclave of Cabinda (FLEC), have militarily opposed government forces. The separatists argue that Cabinda is not Angola, and in their defense they counter that the territory was occupied and annexed by the Angolan Government, without any legitimate grounds, and now they are fighting for recognition of their right to self-determination. (62b) (p3) Europa 2004 noted that FLEC split into a number of factions (See also Annex B on Political Organisations); some of which engaged in rebel activity in their attempt to achieve their aim of an independent Cabinda. The main FLEC factions, FLEC-Renovada (FLEC-R) and FLEC-Forças Armadas Cabindes as (FLEC-FAC) were deeply divided. (1) (p43) This is also noted in an IRIN news article dated 7 August 2003 (8))
- 6.58 The Institute for Security Studies (ISS) report August 2003 noted that throughout its existence FLEC has been marginalised. FLEC did not enter the political process with the introduction of multi-party politics, arguing that the September 1992 elections were for Angolans not Cabindans. The Angolan law on political parties' dictates that, in order to register, a party must possess support in at least 10 of the 18 provinces, this effectively disqualified FLEC. Following the election results FLEC-FAC escalated its activities prompting the Government to deploy approximately 15,000 troops in the Cabinda province at the beginning of 1993. [434] [64]
- 6.59 As documented in several sources there were reports that members of the security forces mistreated persons believed to support FLEC. [2a] (p2) [11g] [43c] (p5) The USSD report 2003 stated that "In Cabinda province, periodic reports that security forces executed civilians for supporting FLEC continued." [2a] (p2) The same report added that "Persons taken into police custody disappeared in some cases, particularly in rural areas. Local human rights organizations in Cabinda reported

several disappearances of persons detained by government forces during the year [2003] for alleged ties to FLEC insurgents." [2a] (p3)

## 6.60 According to the USSD report 2003:

"FAA personnel were responsible for torture and other forms of cruel and degrading treatment, including rape, in Cabinda during the year [2003]. Police were frequently accused of using torture and coerced confessions during investigations and often beat and released suspects in lieu of trials. Persons suspected of ties to FLEC were allegedly subjected to brutal forms of interrogation. The Ad-Hoc Commission for Human Rights in Cabinda reported numerous such incidents in Cabinda. In one case reported by independent media, FAA soldiers beat up a family in Cabinda, near Zenze, because they were accused of collaborating with FLEC." [2a] (p3)

# 6.61 The same report noted that:

"According to the independent media, the security forces continued to illegally detain individuals in Cabinda accused of collaborating with FLEC. On October 2 [2003], 3 young men were detained and held for 2 weeks, during which time they claimed to have met 17 other detainees at the same site in Necuto. In a separate case, three men, including one Congolese citizen, were detained in the village of Tandu-Macuco. There was no information on their status at year's end [2003]." [2a] [p5]

# Recent FLEC Activity

6.62 According to an Agence France-Presse (AFP) report dated 19 September 2003 "Clashes in the tiny enclave, where armed groups have been fighting for independence from Angola, have left some 30,000 people dead over the last 25 years." [44f] A number of sources reported that unaffected by the April 2002 peace declaration, FLEC-FAC resumed their campaign attacking Government forces in Cabinda and reportedly killing 12 members of the FAA. [7g] [43c] An IRIN news report dated 21 August 2002 explained that "Separatist rebels in the oil-rich Cabinda enclave on Wednesday accused the Angolan government of stepping up a military offensive, and warned they would not participate in peace talks until hostilities ended." [8u] The ISS report August 2003 noted that any possibilities of an immediate reconciliation over the status of the province was brought to an abrupt halt following a major offensive launched by the FAA in mid September 2002. [43c] [p8]

6.63 An article by IRIN news dated 11 February 2003 reported that on 7 February 2003, the Government confirmed contact with representatives from FLEC-FAC over the feasibility of exploratory talks aimed at ending the conflict [84] An ANGOP news article dated 24 March 2004 noted that towards the end of February 2003, the Government was reportedly working on a joint political programme for peace in conjunction with the separatists. In terms of a lasting solution, there have not, as yet, been any substantial outcomes. [364] A Radio Ecclesia report dated 5 March 2003 stated that on 5 March 2003 the separatists renewed their defiant stance by

announcing the establishment of a new sub-unit - the Secret Army for the Liberation of Cabinda (ELSC). [56]

6.64 An IRIN news article dated 2 July 2003 report that in July 2003 seven top FLEC-FAC military officials, including the groups' chief general staff, Francisco Luemba, handed themselves over to government authorities. The defectors claimed that the separatist group lacked morale and was under-resourced following a government offensive in the area in October 2002. Despite the defections, the various factions of FLEC continue their commitment to an independent Cabinda. [BW] On 7 August 2003 another IRIN news article reported that the government stated its willingness to discuss autonomy as a preferred solution. [BI]

6.65 In a letter dated 29 April 2004 the FCO advised:

"In March 2004 a joint UN/Angolan Government team visited Cabinda. It concluded that reported human rights violations were mostly accurate, but also noted that since the arrival of General Marques in late 2003, the situation had improved considerably: FAA had adopted a new policy to refrain from abuses and to punish the guilty. In April 2004 the Deputy Chief of Staff of the Angolan Armed Forces, General Geraldo Sachipengo Nunda, paid a brief visit to Cabinda reportedly to investigate alleged human rights violations by FAA units. He acknowledged that a 'low-intensity war' was going on in Cabinda and said that there had been incidents of indiscipline, but he pledged to take measures with a view to improving relations between Angolan soldiers and local residents." [49]

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# **Employment Rights**

6.66 Article 28 of the Constitution stipulates that "No citizen shall suffer discrimination in respect of employment, education, placement, professional career or social benefits to which he or she is entitled owing to political posts held or to the exercise of political rights." [3a] Article 46 of the Constitution states that:

- "1. Work shall be the right and duty of all citizens.
- Every worker shall have the right to fair pay, rest, holidays, protection, health and security at work, in accordance with the law.
- 3. Citizens shall have the right freely to choose and exercise an occupation, apart from requirements established by law." [3a]

6.67 However, the ICFTU report 2004 noted that "Collective bargaining is restricted in practice. The government is the country's biggest employer and through the Ministry of Public Administration, Employment and Social Security sets wages and benefits on an annual basis. This involves consultation with the unions, but no negotiation." [61]

6.68 According to the USSD report 2003:

"In May 2003, the minimum wage was held by the Ministry of Public Administration, Employment, and Social Security at the equivalent of \$50 (4,000 Kwanza) per month despite widespread calls for an increase. Many urban workers earned less than \$20 (1,600 Kwanza) per month. Neither the minimum wage nor the average monthly salary, which was estimated to be between \$40 and \$150 (3,200 to 12,000 Kwanza) per month, were sufficient to provide a decent standard of living for a worker and family. As a result, most wage earners held second jobs or depended on the informal sector, subsistence agriculture, corruption, or support from abroad to augment their incomes. The Government pegged the minimum wage to inflation but did not consistently adjust the rate quarterly. Employees receiving less than the legal minimum wage have the right to seek legal recourse; however, it was uncommon for workers to do so." [2a] (p15-16)

- 6.69 The report added "A government decree limits the legal workweek to 44 hours; however, the Ministry was unable to enforce this or occupational safety and health standards. Workers cannot remove themselves from dangerous work situations without jeopardizing their continued employment." [2a] (p16)
- 6.70 The USSD report 2003 noted "Foreign workers (legal or illegal) are not protected under the labor law. They receive legal protection only if they work under contract; otherwise, they receive protection only against criminal acts." [2a] (p16)

#### Position of Trade Unions

- 6.71 Article 33, paragraph 2, of the Constitution stipulates that "All citizens shall have the right to organize and take part in trade union activity, which shall include the right to constitute and freely join trade unions." It added, "Adequate protection for the elected representatives of workers against any form of restriction, constraint or limitation on the performance of their duties shall be established by law." [3a] This information was also noted in the USSD report 2003 [2a] [p14] However, according to the USSD report 2003, the Government did not always respect these rights in practice. [2a] (p14) The ICFTU Report 2004 noted that "In practice, the emerging process of democratisation and restrictions on civil liberties still in place after the recently ended civil war make it difficult for unions to enforce their rights or to carry out any activities not approved by the government." [61]
- 6.72 The USSD report 2003 and the ICFTU Report 2004 observed that the National Union of Angolan Workers (UNTA), was affiliated with the ruling MPLA party and was dominated by the Government. [2a] [p14] [61] The USSD report 2003 also noted that there were two main independent unions, the General Center of Independent and Free Labor Unions of Angola (CGSILA), with approximately 50,000 members, and the small Independent Union of Maritime and Related Workers (SIMA). [2a] [p14] The ICFTU Report 2004 commented that "The two independent organisations, the CGSILA national centre and the SIMA union, are discriminated against." [61]
- 6.73 According to the USSD report 2003, "There continued to be division and pending legal suits between member unions of CGSILA over accusations of

administrative malfeasance. Independent unions did not have a particular political affiliation." [2a] (p14) The report added:

"Restrictions on civil liberties potentially prevent any labor activities not approved by the Government; however, the major impediment to labor's ability to advocate on behalf of workers was the 60 percent formal sector unemployment rate. ... The law requires that the Government recognize labor unions. Nevertheless, SIMA has encountered difficulty with provincial government authorities in registering branch associations and organizing dock and rig workers." [2a] (p14)

- 6.74 The USSD report 2003 noted that "Legislation prohibits discrimination against union members and calls for worker complaints to be adjudicated in regular civil courts. Under the law, employers found guilty of anti-union discrimination are required to reinstate workers who have been fired for union activities. In practice, neither the Labor Code nor the judicial system were capable of defending or enforcing these rights." [22] (p14)
- 6.75 The USSD report 2003 observed that "The Constitution provides for the right to organize and for collective bargaining; however, the Government did not respect these rights in practice. The Government did not facilitate a positive environment for constructive labor management negotiations. The Ministry of Public Administration, Employment, and Social Security set wages and benefits on a semi-annual basis" (24) (p15)

# The Right to Strike

- 6.76 Article 34 of the Constitution provided all workers the right to strike. It further states that "A specific law shall regulate the exercise of the right to strike and limitations thereto in essential services and activities, in the pressing public interest." [3a] The HRW report September 1991 noted that legislation passed in May 1991 provides the legal framework for strikes [5b] (p1-2) and, according to the USSD report 2003, strictly regulates them. [2a] (p15)
- 6.77 The USSD report 2003 stated that "The law prohibits lockouts and worker occupation of places of employment and provides protection for nonstriking workers. It prohibits strikes by armed forces personnel, police, prison workers, and fire fighters. The law does not effectively prohibit employer retribution against strikers; it permits the Government to force workers back to work for breaches of worker discipline and participation in strikes." [2a] (p15)
- 6.78 According to the ICFTU report 2004, "Despite the restrictions, there are frequent work stoppages." [61] As documented in several sources, during 2003, several strikes and threats of strike over pay and work conditions took place, involving the teaching profession, the health sector and the judicial sector. [36m] [36n] [36o] [38o] [61] According to the USSD report 2003, "Union members complained of being threatened with dismissal and receiving physical threats during the strike." [2a] (p15) The AI report 2004 added, "Various professional and workers' groups protested or took strike action against poor pay and conditions. Students demonstrated in April

[2003] against high public transport costs. In June [2003] state university staff went on strike over pay and conditions, resuming work 45 days later after the government agreed a salary increase." [116] (p1)

#### Child Labour

6.79 Several sources explained that the law in Angola states that the legal minimum age for employment is 14 years. However, many younger children work on family farms, as domestic servants, and in the informal sector. [2a] [615] [6] [68] According to the USSD report 2003 "Children between the ages of 14 and 18 may not work at night, in dangerous conditions, or in occupations requiring great physical effort, and children under 16 years of age are prohibited from factory work; however, these provisions generally were not enforced." [2a] (615) An IRIN news report dated 14 January 2004 stated that an estimated 30 percent of children between the age of five and 14 were forced to work. [88]

6.80 The USSD report 2003 noted that "The Inspector General of the Ministry of Public Administration, Employment, and Social Security is responsible for enforcing labor laws, and child labor law enforcement is under the jurisdiction of the courts; however, in practice, the court system did not provide adequate protection for children." [2a] (p15) The USSD report 2003 and the United Nations Department of Public Information (UNDPI) report June 2003 stated that on 16 June 2003, a Juvenile Court under the Ministry of Justice, was established as part of Luanda's provincial court system. [2a] (p15) [17g] The USSD report 2003 explained that "Child labor violations are punishable with fines and restitution. There is no formal procedure for inspections and investigations into child labor abuses outside of the family law system, although private persons can file claims for violations of child labor laws." [2a] (p15)

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# **People Trafficking**

6.81 According to the USSD report 2003 "The Constitution prohibits human bondage; however, no laws exist to combat trafficking in persons, and there were reports of trafficking." [2a] (p16) The OCHA monthly analysis February 2004 observed that:

"The small village of Santa Clara, on the Angola-Namibia border in Cunene Province, has for many years been a centre of child trafficking. Children have been recruited from neighbouring provinces, particularly Huila, and used in exploitative labour such as carrying good (sic) across the border, prostitution, illegal money exchange and hawking goods. Reports also indicate that some children were being trafficked out of Angola to Namibia and possibly South Africa to work as domestic workers and child prostitutes." [17m] (p4)

6.82 The USSD report 2003 also reported that children were trafficked to Europe during 2003. [2a] (p13,16)

6.83 An article by IRIN news dated 9 April 2004 reported that child trafficking was likely to be a problem. "With less than a third of children registered at birth, monitoring the extent of trafficking was almost impossible." [Bal]

6.84 The USSD report 2003 noted that was no specific assistance available to victims of people trafficking. [2a] (p16) However, the OCHA monthly analysis February 2004 observed that the 'Cunene Initiative' was introduced following support and training by UNICEF in January 2004 on child labour, sexual exploitation and the prevention of trafficking. The initiative aimed to control child exploitation, assist children involved, and prevent more children from getting involved. [17m] (p4)

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#### Freedom of Movement

6.85 Article 25 of the Constitution stipulates that "Any citizen may move freely and reside in any part of the national territory, and shall not be impeded from so doing for political or any other reasons, except in cases provided for under Article 50 of the present Law, and where for the protection of the economic interests of the nation the law determines restrictions on citizens having access to or residing in reserve or mining areas." It also states that "All citizens shall be free to leave and enter the national territory, without prejudice to limitations stemming from the fulfillment of legal duties." [3a]

6.86 The USSD report 2003, however, noted that the Government occasionally restricted these rights in practice. (2a) (pa) The report stated that:

"There were fewer reports than in previous years that extortion and harassment at government security checkpoints in rural and border areas interfered with the right to travel. Police routinely harassed returning refugees at border checkpoints. The Government restricted access to areas of Cabinda that were deemed insecure or beyond the administrative authority of the Government. During the year [2003], increasing stretches of previously inaccessible areas were opened to transit and a growing number of persons were able to travel around the country. Poor infrastructure and landmines were the principal obstacles to free movement of persons throughout the country." [2a] (p9)

6.87 The UN News Service report dated 9 August 2004 added, "Circulation within the country has become easier but people must still cope daily with landmines, and removing them is one of Angola's top priorities." [179]

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# 6.B Human Rights - Specific Groups

Ethnic Groups

# 6.88 Article 18 of the Constitution stipulates that:

- "1. All citizens shall be equal under the law and shall enjoy the same rights and be subject to the same duties, without distinction as to color, race, ethnic group, sex, place of birth, religion, ideology, level of education or economic or social status.
- All acts aimed at jeopardizing social harmony or creating discrimination or privileges based on those factors shall be severely punishable by law." [3a]

6.89 As documented in the MSF report December 2003, "The population of Angola is made up of more than 90 ethnic groups." [34c] Several sources noted that despite Angola's considerable ethnic diversity [30c] the main ethnic groups are, according to several sources, Ovimbundu, language Umbundu (37 percent), Mbundu, language Kimbundu (25 percent), Bakongo language Kikongo (13 percent), Mestiço (the term for people of mixed European and Native African) (two percent), European (mainly Portuguese) (one percent) and other smaller ethnic groups, including Chokwe, Lunda, Ganguela, Nhaneca-Humbe, Ambo, Herero, and Xindunga, make up the remaining 22 percent. [2c] [p1,2) [17v] [17v] According to a Government of Angola report accessed March 2004, "They in turn are sub-divided into about 100 sub-groups traditionally called 'tribes'." [3c] A joint report by the Irish Catholic Agency for World Development (TROCAIRE/Angola), the Working Group of Indigenous Minorities in Southern Africa (WIMSA) and Organizacao Crista de Apoio ao Desenvolvimento (OCADEC) dated August 2003 estimated the hunter-gatherer San population in Angola to be 3,400 in 2003. [29] (p5)

# Ovimbundu (language Umbundu)

- 6.90 Several sources noted that the Ovimbundu are the largest ethnic group in Angola, consisting some 37 percent of the population. [24] (p1,2) [19] [17w] According to the EIU country profile 2003, the Ovimbundu ethnic group are concentrated in the central and northern highlands and form the 'backbone of UNITA support'. [42b] (p22)
- 6.91 An article by IRIN news dated 20 July 2004 noted that "Aid workers operating in eastern Angola's Moxico province confirmed on Tuesday [20 July 2004] that up to 80 homes were burned down in two attacks, which the opposition UNITA party has alleged were politically motivated." [8ai] Another article by IRIN news dated 21 July 2004 reported that "UNITA alleged that the group had targeted members of their party and people from the Ovimbundu ethnic group, which has traditionally supported UNITA." [8ak] The AFP report dated 30 July 2004 also observed that the houses of the Ovimbundu ethnic group were burnt. [44i] The Action for South Africa report August 2004, nevertheless, noted that the MPLA stated that it was not responsible for the attacks in Cazombo. [37ai] (p3)

6.45 Angola has considerable ethnic diversity. The population consists of nine ethnolinguistic groups. They include: the KiKongo (or Bakongo), (estimated 13 percent of the population), the Kimbundu (or Mbundu), (25 percent), the Lunda-Tchokwe, the Umbundu, (or Ovimbundu), (37 percent), the Ganguela, the Nhaneca-Humbe, the Ambo, the Herero, and the Xindonga. The groups are further divided into approximately one hundred tribes. There is also a small percentage of Mestiço (the term for people of mixed white and African ancestry), and Europeans (mainly Portuguese). [2c] (p1,2) [10]

## Kimbundu (language Mbundu)

6.92 According to the EIU country profile 2003, the Kimbundu, made up 25 percent of the population. "They live largely in the north and north-west, particularly in Luanda, and came under the strongest Portuguese influence." [42b] (p22) The report also noted that the MPLA had strong links with the Kimbundu. [42b] (p11)

# Bakongo (language Kikongo)

6.93 According to a report by Minorities at Risk (MAR) January 2002, "The Kikongo-speaking Bakongo are the third largest ethnic group in Angola, and they populate mainly the northern regions of Cabinda, Zaire, and Uige." [53a] A report by the Government of Angola, accessed 15 March 2004, observed that the Bakongo live in Cabinda and the northeastern part of Angola between the Atlantic Ocean and the river Cuango. [3f] (p1) The MAR report advised that the Bakongo was spread over three countries: DRC, Congo and Angola. [53a] Although the main language spoken by the Bakongo was Kikongo, the FCO noted in a report dated January 1998, that they traditionally also spoke French. [4e] The USSD report 2003 noted that the National Liberation Front of Angola (FNLA) traditionally derived support from the Bakongo ethnic group. [2a] (p11)

6.94 According to a FCO report January 1998, there was no discrimination in law against those of Bakongo origin, but there had been times when they had come under suspicion and been attacked as a group. The report added, "A substantial Bakongo community continued to live in Luanda and had been able to join the major political parties, including the MPLA. There was no evidence of a systematic persecution or targeting of Bakongo." [46]

### Hunter-Gatherer Tribes / San People

6.95 The joint report by TROCAIRE/Angola, WIMSA and OCADEC August 2003 observed that "The San of Angola are a small ethnic minority living dispersed in small groups in the south of the country." [29] (p1) An article by IRIN news dated 2 February 2004 noted that "The hunter-gatherer San are the original inhabitants of Southern Africa." [84] The USSD report 2003 stated that "The population included 1 to 2 percent of Khoisan and other linguistically distinct hunter-gatherer tribes." The hunter-gatherer San people were the original inhabitants of Southern Africa. At least 3,400 San people lived in 72 small dispersed communities in Huila, Cunene, and Kuando Kubango provinces. [28] (p14) An IRIN news report dated 2 February 2004

wrote "All poor Angolans have suffered from war and government neglect, but the San are at the bottom of the pile." [84]

- 6.96 The joint report by TROCAIRE/Angola, WIMSA and OCADEC August 2003 observed that "San communities throughout Southern Angola experience social exclusion, discrimination and social exploitation. Their human rights are routinely disrespected and violated." [29] (p1) The report noted that many San said that they are not regarded as human beings and had fewer rights. "San of all ages reported being abused, insulted and treated disrespectfully by non-San." [29] (p28)
- 6.97 According to the USSD report 2003, "Hunter-gatherer communities as a whole did not participate actively in the political or economic life of the country, and they had no ability to influence government decisions concerning their interests." [2a] (p14) The report added that there was insufficient protection of property rights for indigenous persons and reports of illegal land grabs in Huila province by government officials were increased during 2003. [2a] (p14)

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#### Cabindans

- 6.98 The MAR report January 2002 observed that in Cabinda there are two main ethnic groups; the Bakongo and the Mayombe. The Bakongo are the majority ethnic group in Cabinda, while the Mayombe has a small minority in the province and usually live in the mountain forests of eastern Cabinda. [53b] (p1) According to the IRIN web Special on Cabinda October 2003, "Cabindan separatists claim the enclave has its own distinct and separate identity, history and culture, and that it was illegally occupied by the ruling MPLA government following independence in 1975." [8z] The Africa Research Bulletin dated November 2003 reported the same information. [52] (p15530) However, the deputy governor of Cabinda Province, João Santos de Carvalho Mesquita, told IRIN "There is so much mixing and intermarriage in Cabinda that it is really very difficult to tell who is a true Cabindan." [8z]
- 6.99 An article by IRIN news dated 23 August 2004 observed that "Although Angola's civil war ended in April 2002, a low-intensity conflict continues in the province, where Cabindans have called for self-determination for decades." [Bam]
- 6.100 The Ad-hoc Commission for Human Rights in Cabinda report 2002 observed that "One characteristic of the Cabinda conflict is its extent, in spite of being assumed as low intensity in purely military terms. Likewise, it is a fact that the population of Cabinda, almost unanimously, is sympathetic towards the movement for self- determination." [62b] (p3) The same report also noted that "However, an intensification of the military action in Cabinda has been seen, since the start of the major FAA military operation, on October 10, 2002. Especially noteworthy are the excesses of rage, revenge and violations against civilians, since the guerrilla fighters (numbered in less than 2,000) are widely dispersed in small groups throughout the territory." [62b] (p3)

6.101 Several reports have observed that human rights abuses, such as summary executions, murders, disappearances, arbitrary detention, torture and rape occurred in Cabinda. The abuses were committed by members of the Government security forces and FLEC. [23] (p1-5,12) [82] [43c] (p1-2) [62a] (p9) The AI report 2004 noted that "In a report in November [2003], local non-governmental organizations (NGOs) detailed over 100 cases of arbitrary arrest, torture, rape, extrajudicial execution and 'disappearance' in 2003. The provincial civilian authorities investigated some of the allegations, but there was no adequate response from military or civilian authorities in central government to the reports of violations of human rights and international humanitarian law by military personnel." [11b] (p2)

6.102 The USSD report 2003 stated that women in particular were victims of abuses. [2a] (p12) The Ad-hoc Commission for Human Rights in Cabinda report November 2003 added that "Children are among those who have been subjected to physical and sexual abuse by soldiers. Villagers have been harassed by FAA soldiers while working in their fields, hunting in the forests or fishing in rivers. As a result, some Cabindans, especially those in rural areas, are afraid to pursue the livelihoods that ensure their existence. Growing numbers of villagers are suffering from hunger in a region that is rich in natural resources." [62a] (p9)

6.103 The AI report 2004 noted that "AI received some reports of FLEC abuses, but many more of human rights violations by government forces. Government soldiers reportedly destroyed at least 15 villages in the Buco Zau, Necuto and Belize areas, displacing and killing villagers. Soldiers posted in villages formerly under FLEC control allegedly accompanied villagers to their fields, impeding their work and increasing food shortage." [11h] (p2)

6.104 The Ad-hoc Commission for Human Rights in Cabinda report 2003 observed that:

"As a consequence of military actions throughout the year, various villages have been totally destroyed or left empty, as happened at Khoyi, Miconje commune, municipality of Belize, where most of the villagers – about 40 people – were killed. In other cases, villagers abandoned their homes en masse to seek refuge in the bush, more secure areas further away, and even neighbouring Congo states. Even in the worst affected areas of Cabinda, the evidence can be hard to see. This is because there are very few solid buildings in these villages; huts are built of wood, thatch, and mud, and the traces which they leave are soon washed away by the rain." [62a] (p40-41)

6.105 The same report also stated that:

"Another troubling issue elicited by these testimonies is the FAA's use of civilians as 'guides.' These individuals are typically held captive and ordered to show FAA soldiers where FLEC bases are located. In addition to violating the rights of civilians who deny having any links to FLEC, this tactic sows division among local communities by creating the impression that the individuals forced to be 'guides' are FAA collaborators." [62a] [p9]

- 6.106 The AI report 2004 continued to state that "Low-level conflict continued in northern Cabinda throughout the year [2003]. Government forces said they had released thousands of civilian FLEC captives." [116] The report added that "In March [2003], state-controlled radio called on soldiers and members of the paramilitary Rapid Intervention Police to 'mercilessly annihilate' FLEC fighters, claiming that they had murdered, maimed and tortured civilians, and 'press-ganged' and 'used them as slaves'." [116] (p2)
- 6.107 According to the IRIN web special of Cabinda, the Government are aware of Human rights violations in Cabinda but insist that they are committed by 'individual soldiers' and they were not 'institutional behaviour'. [82] The Africa Research Bulletin dated November 2003 reported the same information. [52](p15530) An article by IRIN news dated 17 May 2004 reported that "Speaking to journalists in the United States on Friday, Dos Santos reportedly said there 'is no war in Cabinda', and that the authorities remained committed to dialogue." [82p] Nevertheless the same report noted that "Father Raul Tati, a leading cleric and civil rights activist in the province, told IRIN that sporadic clashes between government troops and the rebel FLEC-FAC fighters were continuing.... Tati added that efforts to initiate negotiations between the authorities and civil rights groups over the status of the province had stalled." [82p] An article by IRIN news dated 3 February 2004 also reported that civil rights activists have complained of ongoing harassment by the authorities in Cabinda. [8y]
- 6.108 An article by IRIN news dated 23 August 2004 and an article by AFP dated 24 August 2004, nevertheless, stated that although problems do still occur in Cabinda, there are suggestions that the extent of violations have reduced and the situation has improved in recent months. [Bam] [446]
- 6.109 An article by IRIN news dated 22 March 2004 explained that "Amid allegations of human rights abuses by government troops against civilians, and with many people living in shocking poverty despite vast oil wealth on their doorstep [approximately 60 percent of Angola's oil supply], secessionist leaders want to see a marked improvement in people's lives before tackling the issue of self-determination." [880]
- 6.110 An article by IRIN news dated 17 May 2004 stated that "Responding to further comments by Dos Santos that the government had implemented an economic recovery plan to improve living conditions in the province, Tati noted that 'poverty had actually worsened in the last two years'." [849]

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### Women

#### Legal Provisions

6.111 As documented in several sources, article 18 of the Constitution and Family Code, through Law 1/88, provide for equal rights without regard to gender Article 18 of the Constitution also stipulates that discrimination against women shall be severely punishable. [2a] (p12) [3a] [14] (p41) [17v] (p9) Article 29 of the Constitution states

that "Men and women shall be equal within the family, enjoying the same rights and having the same duties." [3a] According to the IBA report 2003, Angola has also acceded to a number of international agreements that protect the equal rights of women, such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic Social and Cultural Rights (ICESCR) and the African Charter on Human and Peoples' Rights. [14] (p41-42)

6.112 The USSD report 2003 confirmed that "The Constitution and Family Code provide for equal rights without regard to gender; however, societal discrimination against women remained a problem, particularly in rural areas." [2a] (p12) The report stated that "In addition, a portion of the Civil Code includes discriminatory provisions against women in the areas of inheritance, property sales, and participation in commercial activities. There were no effective mechanisms to enforce child support laws, and women carried the majority of responsibilities for raising children." [2a] (p12) An article by IRIN news dated 31 July 2004 reported that "There were concerns that despite increased opportunities, 'differences existed', particularly in 'decision-making, education, health, employment and governance'." [8a]

6.113 An article by IRIN news dated 31 July 2004 reported that "Filomena Delgado, Angola's vice-minister for Family and Promotion of Women, said despite adverse conditions, steps had been taken to improve women's rights in the war-affected country: a state secretariat established in 1991 had been upgraded to a ministry in 1997 and the government had also taken 'other initiatives to address the socioeconomic, legal and political aspects of gender parity'." [84]

## Women's Rights in Political and Public Life

6.114 The CEDAW report November 2002 stated that "As to political rights and rights to association, the law does not discriminate among citizens. Sex discrimination is not mentioned. The Elections Law (Law 5 of April 16, 1992) provides in Article 10 that every Angolan citizen who has reached the age of 18 may vote, and compete for elected office, and Article 5 provides that this vote is personal, secret, and inalienable." [17x] (p19)

## 6.115 The same report added that:

"Two women hold important commissions like those of economy and finance; education culture, science and technology; Of the 12 political parties with seat in the parliament only three have women represented: MPLA with 27 women of the 129 seats, UNITA 6 women of the 70 seats, PLD [Partido Liberal Democratico, Liberal Democratic Party] 3 women of the three seats. The representation of women in the public is poor (9.5%) if compared to that in the period until 1992 which was of 20%." [17v] (p22)

#### Employment

6.116 The CEDAW report June 2004 noted that "Equality of rights at work and employment, established by Law 2/2000 - General Labour Law, approved on 11 February 2000 by the National Assembly. Article 3 paragraph 1 establishes that: 'All citizens have the right to a freely chosen work, with equality of opportunity and without any discrimination based on race, sex, origin, colour, ethnic group, civil status, social condition, religious or political ideals, union membership or language'."

# 6.117 The CEDAW report 2004 noted that:

"Although there is this guarantee both in the Constitution Law and in the Labour Legislation, the reality experiences situations of discrimination with regard to women both by the national and foreign companies, mainly due to two factors: There is an imbalance in the participation of women in the gender relationship at the level decision making organs; There is a systematic violation of the rights of working women by the employers; particularly with regard to the maternity right, some of them preferring to 'get rid' of the women during maternity leave on a variety of pretexts. ... However, the working women are normally the most exposed to the violation of the Labour Legislation by the employers for the latter knowing that it is the women who know the least about their rights and the ones in most need of salary, thus becoming the target of blackmails risking to lose the job." [177] (p10)

### **Domestic Violence**

- 6.118 According to the USSD report 2003 and the IBA report 2003, violence against women was widespread in Angola. [2a] (p12) [14] (p41) The USSD noted in its 2003 report, that Ministry of Family and Promotion of Women (MINFAPW), who dealt with violence against women, reported receiving an average of 40 domestic violence cases a month. [2a] (p12) However, an IRIN news report dated 23 October 2002, stated that statistics on domestic violence cases were unreliable because most cases go unreported. [8i] The IBA report 2003 explained that domestic violence cases were more commonly reported in Luanda than any other area in Angola. [14] (p41) The report continued to suggest that women who report domestic violence were treated poorly by the police and urged by family members not to pursue the case. [14] (p41)
- 6.119 According to the USSD report 2004, "Domestic violence is prosecuted under rape and assault and battery laws. Rape is defined as a forced sexual encounter and is punishable by up to 8 years in prison. The law treats sex with a minor under the age of 12 as nonconsensual; however, limited investigative resources an inadequate judicial system prevented prosecution of most cases." [2a] (p12) The HRW report August 2003 explained that Angolan police and judicial authorities were required by articles of the ICCPR to investigate and prosecute those responsible for grave abuses of women's right to physical and sexual integrity. [5d] (p20)
- 6.120 The AI report 2003 noted that "The authorities claimed that police officers who disobeyed regulations or laws were dismissed or tried, but most perpetrators of human rights violations were not brought to justice." [11e] The USSD report 2003 confirmed that prosecution was prevented in most cases because of the poor judicial system. [2e] (p12) The CEDAW report November 2002 also stated that "Domestic crimes are rarely punished, and when complaints are filed and reach the courts, a

great deal of leniency is always shown in sentencing the men. The traditional view that the woman is the guilty party, or provoked the assault and that the husband has the right to punish her means that many offenses are never punished." [17x] (p16) The USSD report 2003 noted "The Government continued its project to reduce violence against women and improve the status of women." [2a] (p12)

### War-Related Violence

6.121 Various reports noted that Government forces, UNITA soldiers and members of the police reportedly raped and sexually abused women and children during the conflict. [5d] (p23) [5f] (p1) [8m] [11e] The AI report 2003 explained that women and girls were sometimes raped by soldiers in front of family members. [11e] The HRW world report 2003 stated that "UNITA fighters sexually abused women and girls, including using them as sexual slaves, as well as forcing them to wash uniforms, prepare campsites, and cook." [5f] (p1) The CEDAW report November 2002 noted the same information [17x] (16) The USSD report 2003 noted that women and girls were raped and forced into sexual slavery in the Cabinda province. [2a] (p4) The end of the civil war did not improve the situation of women in Angola. The HRW August 2003 accused military personnel of raping and sexually assaulting women and girls during the returns process. [5d] (p19-20, 23) The AI report 2003 confirmed that during the return process "Police reportedly raped or otherwise sexually assaulted women and girls. In rural areas, both military personnel and police demanded bribes at control posts. There were also reports of torture in police stations." [11e]

# 6.122 According to CEDAW report June 2004:

"In the year 2001, in February, a Cooperation agreement was signed between the Lawyers' Association of Angola and the Ministry of Family and Promotion of Women with the aim of assigning Lawyers to the Centre for legal assistance to victims of violence or persons directly and indirectly involved. This work of attending to the victims of violence is also done at the level of all provinces of the country. Some non governmental organisations like AWO [Angolan Women's Organization] (in all provincial capitals) and AVIMA (in Benguela province) have Centres for attendance to women victims of violence. The AWO Legal Counselling Centre was created in 1986 and has offices in four provinces: Benguela, Luanda, Cbinda (sic) and Huila. AWO in 2000 created in Luanda the Shelter House for women victims of violence. ... Cases going beyond the competence either of MINFAPW or of AWO are referred to the competent organs i.e. the National Criminal Investigation Directorate or the Courts (the Family Hall, Civil Hall and Administrative)." [174]

#### Prostitution

6.123 The USSD report 2003 observed that "Due to poor economic conditions, an increasing number of women engaged in prostitution. Prostitution is illegal under the Constitution; however, the prohibition was not enforced and prostitutes were treated as victims, not offenders." [2a] (p12) However, the CEDAW report 2004 observed that "Prostitution is not considered as crime in the law." [174] (p21) The report added that

"The situation of sexual and commercial exploitation of women and children in Angola does not differ much from that faced in other countries. However, it is manifestly perverse in Angola due to the effect of war and poverty." [177] (p21) The report further stated that there are a few organisations that offer support to prostitutes. [177] (p21) The USSD report 2003 noted that "During the year [2003], independent media carried stories on the increasing prevalence of prostitution and complaints by prostitutes of police harassment." [2a] (p12)

# Female Genital Mutilation (FGM)

6.124 A report by Afrol accessed 17 March 2004 noted that "There has been very little evidence of FGM. There were rare occurrences in remote areas of Moxico province, bordering the Democratic Republic of Congo and Zambia in past years; however, information from local and international health workers, including midwives, indicated that indigenous groups do not practice FGM." [256]

#### Health

6.125 An article by IRIN news dated 31 July 2004 reported that "Delgado noted that Angolan women suffered high levels of mother/child mortality, malnutrition, illiteracy, poverty, violence, lack of resources and unemployment in both the formal and informal sectors; women also headed most households and were most affected by HIV/AIDS and other sexually transmitted diseases." [88]

#### Demobilisation

6.126 According to HRW 2003 report August 2003, "The official demobilization process has largely excluded women and child soldiers from its ambit. ... Currently, the demobilization and reintegration efforts target male combatants, aged eighteen or older. However, the majority of the population in the gathering areas is comprised of women and children in need of humanitarian aid and other assistance." [54] (p23)

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### Children

April 2003 and IRIN news dated 2 March 2004, approximately 60 percent of the population of Angola was believed to be under the age of 18. [59] [64] [80] [33a] The USSD report 2003 added that "Approximately 50 percent of the population was believed to be under the age of 15; however, the Government continued to give little attention to children's rights and welfare." [2a] (p13) The UNICEF report and an article by the BBC dated 2 March 2004 both advised that Angola had one of the worst child mortality rates in the world, with one in four children dying before their fifth birthday. [79] [33a] According to the IRIN news article dated 2 March 2004 "Malaria, respiratory and diarrhoeal diseases and, increasingly, HIV/AIDS are the biggest child killers." [8n] However, several documents noted that the Government has pledged to halve child mortality by 2008 by improving access to health facilities, improving the treatment available and increasing vaccination projects. [79] [8n] [17h] [17m] [p3)

6.128 A UNICEF report, accessed 27 March 2003 stated that the situation of children in Angola remained 'dire'. [33a] The USSD report 2003 observed that the Government gave little attention to children's rights and welfare. [2a] (p13) The report added, "The Ministry of Education and Culture (MEC) barely functioned due to a lack of resources and poor administration." [2a] (p13) Various reports noted that during 2003 UNICEF launched a campaign aimed at returning children to school. [2a] (p13) [33a] [33d] The 'Back-to-School' campaign was launched in Bié and Malanje to increase education access for all school-aged children. [2a] (p13) [33d]

## Children Affected by War

6.129 The HRW report April 2003 observed that both the government and UNITA used children during the Angolan civil war. [5g] (p2-14) An article by IRIN news dated 29 April 2003 also reported the same information. [8ab] The HRW report stated that "Child protection workers in Angola have suggested that as many as 11,000 from the two sides may have lived and worked in combat conditions." [5g] (p2)

## 6.130 The same document reported that:

"Boys and girls in Angola fought in the civil war that ravaged the country for decades; yet to date, they have received no formal assistance in demobilization programs. Existing programs for adults discriminate against children who performed these same duties and are in violation of the government's obligation to provide for their recovery and rehabilitation. Current plans for community and family rehabilitation are unlikely to meet the needs of former child soldiers and they risk being forgotten, especially girls."

# 6.131 According to the HRW report April 2003:

"Most adult fighters eighteen and older received demobilization and photo identification cards, a travel authorization certificate, a five-month salary based on military rank, and food assistance. They are also to receive a transport allowance and a reinstallation kit upon return to their home communities. But boy and girl soldiers, seventeen and younger, were not included in the demobilization program and received only an identification card and food aid distributed by the international community to family units attached to the soldiers." [59] (p2)

6.132 The Coalition to Stop the Use of Child Soldiers report 2003, published in January 2004, noted that "Some children recruited during the civil war remained within the Angolan armed forces (FAA), although many have reached the age of majority. Some under-age soldiers remain in the FAA." [156] The USSD report 2003 noted that "Some children reportedly continued to be recruited into the armed forces as a result of the absence of civil registration and the inability to prove dates of birth." [2a] (See also section 5 on Child Soldiers)

6.133 The Coalition to Stop the Use of Child Soldiers report 2003 advised that in March 2003 the Angolan Government, UNICEF and civil society partners approved their policy on former child soldiers. The Ministry of Assistance and Social Reintegration pledged its commitment to birth registration, family tracing and reunification. [156] The USSD report 2003 noted that "Between January and October [2003], the UNICEF-supported National Family Tracing and Reunification Program successfully reunited 1,479 separated children with their families and trained 539 tracing activists in 10 provinces." [2a] (p13) A statement by the Government of Angola on 13 August 2004 added, "At least 119 Angolan children have been returned to their respective families between January and July this year [2004] by the International Committee of the Red Cross (ICRC), as part of its family reunification programme that started with the end of war in the country. ...Since the war ended in 2002, until late last year, the ICRC registered 1.600 children and reunited more than 700." [3h]

# Child Prostitution and Street Children

6.134 The USSD report 2003 noted that "Child prostitution is prohibited by a general criminal statute; however, an international NGO estimated in June [2003] that there were as many as 1,000 underage prostitutes in Luanda." The law treats sex with a minor under the age of 12 as non-consensual and is considered rape. Sexual relations with a child between the ages of 12 and 15 may be considered sexual abuse. [2a] (p12-13) The OCHA monthly analysis February 2004 noted that children were trafficked from Angola primarily to Namibia and South Africa to work as child prostitutes during 2003. [17m] (p4)

6.135 The Institute for Security Studies (ISS) report 2002 stated that there were over 10,000 street children in Angola, of which an estimated 5,000 were in Luanda. [436] The USSD report 2003 and the ISS report 2002 both observed that many of the street children were orphaned or abandoned and others escaped abusive environments and families and Government institutions that were unable to support them. [2a] [613] [436] According to several reports, children in the rural areas of Angola were increasingly being abandoned by their parents because they had been accused of witchcraft. [536] [176] A report by the UN news wire dated 30 March 2004 also mentioned that "According to rights advocates, children as young as 5 have been raped, stoned to death, hanged and drowned in rivers after accusations of sorcery are leveled against them." [176] The USSD report 2003 noted that approximately another 30,000 children worked or begged on the streets of Luanda, and a report by OCHA estimated that approximately 100,000 children throughout the country have been separated from their families. [2a] (p13) [556] (p5)

6.136 Several documents noted that in order to survive, street children resorted to odd jobs such as shining shoes, washing cars, and carrying water. However, many turned to petty crime, begging, scavenging and prostitution. [2a] (p13-14) [8ac] [43b] The USSD report 2003 observed that "The Government-sponsored National Institute for Children was established to enforce child protection, but it lacked the capacity to work effectively with international NGOs." [2a] (p14) The Government publicised the problems of street and homeless children during 2003 and held a conference in May 2003 on the problem of street children. [2a] (p14) [66d] (p5-6)

#### Medical Care

- 6.137 According to the USSD report 2003 "The Government provides free medical care for children at the pediatric hospital in Luanda, in addition to supporting child immunisation programs and general medical care at public hospitals and clinics around the country; however, in practice, such care was limited at many facilities." [2a] (p13) The report added, malnutrition was a particular problem facing children in Angola. [2a] (p13)
- 6.138 A report by IRIN news dated 24 June 2003 stated that "United Nations figures show that 25 percent of Angolan children die before the age of five, 45 percent of the children suffer from chronic malnutrition, and only 27 percent of one-year old children are fully immunised against preventable diseases." [884] An article by the UN OCHA dated 31 January 2004 added that "Still, 50 percent of Angolan children continue to be affected by moderate malnutrition and malnutrition remains the underlying cause in 55 percent of child mortality cases." [174] [192] Several reports noted that the Government launched one of the most significant health care initiatives since the end of the civil war. The initiative aims to reduce child mortality by 50 percent and maternal mortality by 30 percent by 2008. [77] [80] [170] [170] [170]

## Child Care Arrangements

- 6.139 In September 2002 the National Institute for Children (INAC) provided information about the network of state-run orphanages and childcare facilities; as of September 2002 there was provision of facilities in all provinces except Kansa Norte and Kansa Sul. (See also Annex I on Child Care) [54]
- 6.140 According to a news article by Xinhua dated 19 September 2002:
  - "Angolan Minister of Social Welfare Joao Baptista Kussumua has said in southern Huila Province that his ministry assists and controls at least 100,000 orphan children throughout the country, Angolan news agency Angop reported on Thursday here. Joao Kussumua stated that most of the children are war orphans, adding that the ministry is helping with their recovery from psychological traumas and physical disability in and out of Angola. The government is also carrying out a program of family location and children's integration in foster families. In Huila province, Angolan Social Welfare Ministry, in conjunction with the UN Children's Fund (UNICEF) and Participative Communitarian Development Association, is building residences for orphans aged over 18 years and is reinserting them into socially useful activities." [494]
- 6.141 On 16 December 2003, Africa News reported that "The Italian Government has spent one million US Dollars in the construction and equipping of Kudilela Shelter Home for children, in the northern Malanje province. ... The Shelter Home was built with the objective of accommodating children who are orphans and abandoned, as well as put them on profissional (sic) training to secure a brilliant

future for them. At present, there are 28 children of both sexes, in the referred centre." [65]

#### Homosexuals

6.142 The International Lesbian and Gay Association (ILGA) report August 2000 stated that in Angola "Homosexual acts are illegal, described as offences against public morality." [27] The report noted that the law against homosexual acts apply to both men and women. [27] According to the Behind the Mask report, accessed 16 March 2004, the Angolan Government "Voted against the ILGA having consultative status at the UN on April 30, 2002." [28]

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# 6.C Human Rights - Other Issues

## **Humanitarian Situation**

6.143 On 26 July 2002 the UN Special Adviser on Africa, Abraham Jamboree provided an interim assessment of the humanitarian situation in the months following the completion of the peace accord. It included the following overview:

"The end of the war brings real opportunities to reduce poverty and systematically address the humanitarian needs of the Angolan people. However, the peace dividend is still far from visible to millions of people. One in four Angolans is internally displaced as a direct result of the conflict. Hundreds of thousands of people, particularly in interior regions, are in critical condition, and at least three million, or 30 percent of the population, will require some form of emergency assistance in the next six months.

"The implications of the cessation of hostilities for Angola's humanitarian crisis are noteworthy. On the one hand, the end of the war has markedly improved humanitarian access to vulnerable populations but, on the other hand, the intensification of military activity during the final stages of the war resulted in massive displacements and extreme human suffering. Recent assessments confirm that the majority of people in newly accessible areas are in serious distress, having been deprived of social services for many years and having lost their sources of livelihood during the prolonged war. Furthermore, the Government-led quartering process has meant the concentration of more than 300,000 UNITA combatants and their families, many of whom are also in critical condition and require life-saving assistance to survive. The humanitarian community, including 100 international non-governmental organisations, 340 national organisations and 10 United Nations agencies, has moved rapidly to expand the emergency operation to cover the critical needs of acutely affected populations." [170] (p4-5)

6.144 An article by Xinhua News Agency dated 20 January 2004 reported that the humanitarian situation stabilised during 2003, though the need for emergency assistance remained in many regions. [49b] The United Nations High Commission for Refugees (UNHCR) position paper noted that "While the general situation is gradually improving, living conditions in Angola remain precarious." [17o] AFP reported on 10 September 2003, that according to a joint report by the government and the United Nations, approximately 2.7 million people, including ex-combatants, who decided to return to their villages between April and August 2003, required food assistance. [44e]

- 6.145 The USCR report 2003 noted that mortality and morbidity rates remained at high levels, particularly in remote locations where people did not have regular access to basic health-care services, potable water and appropriate sanitation. [31a] A number of sources reported that child mortality rates were among the highest in the world with UN figures showing that 25 percent of Angolan children die before the age of five. [77] [30b] [33a] [38a] [64) The OCHA monthly analysis February 2004 observed "During the month [February 2004] UNICEF held seminars in Moxico and Huambo on the early detection of malnutrition, completing the training in nine of provinces considered at high risk." [17m] (p3) The USSD Post report 2003 mentioned that "Because of poor living conditions, the average life expectancy for local citizens is only 45 years." [24] (p8)
- 6.146 The USCR report 2003 noted that according to the UN Office for Co-ordination of Humanitarian Affairs, 10 UN humanitarian agencies, 112 international aid organisations, and more than 350 local charitable groups provided relief and reconstruction assistance in Angola. The report added:
  - "Health workers administered vaccinations against polio and inoculations against measles and 40 therapeutic feeding centres have opened since the cease-fire to help approximately 100,000 severely malnourished childrenAid programmes repaired and constructed more than 400 water systems and distributed agricultural tools, fertilisers and 5,000 tons of seeds to more than 500,000 families." [31a]
- 6.147 A news article by ANGOP dated 30 July 2004 reported that "The Angolan Minister of Social Welfare, Joao Baptista Kussumua, said today in Lubango, Southern Huila province, that the humanitarian situation in the country is improving. The Minister also said that, although the situation needs especial (sic) attention in some regions, the situation has improved at about 31 per cent, as compared to the year 2003." [369]
- 6.148 The UN News Service stated on 9 August 2004 that "After almost three decades of war followed by two years of peace and stability, security in Angola has noticeably improved, cereal production is growing and the number of people needing food aid is falling, but the southern African country is still only achieving a tiny fraction of its agricultural potential, according to a United Nations report." [177]

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Internally Displaced Persons (IDPs) and Returning Refugees

- 6.149 According to the HRW report August 2003 "Over the course of nearly three decades, Angolans struggled to survive in the midst of one of the most protracted conflicts in recent history. During this period, approximately one million people were killed, 4.1 million displaced and 400,000 driven to the neighboring countries of Zambia, Congo Brazzaville, Democratic Republic of Congo and Namibia." [5d] (p5) The USCR report May 2004 advised that "The precise number of internally displaced persons who returned home during 2003 is unknown. According to the government of Angola, nearly 2.5 million internally displaced Angolans returned to their areas of origin during the year [2003]. An estimated 70 percent of refugee and previously internally displaced returnees resettled with no assistance in areas of Angola deemed unable to support civilian populations." [31c]
- 6.150 However, the OCHA monthly analysis January 2004 advised that almost 3.8 million Internally Displaced Persons (IDPs) returned to their homes by the end of December 2003, adding that "There are no more IDPs in the provinces of Bengo, Cunene, Kuanza Sul, Lunda Norte, Malanje and Zaire." [174] (p4) The OCHA monthly analysis February 2004 added that there were still approximately 458,694 IDPs to settle. [17m] (p4) According to the Global IDP Project report March 2004 "They were mainly located in the provinces of Kuando Kubango, Bié, Kuanza Norte, Huambo, Moxico, Huila and Luanda." [55] (p2)
- 6.151 According to several sources, although the Norms for the Resettlement of IDPs and their implementing regulations require that return of displaced persons should be voluntary and consensual, several reports stated that IDPs have been forced by local authorities to return to places of origin by violence or threat of violence. [2a] (p6,9) [5e] (p1) [5d] (p10) The HRW report August 2003 goes on to suggest that many IDPs do not have identity documents, thus preventing them from accessing education, humanitarian aid, medical or social services. They may also be prevented from voting in Angola's elections. [5d] (p14)
- 6.152 The USCR report May 2004 observed that:

"More than 1.3 million Angolans remained uprooted at the end of 2003, including an estimated more than 1 million persons displaced within Angola and some 323,000 refugees and asylum seekers outside the country. Some 170,000 Angolan refugees lived in Zambia, some 124,000 in Congo-Kinshasa, about 12,000 in Namibia, 6,000 in South Africa, up to 4,000 in Congo-Brazzaville, 2,000 in Brazil, 1,000 in Botswana, and more than 4,000 new Angolan asylum applicants in industrialized countries." [31c]

- 6.153 The USCR report May 2004 observed that "Although major combat ended in Angola in mid-2002, an estimated 20,000 or more Angolans fled the country during 2003, mostly UNITA supporters." [316]
- 6.154 The OCHA monthly analysis July 2004 reported that:

"The organised repatriation process continued throughout the month [July 2004] and a total of 6,687 refugees were repatriated during the reporting period. The majority came from the DRC, followed by Zambia and finally

Namibia. The pace of return will pick up significantly in August [2004] when IOM [International Organisation for Migration] airlift operations from Zambia begin. Flights will go from Mungu, Zambia, to Lumbala N'guimbo and later in the month, to Huambo. UNHCR is increasing the capacity of the Lumbala N'Guimbo reception centre from 300 to 500 and WFP will support returnees with food assistance. IOM will make transportation means available for returnees to their final destinations. Thus far, more than 8,000 refugees have returned home through the voluntary repatriation." [172] (p6)

- 6.155 An IRIN news report dated 2 August 2004 stated that "After refugees register for repatriation, the International Organisation for Migration (IOM) will organise air transport to Luanda, from where UNHCR will assist them with onward transport to their home provinces." [8h]
- 6.156 The report added, "Nearly 135,000 Angolan refugees returned home during 2003. Some 220,000 have repatriated since the war's end." [31c] The report added, "In June [2003], the UN High Commissioner for Refugees (UNHCR) launched the Angolan Organized Voluntary Repatriation Program to assist with refugee return. About 76,000 repatriated with assistance from UNHCR during the year [2003], including some 41,000 from Congo-Kinshasa, some 31,000 from Zambia, and 4,000 from Namibia." [31c]
- 6.157 Nevertheless, according to various reports many of the Angolan refugees have returned to Angola on their own without waiting for assistance from UNHCR. [5d] (p8) [40b] The HRW report August 2003 observed that as they have returned spontaneously, their treatment was not governed by the formal repatriation agreements, only national Angolan law applies. [5d] (p8) However, the USCR report January 2004 advised that the UNHCR temporarily suspended refugee repatriation in mid-November 2003 due to the harsh weather conditions. [31b] The OCHA monthly analysis February 2004 further noted that despite the suspension, seven UNHCR reception centres continued to provide assistance to spontaneous returnees during February 2004. [17m] (p4)
- 6.158 An article by IRIN news dated 2 August 2004 reported that "In a resumption of the repatriation programme following the rainy season, over 300 Angolan refugees who had been living in DRC's southwestern province of Katanga for more than 20 years, returned home to Moxico province in eastern Angola in July [2004]. [Bh]
- 6.159 The USSD report 2003 noted that "In March [2003], independent media reported returning refugees were required to pay illegal taxes at border posts and alleged that officials had raped some refugee women." [22] (p10) The HRW report August 2003 suggested "Those who have returned have often encountered abysmal conditions such as food shortages, poor hygiene, lack of infrastructure, limited access to social services such as health services, and landmine infestation." [54] (p1) The USCR report January 2004 also reported the same problems. [316] The HRW report August 2003 added, "Return and resettlement conditions are often unsafe and Angolans in transit have been the victims of violations that include discrimination, extortion, physical abuse and death." [54] (p26)

- 6.160 The OCHA monthly analysis February 2004 noted "There have been allegations of discrimination against recently returned refugees and demobilised soldiers in Huila, Namibe and Moxico in land allocation and hiring practices. However, for the time being, the anecdotal evidence of discrimination as well as some isolated incidents of physical and verbal abuse does not indicate a more widespread trend." [17m] (p4)
- 6.161 The Global IDP Project report March 2004 noted that the Government prioritised the reintegration of demobilised UNITA in January 2004. [55] (p2-3) Several reports stated that since the end of the war, between 80,000 and 85,000 former UNITA troops have been demobilised, and 5,000 of them were included in the FAA. [74] [36k] [44a] Government figures released in January 2004 stated that approximately 92,000 demobilised soldiers and 286,000 dependants returned to their areas of origin by the end of December 2003. [174] (p4)
- 6.162 An article by IRIN news dated 2 August 2004 reported that "The World Food Programme is providing the returnees with a two-month supply of food, while Medicine Sans Frontiers-Belgium is looking after their medical needs. About 145,000 Angolan refugees are expected to return from neighbouring countries this year, with UNHCR assisting some 90,000. Angolans will receive repatriation assistance from the UNHCR until October 2005. [8h]

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## Forced Evictions

6.163 According to the AI report November 2003 People in over 5,000 households were evicted and their homes were demolished in three mass evictions between 2001 and 2003." [111] (p1-13) The report also mentioned that members of the police force arbitrarily evicted thousands of inhabitants at gun point from overcrowded shanty towns (musséques), which resulted in injuries and deaths. Many of the evicted had to move to temporary camps and become dependent on humanitarian assistance. [111] (p6) The Global IDP Project March 2004 observed the same information. [55] (p2)

# 6.164 The HRW overview 2003 added:

"For a number of years, the government of Angola has carried out forced evictions in the capital, Luanda, on a massive scale. These evictions have been carried out in violation of international standards of due process and without the justification of any apparent wider public benefit. In Benfica and Boa Vista, two of Luanda's neighborhoods, Police and other officials have evicted long-term residents, leaving them without shelter, seizing or destroying their belongings. In same (sic) cases, police violence during evictions has resulted in death, injury or miscarriage." [5e] [p2]

6.165 The AI report November 2004 advised that "Forced evictions are not specifically prohibited in Angolan law, although certain provisions in the Civil Code may be used to contest arbitrary expropriation of property. The right to adequate housing is not

expressly provided in Angolan law, but it may be implied in the Constitution and in other legislation." [119 (p19)

# 6.166 The same report noted that:

"Very few people have full legal title to their land. The system for registering land and housing almost collapsed during the war and was unable to cope with the expansion of households in Luanda. The procedures for obtaining official permission to occupy or build on land appear to be complicated and slow, and applicants are vulnerable to exploitation and expropriation by unscrupulous or corrupt officials. ... The risk of forced eviction is exacerbated by the absence of a clear policy concerning urban land and property. The system for awarding and monitoring development contracts is inadequate and opaque, leaving room for corrupt practices. The authorities often fail to give notice of intention to develop an area, and there is no tradition of adequate consultation. Residents therefore have little opportunity to contest official decisions. The Provincial Governor, Simāo Paulo, has stated an intention to launch a program to discourage illegal land occupation and warned that houses put up without permission would be demolished but did not announce plans for providing access to alternative housing for those to be evicted." [11f]

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# Violence in Cazombo

6.167 The Action for South Africa report August 2004 noted that:

"The United Nations World Food Programme has warned that violence has broken out in eastern Angola in Cazombo, a town near the Zambian border. According to a report by the WFP on 23 July [2004], 'as many as 55 houses belonging to returnees from Zambia who have alleged links to UNITA are reported to have been burnt down in recent days. The incident was allegedly provoked by the local UNITA party's intention to establish an office in Cazombo, and moreover by the fact that the UNITA delegation was led by retired General Moises Njolamba who is allegedly responsible for the destruction of a bridge near Cazombo and the massacre of 72 local people. No one was killed nor injured, and the situation has now returned to normal throughout the town'." [374] (p2-3)

6.168 An article by AFP dated 30 July 2004, nevertheless, stated that "At least five people were wounded and 60 homes torched in the eastern Angolan province of Moxico in ethnic and politically related violence, the country's main opposition party said Friday." [441]

6.169 The OCHA monthly analysis July 2004:

"Eighty houses were burned and looted between 14 -- 17 July [2004] in the eastern province of Moxico, in the largest outbreak of organised, politically

motivated violence Angola has experience (sic) since the peace. The rioting was triggered in response to a UNITA delegation's effort to set up offices in the town of Cazombo and was very much directed toward the leader of the delegation. The local population holds him responsible for the bombing of the Zambezi River bridge and the deaths of many civilians during the war. Mobs formed and after attacking the house of the future UNITA offices, targeted houses of suspected UNITA supporters and demobilised combatants. The houses of six national staff of international NGOs were also destroyed. In a positive step, a soba responsible for instigating an attack on the house of NGO national staff member a week after the initial outbreak was arrested by authorities. Cazombo is a return area for the voluntary repatriation effort, which continued as planned and convoys of refugees from Zambia arrived without incident. The international community was very concerned and expressed the need for adequate legal redress in meetings with the GoA [Government of Angola]." [172] (p4)

## 6.170 The Action for South Africa report August 2004 added:

"However, the MPLA has stated that it is not responsible for the attacks, and that on the contrary it has been trying to defuse tension created by the arrival of General Njolamba and other UNITA members. Speaking to the UN news agency IRIN, the MPLA's Information Secretary, Norberto dos Santos 'Kwata Kanawa', stated that 'It's clear that neither the MPLA nor the police had anything to do with the mobilisation of the population against UNITA. In fact, it was the police and the local administration that tried to calm down the situation'." [374] [93)

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## Mass expulsions of illegal foreigners

#### 6.171 The FCO letter dated 26 August 2004 advised that:

"In May 2004 there was widespread international protest at Angola's handling of the mass expulsion of illegal foreigners, mainly from diamond areas, during 'Operação Brilhante.' There was particular dissatisfaction in Congo which, unprepared, had to receive by far the largest part of those expelled, well over 100,000 persons. In a communiqué published on 14 May [2004], Amnesty International's Angola section asked the government to investigate alleged Human Rights violations during the repatriation operations in order to verify the truth and punish perpetrators, insisting that during such procedures all human rights had to be observed. The UN agencies organized three monitoring trips in Lunda Norte, Lunda-Sul and Malange during April and May [2004]. On 19 [2004] May the Angolan Government announced a 45-day suspension of expulsions and confirmed that any future expulsions would be carried out with consular protection from the DRC Embassy." [4h] (p3)

6.172 The OCHA monthly analysis July 2004 reported that:

"Operação Brilhante, the expulsion of illegal diamond workers, restarted in three northern border provinces in July. Cases of illegal workers rounded up have been confirmed in Uige, Malanje and Lunda Norte provinces. The operation is moving forward quietly this time around and there have been no reports of human rights abuses which could indicate a better awareness of international requirements. During the African Union Summit in Addis Ababa earlier in the month, the African Commission on Human Rights publicly criticised Angola, accusing the government of human rights abuses and xenophobia in carrying out the expulsions." [172] (p4)

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## Corruption

6.173 In October 2003, Transparency International (TI) ranked Angola 124<sup>th</sup> out of 133 countries in its Corruption Perceptions Index (1 being the least corrupt and 133 the most corrupt country). [13] (p5) The HRW report January 2004 stated:

"From 1997 to 2002, unaccounted for funds amounted to some U.S.\$4.22 billion. In those same years, total social spending in the country - including Angolan government spending as well as public and private initiatives funded through the United Nations' Consolidated Inter-Agency Appeal - came to \$4.27 billion. In effect, the Angolan government has not accounted for an amount roughly equal to the total amount spent on the humanitarian, social, health, and education needs of a population in severe distress. Due at least in part to such mismanagement and corruption, the government also has impeded Angolans' ability to enjoy their economic, social, and cultural rights. It has not provided sufficient funding for essential social services, including healthcare and education. As a result, millions of Angolans continue to live without access to hospitals and schools, in violation of the government's own commitments and human rights treaties to which it is a party." [5c] (p1)

## Treatment of Returned Failed Asylum Seekers

6.174 The UNHCR position paper January 2004 stated:

"UNHCR is no longer advising against involuntary return of rejected asylum seekers to Angola, except for return to Cabinda Province. Nonetheless, UNHCR would ask governments to carefully assess the risk to individuals upon return. There may well be persons who, while not having a demonstrated need for international protection, would be particularly vulnerable upon return. This would include, for example, separated children, unaccompanied elderly people, and people with physical disabilities or in need of specialized or ongoing medical care.

"UNHCR would also urge caution with the return of persons originating from rural areas that remain inaccessible or beyond reach of humanitarian assistance. These areas include municipalities in Bié, Kuando Kubango, Lunda Norte, Malanje, Moxico and Uíge provinces." [170]

## Treatment of Non-Governmental Organisations (NGOs)/ Human Rights Monitoring

6.175 According to the USSD report 2003 "The Government does not prohibit independent investigations of its human rights abuses; however, it failed to cooperate and often used security conditions as a justification to deny access to Cabinda." [2a] (p11) The report added that more than 100 international NGOs and 350 national NGOs operated within the country during 2003. However, the Government continued to block the registration of the Association for Justice, Peace and Democracy (AJPD) by not responding to its application. [2a] (p11-12) [14] (p46)

6.176 According to the HRW report July 2004, "At present, with the end of hostilities in most of Angola, hundreds of NGOs have formed. These NGOs and the broader civil society in which they exist face serious difficulties in restructuring their strategies and identifying short- and medium-term objectives. Nevertheless, a number of national organizations have developed skills and implemented projects to promote human rights and foster reconciliation. Collaborative efforts with international groups and other partnerships have been fundamental for this transition. Yet these efforts have been geographically concentrated and have suffered from limited operational capacity even in the capital." [5h] (p11)

6.177 The USSD report 2003 noted that "Human rights organizations had increased access to the country following the April 2002 ceasefire." [2a] (p12) The same report noted that several international organisations, including the International Committee of the Red Cross (ICRC) and the UN, have a permanent presence in the country. [2a] (p12) The HRW report July 2004 observed that "Although the government has recently issued a new presidential decree to regulate activities of non-governmental organizations in Angola, the requirements for registration have not been altered." [5h] (p17)

6.178 According to a report by IRIN news dated 20 February 2004:

"Non-governmental organisations (NGOs) working in Angola will have to submit detailed reports and strictly adhere to national labour laws and other regulations as the government implements a law governing their activities.... NGOs are still digesting the implications of the new system, but after having been allowed to operate freely during Angola's emergency years of the war and its immediate aftermath, some fear it could harm their autonomy and hamper their humanitarian efforts." [89]

## Landmines

6.179 According to the Landmine Monitor report 2003, "Angola signed the Mine Ban Treaty on 4 December 1997. It was not until after the end of hostilities in early 2002 that speedy ratification of the Mine Ban Treaty was set in motion. In April 2002, the Angolan Parliament formed a special commission to address the issue of treaty

ratification. On 5 July 2002, Angola officially deposited its instrument of ratification with the United Nations. The treaty formally entered into force for Angola on 1 January 2003. ... There have apparently been no steps toward developing domestic legislation or other measures to implement the treaty, such as penal sanctions for violators."fn267 [57] (61) The USCR report January 2003 noted that although precise figures on the number of landmines scattered across Angola was unknown, Angola was believed to be one of the most heavily mined countries in the world. [316] As noted in the Refugees International (RI) country report 2003, Angola also had one of the highest landmine injury rates in the world with more than 75 percent of all mine accidents involving civilians. [40c] An IRIN news report dated 17 August 2004 also stated that "Angola remains one of the most heavily mined countries in the world: estimates for the number of landmines range from six to 20 million, causing one of the highest rates of landmine injuries per capita in the world." [8a] The UNSC report February 2003 explained that the problem was most acute in Kuando Kubango, Benguela, Bié, Huambo, Malange, Huila and Moxico provinces. [177] (p5) According to the RI country report 2003, landmines killed at least 70,000 people including IDPs and refugees attempting to return home. [40c] The OCHA monthly analysis January 2004 noted that in recent months there was an increase in the number of mine related incidents. In January 2004 alone there were 19 mine incidents and 21 related casualties or deaths. [17d] (p1)

6.180 The USCR report January 2004 observed that "Lack of funding and cooperation from the government of Angola has slowed the detection and removal of landmines and unexploded ordnance. At the same time, the government of Angola continues to pressure mine-detection organizations to clear more landmine-contaminated areas faster." [316] According to a News 24 report dated 2 April 2004 "At least 140 000 people in Huambo are currently cut off from essential food and medical aid as a result of the problem. It could take several months before Halo Trust, a landmine disposal organisation, has cleared the area." [21]

6.181 The OCHA monthly analysis February 2004 noted that the Government, with the support of various partners, continued to prepare a national mine action plan for 2004-2005 that will help mobilise resources, release state budget funding and create a framework for implementation. [17m] (p2) The report observed in February 2004 "In Huila, mine signals were stolen and used as decorations in houses and trucks.... Humanitarian partners have raised the need for more mine awareness activities with local authorities." [17m] (p2)

6.182 An IRIN news report dated 17 August 2004 noted that "Humanitarian agencies have also routinely complained that landmines and the poor condition of roads continue to hamper relief efforts." [8a]

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## **UN Office in Luanda**

6.183 According to the UNSC report February 2003:

"UNMA [UN Mission in Angola] has completed its mandated political tasks, as set out in resolution 1433 (2002) of 15 August 2002. The United Nations agencies and programmes provided essential humanitarian and development assistance throughout the period covered by the mandate of the Mission and will continue to work closely with the Government to implement a post-conflict strategy. However, the residual tasks foreseen under resolution 1433 (2002), including in the areas of human rights, mine action, reintegration and resettlement of ex-combatants, humanitarian assistance, economic recovery and electoral assistance, will continue to require attention and support." [177] (p9) Return to Contents

## Annex A

# Chronology of Major Events

1975, Jan Meeting between MPLA, UNITA and FNLA in Alvor, Portugal:

Common political programme reached Agreement reached between representatives of the MPLA, UNITA, the FNLA and the Portuguese government establishing date of independence and

transitional government structure. [1] (p40)

June Fighting breaks out between the MPLA and FNLA in Luanda and

quickly spread to other major towns. MPLA expels FNLA from capital, while MPLA were forced out of the nothern provinces of Uige and Zaire. UNITA becomes fully involved in fighting on the

side of the FNLA. [1] (p40)

Aug South African troops enter Angola to support UNITA and the

FNLA. [1] (p40)

Oct Cuban troops assist the MPLA. [1] (p40)

11 Nov Independence from Portugal [1] (p40)

1976 The MPLA gains the advantage. [1] (p40)

Oct The MPLA formulates rigorous Marxist/Leninist programme. [1] (p41)

1977, Dec The MPLA changes name to MPLA - Pt (MPLA - Partido de

Trabalho). [1] (p41)

1979, Sept José Eduardo dos Santos takes over as leader of the MPLA – PT

and state President after death of Dr Agostinho Neto. [1] (p41) [7b]

1980 People's Assembly (Parliament) and the Provincial and Municipal

People's Assemblies created. [3n] (p2)

1981, Aug South African troops advance some 120km into Angola as part of

'Operation Protea' [1] (p41)

The beginning of a new Republican Government in the USA led to a

reversal in US policy towards UNITA. The US increase military

support for UNITA. [1] (p41)

1987, Oct South Africa confirms support for UNITA & engages in direct military

action with Cuban & Soviet troops in Angola. (1) (p41)

Nov	The UN security Council demands the unconditional withdrawal of South African troops from Angola. Despite agreeing to comply, South Africa continued its military incursions into Angola. [1] (p41-42)
1988, 22 Dec	Bilateral agreement signed by Angola & Cuba and tripartite accord by Angola, Cuba & South Africa. [1] (p42)
1989, Jan	UN Security Council authorise creation of a UN Angola verification (UNAVEM) to monitor withdrawal of Cuban troops. [1] (p42)
Feb	The MPLA government offers a 12 month amnesty to member rebel organisations. [1] (p42)
1990, July	At the MPLA - PT central committee meeting the move towards a multi-party political system is accepted. [1] (p42)
Dec	Marxist/Leninist ideology replaced with a commitment to democratic socialism. [1] (p42)
1991, Mar	Political parties are legalised. [1] (p42)
1 May	Peace agreement signed by the MPLA – PT and UNITA in Estoril, Portugal, provided for a ceasefire. (1) (p42)
1992, May	Suffix 'PT' deleted from MPLA's name. [1] (p42)
Aug	A constitutional revision takes effect. The name of the country is changed from the People's Republic of Angola to the Republic of Angola. [1] (p42)
27 Sept	The FAPLA and UNITA forces is formally disbanded and new 50,000 strong national army, the Forcas Armadas de Angola (FAA) is officially established. (1) (p42)
29/30 Sept	Presidential and legislative elections take place. (See also Annex E on Election Results) (1) (p42)
5 Oct	UNITA withdraw from FAA. [1] (p42)
11 Oct	Heavy fighting breaks out in Luanda, Malanje, Huambo and Huila provinces. [1] (p43)
1993	The USA Government officially recognises Angolan Government. [1] (p43) UN imposes arms and petroleum embargo against UNITA. [76]
1994, 20 Nov	Lusaka Peace Accord is signed. [1] (p43)
1995, Feb	UNAVEM III created by UN Security Council. [1] (p43)

May The UN Secretary-General's special representative in Angola, Beye, Dos Santos and Savimbi meet in Lusaka for direct talks. Savimbi accepts dos Santos as Head of State. [1] (p43) The Government sign a four month ceasefire agreement with FLEC-Sept R. [1] (p43) The Government and FLEC-FAC sign an agreement outlining the 1996, May terms of a ceasefire. Fighting breaks out and the leader of FLEC-FAC (Henrique N'zita Tiago) declares that definitive ceasefire will only follow the withdrawal of the FAA from Cabinda. [1] (p43) 1997, 11 Apr Government of Unity and Reconciliation is inaugurated. [1] (p43) 1 June MONUA is established as the successor to UNAVEM III. 111 (p43-44). 30 Oct UN imposes additional sanctions against UNITA. [1] [p44] 1998, Jan Government and UNITA agree timetable for implementation of the Lusaka protocol. [1] (p44) 28 June Mr Alioune Blondin Beye, the UN Secretary General's special representative to Angola, dies inn a plane crash in Côte d'Ivoire. [17a] (p7) Aug Issa Diallo, Beye's replacement, arrives in Angola. [17a] (p7) The Government suspends UNITA's government and representatives from office. [1] (p44) Sept The Government revoke the suspension of UNITA's representatives in the Government and Legislature. [1] (p44) 1999, Feb The UN Security Council vote to end MONUA mandate and withdraw its operatives from Angola by March 1999. [1] [p44] Sept The FAA launch major offensive against UNITA. [1] [p44] 2000, June The Government announces that it will hold general elections by 2001. [1] (p45) Aug The FAA Chief, de Matos, suggests that Savimbi will not face prosecution for his failure to uphold the ceasefire imposed after the 1992 elections. [1] (p45) Dec The National Assembly approves a draft Amnesty Law put forward by the MPLA. President dos Santos announces elections will not now take place until 2002. [1] (p45)

Fighting continues between the MPLA and UNITA throughout early 2001 and mid 2001. In late 2001 the FAA adopts 'scorched earth' tactics in which hundreds of thousands of rural residents are systematically resettled in urban locations. [1] (p45) Jan Armando da Cruz Neto replaces General Joao de Matos as FAA Chief of Staff. [1] (p45) [4h] (p3) Savimbi calls for a resumption of talks between the Government, the Mar UN and UNITA, and further states that he is willing to abide by the Lusaka Accord. The Government responds by declaring that it is not willing to resume negotiations with Savimbi. [1] (p45) UNITA troops agree to abide by a ceasefire on the condition that it is May called by President dos Santos. (1) (p45) 2002 In early 2002 a substantial proportion of Angola's territory is brought under Government control. [1] (p45) 22 Feb Jonas Savimbi killed in Moxico province. [1] (p45) Mar Savimbi's successor, General Dembo, is reported dead. FAA halt its offensives against UNITA and enter peace talks with the UNITA committee led by their Chief of staff, General Abreu 'Kamorteiro' Muengo. [1] (p45) 30 Mar A peace deal informally agreed. [1] [p45] Peace accord formally signed. [1] (p45) 5,000 UNITA troops to be 4 Apr absorbed into the FAA. 50,000 UNITA troops to be demobilised. The demobilisation process to be supervised by a Joint Military Commission. [1] (p46) UNITA's military commander says 85 percent of his troops have May gathered at demobilisation camps. But there are concerns that food shortages and starvation in the camps could threaten the peace process. UN lifts travel ban on UNITA officials. [76] The UN appeals for aid for thousands of refugees who have June started returning home after the ceasefire. Medical charity MSF says half a million Angolans are facing starvation, a legacy of the long-running civil war. гъз UNITA officially terminated its military wing FALA. [76] [12] [42a] [p11) Aug

completed its tasks. [1] (p46)

Nov

The Joint Military Commission disbanded stating that it had

Dec	President dos Santos announces reshuffle in the cabinet and appoints a new Prime Minister for the first time since January 1999, Fernando da Piedade Dias dos Santos 'Nando'. [1] [146] [76]
2003, Feb	UNMA - the UN Mission in Angola is wound up having completed its mandated political tasks. [76] [177] [99] The Government confirms contact with representatives from FLEC-FAC over the feasibility of exploratory talks aimed at ending the conflict [80]
27 June	Isaias Samakuva becomes the new leader of UNITA after winning 78 percent of the vote. [76] [86]
June	Gen Agostinho Nelumba 'Sanjar' appointed Chief of Staff of the FAA in succession to Gen Armando da Cruz Neto. [46] (թ3)
July	Seven top FLEC-FAC military officials, including the groups' chief general staff, Francisco Luemba, handed themselves over to Government authorities. [8]]
6-9 Dec	5 <sup>th</sup> Congress of the ruling MPLA. Pitra Neto appointed MPLA vice- president and 'Dino Matross' as MPLA secretary-general. [4h] (p3-4)
Dec	According to Government figures approximately 92,000 demobilised soldiers and 286,000 dependants returned to their areas of origin by the end of the year. [174] (p4)
2004, Jan	The Government prioritises the reintegration of demobilised soldiers. [55] (p2-3)
27 Jan	A draft of the new Constitution is presented to the Constitutional Committee of the National Assembly. [37a] (p1)
3 March	The first HIV/AIDS hospital is inaugurated in Luanda. [41a]
May	International concern at Angola's mass expulsion of illegal foreigners. [4h] (p4)
12 May	Opposition parties suspend participation in Constitutional Affairs Committee of National Assembly. [4h] (p4)
2 July	President dos Santos convenes meeting of Council of Republic. [4h]
2 July	Death of Mfulumpinga Lando Victor, President of PDP-ANA, following assault outside party offices. [4h] (p4)
3 July	Opposition leaders meet with Attorney-General to express concern for their own safety. [4h] (p4)

27 July

President dos Santos accepts recommendation of Council of the Republic to call for elections before end September 2006, and asks National Assembly to define the legal framework for them to be held. [4h] (p4)

# **Political Organisations**

According to the Political Parties of the World publication 2002:

"A law enacted in May 1991 specifies that political parties 'must be national in character and scope'. Specifically prohibited are parties that 'are local and regional in character; foster tribalism, racism, regionalism or other forms of discrimination against citizens or affect national unity and territorial integrity; use or propose the use of violence to pursue their aims...; adopt a uniform for their members or adopt clandestine parallel structures; use military, paramilitary or militarised organisation; [or] are subordinate to the policy of foreign governments, bodies or parties'. The 1991 law also makes provision for registered parties to receive state financial assistance on the basis of their support in the most recent general election and the number of candidates presented." [45] (p10)

The HRW report July 2004 observed that there are 126 registered political parties in Angola. [5h] (p11) However, only 12 of the political parties have seats in the National Assembly. [1] (p60)

## Parties Represented in the National Assembly

### Aliança Democrática de Angola (AD)

Democratic Alliance of Angola

The AD was created by a number of opposition parties prior to the September 1992 multi-party elections. Taking 0.9 percent of the popular vote in the Assembly balloting, the party won one seat. Leader is Simba da Costo. [1] (p60)

#### Fórum Democrátrico Angolano (FDA)

Angolan Democratic Forum

Founded in 1992 by dissidents from UNITA, received one governmental position in 1992 and now has got one deputy at the Assembly. [67] (97)

#### Frente Nacional de Libertacao de Angola (FNLA)

National Front for the Liberation of Angola.

Founded in March 1962 when the União das Populações de Angola (UPA) merged with the (Partido Democrático Angolano (PDA)). [1] [p61] [45] (p10) Since 1999 the FNLA has been split into two wings, one led by Holden Roberto and the other by Lucas Ngonda. [374] (p1)

#### Movimento Popular de Libertação de Angola (MPLA)

Popular Movement for the Liberation of Angola

Founded in 1956 and backed by USSR. [45] (p10) Between 1961 and 1974 conducted guerrilla operations against colonial rule, has been the ruling party since independence achieved from Portugal in 1975. [1a] (p61) Between 1977 and 1992 known as the Movimento Popular de Libertacao de Angola — Partido de Trabalho (Popular Movement for the Liberation of Angola — Workers' Party, MPLA - PT). [1a] (p61) [45] (p12) In

1990 replaced Marxist-Leninist ideology with a commitment to democratic socialism. [1a] (p61) President is Jose Eduardo dos Santos. Secretary-General is Julião Mateus Paulo 'Dino Matrosse'. [4h] (p4)

# Partido da Alianca da Juventude, Operarios e Camponeses de Angola (PAJOCA)

Party of the Alliance of Youth, Workers and Peasants of Angola
Founded in May 1991, the party has one seat in the National Assembly. [1][45] Led by
Alexandre Sebastiao André. [22]

## Partido Democratico Para Progresso - Alianca Nacional Angola (PDP - ANA)

Democratic Party for Progress - Angolan National Alliance
Led by Mfulumpinga Lando Victor until he was shot dead outside the party
headquarters in July 2004. [4h] [94) [38e] The PDA –ANA has one seat in the National
Assembly. [1] [91)

## Partido Liberal Democratico (PLD)

Liberal Democratic Party

Gained three of the two hundred and twenty seats in the National Assembly. Led by Analia de Vitoria Pereira. (1) (p60-61)

## Partido Nacional Democratico de Angola (PNDA)

Angolan National Democratic Party

The Secretary-General is Pedro Joao Antonio and the party is represented with one seat in the National Assembly. [1] (p60-61)

## Partido Renovador Democratico (PRD)

Democratic Renewal Party

Led by Luis da Silva dos Passos, the party has one seat in the National Assembly. [1] (p60-61)

#### Partido Renovado Social (PRS)

Social Renewal Party

The party took third place in the Assembly balloting winning six seats. [1] [p60] Has one Minister and two Vice (deputy) Ministers in the GURN. [67] (p6) President: Eduardo Kwangana. [1] (p61)

## Partido Social Democratico (PSD)

Social Democratic Party

The Presidential candidate, Bengue Pedro Joao was placed seventh in elections whilst the party gained one seat in the National Assembly. (1) (p60-61)

#### Uniao Nacional Para a Independecia Total de Angola (UNITA)

National Union for the Total Independence of Angola

Founded in 1966 to secure independence from Portugal and later received support from Portugal to oppose the MPLA. Joined forces with FNLA and conducted guerrilla campaign against the MPLA government with aid from some Western nations. [1] (p61) [45] (p11) Received intermittent support from South Africa and USA. Signed ceasefire agreement with MPLA in April 2002. Draws support mainly from Ovimbundu ethnic group. [1] (p61) Jonas Malheiro Savimbi, former President of UNITA was killed in battle on 22 February 2002. [1] (p45) [44] (p2) [7] The new leader is Isaias Samakuva. [1] (p61)

#### Other Political Parties

## Partido Democratico Angolana (PDA)

Angolan Democratic Party

The leader, Antonio Alberto Neto was placed third in the first round of Presidential elections in 1992 but the party failed to gain any representation in the National Assembly. (1) (p60-61)

## Partido Democratico Liberal Angolan (PDLA)

Angolan Democratic Liberal Party

Leader is Honorato Lando. Not represented in the National Assembly. [1] (960-61)

## Convenção Nacional Democrata de Angola (CNDA)

Angolan National Democratic Convention

Leader: Paulino Pinto Joao. [1] (p60)

# Movimento de Defesa dos Interesses de Angola - Partido Consciência Nacional (MDIA – PCN)

Leader: Isidoro Klala. [1] (p61)

# Partido de Apoio Democratico e Progresso de Angola (PADPA) (Also known as PADEPA)

Party for the Support of Democracy and Progress in Angola
Created in June 1995. Has suffered repressive reactions to its public protests. [5h]
(p11) President: Carlos Leitao.

### Partido Angolano Liberal (PAL)

Angolan Liberal Party Acting leader: Manuel Francisco Lulo, rt (p61)

## Partido Social Democratico de Angola (PSDA)

Angolan Social Democratic Party Leader: Andre Milton Kilandamoco. [1] [961]

#### Cabinda Movements include:

## Frente de Libertação do Estado de Cabinda (FLEC)

Front for the Liberation of the Enclave of Cabinda.

Founded in 1963 as a nationalist movement seeking separate independence for Cabinda province. [45] (p13) Comprises of several factions:

# Frente de Libertação do Estado de Cabinda - Amardas de Cabinda (FLEC/FAC)

Front for the Liberation of the Enclave of Cabinda - Cabindan Armed Forces
Chair: Henrique Tiago N'Zita, Chief of State Commdr Estanislau Miguel
Ngoma. [1] (p61)

Frente de Libertação do Estado de Cabinda - Renovada (FLEC - R)

Front for the Liberation of the Enclave of Cabinda - Renewed.

President: Antonio Bento Bembe, Secretary-General Arturo Chibasa. [1] (p61) [45]

## Annex C

# Prominent People - Past and Present

Beye Alioune Blondin UN Secretary general's special representative

to Angola (died in an air crash over Côte

d'Ivoire in June 1998). [17a] (p7)

De Sousa Bornito Chairman of the MPLA Parliamentary Party.

[36w]

Dembo (General) Antonio Sebastiao Vice President of UNITA. Interim President

following Jonas Savimbi's death. Found dead

a few days later. [1] (p45) [7h]

Diallo Issa UN Secretary General's Special

Representative to Angola 1998 – 1999 (Mr.

Beye's replacement). [17a] (p7)

dos Santos Jose Eduardo President of the Republic of Angola since

September 1979. pg

Dos Santos, Fernando da Piedade Dias

"Nando"

Prime Minister, installed in December 2002

[9]

Gambari Ibrahim Former UN Secretary General's Special

Representative to Angola. [4h] (p4) [17r]

Jaime Aguinaldo Deputy Prime Minister. 138

Lukamba Armindo Lucas Paulo "Gato" Interim leader of UNITA - March 2002 to June

2003. [37ь] (р2)

Manuvakola Eugenio Antonino Ngolo Former Secretary-General of UNITA - signed

Lusaka Protocol on behalf of UNITA -

Renovada. [8x]

Matos (General) Joao de Former FAA Chief of Staff, replaced in

January 2001. [1] (p45)

Mesquita João Santos de Carvalho Deputy Governor of the Cabinda province.

[8z]

Moura Dr Venancio da Silva Late Foreign Minister - signed Lusaka

Protocol on behalf of MPLA (Died 1999).

[48c]

Neto (General) Armando da Cruz Chief of staff of the FAA from January 2001

until June 2003. [376] (p5)

Pena (General) Arlindo Chenda Isaac "Ben-Ben" Deputy Chief of Staff, FAA. (Died October

1998). [3]

Samakuva Isaias

President of UNITA. Returned to Angola in October 2002 after working as UNITA's treasurer in London and UNITA's representative in Paris. [74] [84] [81]

'Sanjar', (General) Agostinho Nelumba

Current FAA Chief of Staff. [4h] (p4)

Sapalalo (General) Altino "Bock"

Former UNITA Chief of General Staff executed on Savimbi's orders in 2000. [25e]

Savimbi Dr Jonas

Former president of UNITA (killed in battle 22

February 2002). [1] (p45)

# Tribes and Languages

## Ovimbundu (Singular: Ocimbundu). Language - Umbundu

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

## Mbundu (usually Kimbundu). Language - Kimbundu

There are twenty main tribes: Ambundu, Luanda, Luango, Ntembo, Puna, Dembo, Bangala, Holo, Cari, Chinje, Minuungo, Bambeiro, Quilbala, Haco, Sende, Ngola, (or Jinga), Bondo, Songo, Quissama and Libola. This tribe is exclusive to Angola in the Luanda area fanning outwards to Cuanza Norte and Malange.

## Bakongo (Singular Mukongo). Language - Kikongo

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

#### Lunda - Chokwe

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

#### Ganguela

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

#### Nyaneka - Humbe

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

## Ambo (pl. Ovambo). Language - Oshivambo

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

## Annex E

# **Election Results**

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

## Presidential:

Candidate	Number of votes	Percent of votes	
Jose Eduardo dos Santos (MPLA)	1,953.335	49.57	
Dr Jonas Malheiro Savimbi (UNITA)	1,579,298	40.07	
Antonio Alberto Neto (PDA)	85,249	2.16	
Holden Roberto (FNLA)	83,135	2.11	
Honorato Lando (PDLA)	75,789	1.92	
Luis dos Passos (PRD)	59,121	1.47	
Bengui Pedro Joao (PSD)	38,243	0.97	
Simao Cacete (FPD)	26,385	0.67	
Daniel Julio Chipenda (Independent)	20,646	0.52	
Analla de Victoria Pereira (PLD)	11,475	0.29	
Rui de Victoria Pereira (PRA)	9,208	0.23	
Total	3,940,884	100.00	

[1] (p60)

## National Assembly:

Party	Votes	Percent of votes	Seats	
MPLA	2,124,126	53.74	129	
UNITA	1,347,636	34.10	70	
FNLA	94,742	2.40	5	
PLD	94,269	2.39	3	
PRS	89,875	2.27	6	
PRD	35,293	0.89	1	
AD	34,166	0.86	1	
PSD	33,088	0.84	1	
PAJOCA	13,924	0.35	1	
FDA	12,038	0.30	1	
PDP-ANA	10,620	0.27	1	
PNDĄ	10,281	0.26	1	
CNDA	10,237	0.26	-	
PSDA	19,217	0.26	-	
PAI	9,007	0.23	]-	
PDLA	8,025	0.20	-	
PDA	8,014	0.20		
PRA	6,719	0.17	-0	
Total	3,952,277	100.00	220	

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

[1] (p60)

## Annex F

## Glossary

AFP Agence France Presse
Al Amnesty International

AJPD Association for Justice, Peace and Democracy

ANDA National Association of Handicapped

ANGOP Angola Press Agency
ANP Angolan National Police

BBC British Broadcasting Corporation

CAPDC Centro de Apoio a Promocao e Desenvolvimento de Comunidades

CEDAW United Nations Convention on the Elimination of All Forms of

Discrimination Against Women

CGSILA General Centrale of Independent and Free Labour Unions of Angola

CIA Central Intelligence Agency

CIRCA Cambridge International Reference on Current Affairs

CIDCM Center for International Development and Conflict Management

CNN Cable News Network

CPJ Committee to Protect Journalists

DRC Democratic Republic of Congo

DRM Department of Recruitment and Mobilisation

EIU Economy Intelligence Unit

ELSC Secret Army for the Liberation of Cabinda

FAA Forças Armadas de Angola / Angolan Armed Forces

FALA Forças Armadas de Libertação de Angola / Armed Forces for the

Liberation of Angola

FAPLA Forças Armadas Populares de Libertação de Angola

FCO Foreign and Commonwealth Office

FGM Female Genital Mutilation

FLEC Frente de Libertação do Estado de Cabinda / Front for the

Liberation of the Cabinda Enclave

FLEC - R Frente de Libertação do Estado de Cabinda – Renovada / Front for

the Liberation of the Cabinda Enclave - Renewed

FLEC – FAC Frente de Libertação do Estado de Cabinda - Forças Armadas

Cabindesas / / Front for the Liberation of the Cabinda Enclave -

Cabindan Armed Forces

FNLA Frente Nacional de Libertacao de Angola / National Front for the

Liberation of Angola

GDP Gross Domestic Product GoA Government of Angola

GURN Government of Unity and Reconciliation

HDI Human Development Index

HRW Human Rights Watch

IBA International Bar Association

ICCPR International Covenant of Civil and Political Rights
ICESCR International Covenant on Civil and Political Rights

ICRC International Committee of the Red Cross

IDP Internally Displaced Person/People

ILGA International Lesbian and Gay Association

IMF International Monetary Fund
INAC National Institute for Children

IRIN Integrated Regional Information Networks

ISS Institute for Security Studies

JURA United and Revolutionary Youth of Angola

KZR Readjusted Kwanza

LAC Radio Luanda Antena Comercial

LIMA Liga da Mulher Angolana

MONUA United Nations Civilian Observer Mission

MOU Memorandum of Understanding

MPLA Movimento Popular de Liberatacao de Angola / Popular Movement for

the Liberation of Angola

MSF Médecins Sans Frontières

NDIC National Directorate of Criminal Investigation

NGO Non-Governmental Organisation

OCHA United Nations Office for the Co-ordination of Humanitarian Affairs

OPM United States Office of Personal Management

PADEPA Partido de Apóio Democrático e Progresso de Angola / Party for

the Democratic Support and Progress of Angola

RI Refugees International

RE Rádio Ecclésia

RNA Rádio Nacional de Angola RSF Reporters sans frontières SIMA Independent Union of Maritime and Related Workers

TI Transparency International
TPA Television Popular Angola

UN United Nations

UNAIDS United Nations Programme of HIV/AIDS
UNAVEM United Nations Angola Verification Mission
UNDP United Nations Development Programme

UN DPKO United Nations Department of Peacekeeping Operations

UNESCO United Nations Educational, Scientific and Cultural Organization

UNHCR United Nations High Commissioner for Refugees

UNICEF United Nations Children's Fund

UNITA Uniao Nacional Para a Independencia Total de Angola National /

Union for the Total Independence of Angola

UNMA United Nations Mission in Angola / United Nations Human Rights

Office

UNSC United Nations Office in Angola
UNSC United Nations Security Council
UNSG United Nations Secretary-General

UNTA Union of Angolan Workers

USCR United States Committee for Refugees

USSD United States State Department

VVAF. Vietnam Veterans of America Foundation

WFP World Food Programme
WHO World Health Organisation

## The Media

The press was nationalised in 1976. The following is a list of major newspapers, radio, and television stations in Angola. If known, an indication is given as to whether the publication (or channel) is state run or independent.

## DAILIES

Diario da Republica: CP 1306, Luanda - official govt bulletin.

O Jornal De Angola: Rua Rainha Ginga 18-24, CP 1312, Luanda: Director General Luis Fernendo. A government publication founded 1923 issued daily: circulation. 41,000. Newspapers are also published in several regional towns.

## PERIODICALS

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

Agora: Rua Comandante Valodia, Luanda. (Independent)

Angola Norte: CP 97, Malanje, published weekly.

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

Comercio Actualidade: Rua Da Missao 81, Luanda. (Independent)

Comercio Externo: Rua da Missao 85, CP 6375, Luanda;

Correio da Semana: Rua Rainha Ginga 18-24, CP 1213, Luanda, published weekly.

Editor-in-Chief: - Manuel Dionisio.

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

Fohla 8: Rua Conselheiro Julio de Vilhena 24, 5º andar, Luanda; (Independent)

Horizonte: Rua da Samba 144, 1º andar, Luanda.

Jornal de Benguela: CP 17, Benguela, published twice a week.

Kwacha Review: A UNITA weekly published in English.

Lavra & Oficina: CP 2767-C, Luanda; founded 1975, journal of the Union of Angolan

Writers; published monthly, circulation - 5,000.

Militar: Luanda, founded1993. Editor-in-Chief: Carmo Neto.

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

De Almeida.

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

Tempos Novos: Avda Combatentes 244, 2º andar, CP 16088, Luanda.

A Voz do Povo: Rua Jaoa de Deus 99-103, Vila Alice, Luanda.

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

### RADIO STATIONS

Luanda Antenna Comercial: Largo Luther King, Luanda. (Independent) Broadcasts in Luanda Only

Radio Ecclesia: Rua Comandante Bula 118, Luanda. (Independent/Catholic) Broadcasts in Luanda only

Radio Nacional de Angola: Avenida Comandante Gika, Luanda. (State) Broadcasts countrywide and has regional stations.

Radio Morena: Benguela based (Independent)

#### TELEVISION

Televisao Popular de Angola: Avenida Comandante Valodia, Luanda. (State) Broadcasts nationally.

WT Mundovideo: Local broadcaster in Luanda

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## Annex H

## Political Makeup of Government

#### **Head of State**

President:

Jose Eduardo dos Santos (MPLA)

## **Council of Ministers**

Prime Minister:

Fernando da Piedade Dias dos Santos

"Nando" (MPLA)

**Deputy Prime Minister:** 

Aguinaldo Jaime (MPLA)

Minister of National Defence:

Gen. Kundi Paihama (MPLA)

Minister of the Interior:

Oswaldo de Jesus Serra Van-Dunem

(MPLA)

Minister of Foreign Affairs:

Joao Bernardo de Miranda (MPLA)

Minister of Justice:

Dr. Paulo Tjipilica (FDA)

Minister of Territorial Administration:

Fernando Faustino Muteka (MPLA)

Minister of Planning:

Ana Afonso Dias Lourenco (f) (MPLA)

Minister of Finance:

Jose Pedro de Morais (MPLA)

Minister of Petroleum/Oil:

Desiderio da Graca Verissimo da Costa

(MPLA)

Minister of Fisheries:

Salomão Luheto Xirimbimbi (MPLA)

Minister of Industry:

Joaquim Duarte da Costa David (MPLA)

Minister of Agriculture and Rural

Development:

Gilberto Buta Lutukuta (MPLA)

Minister of Geology and Mines:

Manuel António Africano (UNITA)

Minister of Public Administration, Employment and Social Welfare: Dr. António Domingos Pitra da Costa Neto (MPLA)

Minister of Health:

Albertina Júlia Hamukuya (f) (UNITA)

Minister of Education:

António Burity da Silva Neto (MPLA)

Minister of Culture:

Boaventura Cardoso (MPLA)

Minister of Science and Technology: João Baptista Ngandagina (PRS)

Minister of Transport: André Luís Brandao (MPLA)

Minister of Posts and Licinio Tavares Ribeiro (MPLA)
Telecommunications:

Minister of Family and Women's Cândida Celeste da Silva (f) (MPLA)

Advancement:

Minister of Ex-servicemen and War Pedro José van-Dúnem (MPLA)

Veterans:

Minister of Youth and Sports: José Marcos Barrica (MPLA)

Minister of Public Works: Francisco Higino Carneiro (MPLA)

Minister of Commerce: Victorino Domingos Hossi (UNITA)

Minister of Hotels and Tourism: Jorge Alicerces Valentim (UNITA)

Minister of Assistance and Social João Baptista Kussumua (MPLA)
Reintegration:

Minister of Information: Dr. Pedro Hendrik vaal Neto (MPLA)

Minister of Energy and Water: José Maria Botelho de Vasconcelos

. (MPLA) .

Minister of Urban Affairs and Virgilio Ferreira Fontes Pereira (MPLA) the Environment:

(Information correct on 4 July 2004)

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# **Child Care**

The following table details the services provided by province. The information therein refers to the level of state provision for children as of September 2002.

Province	Number of Centres	Total number of children	Age range	Educational level /support	
Bengo	1	150	No figures	No information	
Benguela	18	1,545	1-17 years	Primary - Under graduate (G12)	
Bié	1	98	No figures	No information	
Cabinda	3	326	0-17 years	Primary - Secondary (G7)	
Cuene	2	No figures	No figures	No information	
Huambo	10	440	No figures	No information	
Huila	6	No figures	3-17 years	Primary - Secondary (G8)	
Kuando Kubango	1	78	12-17 years	Secondary (G5-6)	
Kuanza Norte	No facilities available				
Kuanza Sul	No facilities available				
Luanda	21	3,484	0-20 years	Primary - High school (G9-10)	
Lunda Norte	2	50	No figures	No information	
Lunda Sul	2	79	3-15 years	Primary - Secondary (G6)	
Malange	8	503	5-17 years	Primary - High school (G9-10)	
Moxico	2	239	0-17 years	Primary - Secondary (G5)	
Namibe	1	38	0-17 years	Primary - Secondary (G8)	
Uige	4	204	0-17 years	Primary to Secondary (G6)	
Zaire	1	23	10-16 years	Primary (G1-3)	
Total	81	7756	W	THE WAR IN WA	

(G7, 8 etc. refers to the specific school year)

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