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# Country Information and Policy Unit

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### 1. SCOPE OF DOCUMENT

- 1.1 This assessment has been produced by the Country Information and Policy Unit, Immigration & Nationality Directorate, Home Office, from information obtained from a variety of sources.
- 1.2 The assessment has been prepared for background purposes for those involved in the asylum determination process. The information it contains is not exhaustive, nor is it intended to catalogue all human rights violations. It concentrates on the issues most commonly raised in asylum claims made in the United Kingdom.
- 1.3 The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain.

- 1.4 It is intended to revise the assessment on a 6-monthly basis while the country remains within the top 35 asylum producing countries in the United Kingdom.
- 1.5 An electronic copy of the assessment has been made available to the following organisations:

Amnesty International UK

Immigration Advisory Service

Immigration Appellate Authority

Immigration Law Practitioners' Association

Joint Council for the Welfare of Immigrants

JUSTICE

Medical Foundation for the Care of Victims of Torture

Refugee Council

Refugee Legal Centre

UN High Commissioner for Refugees.

#### 2. GEOGRAPHY

- 2.1 The Republic of Angola is situated in southern Africa on the Atlantic coast. Land borders are shared with Namibia, Zambia, and the Democratic Republic of Congo (DRC) formerly Zaire. The estuary of the River Congo and DRC territory separates the enclave Cabinda Province from the rest of Angola; the Republic of Congo (Congo) lies to its north. Angola consists of 18 provinces ranging in area from 2,500 sq km to 223,000 sq km. The capital city is Luanda. The climate is tropical, and comprises two distinct seasons (wet and dry), but little seasonal variation in temperature. [1][50]
- 2.2 In 2001, an official estimate put the population of Angola at 13.3 million. In 1995 the UN estimated the average life expectancy of Angolans to be 46.5 years. In 2001 Angola's infant mortality rate stood at 193 per 1000 live births. In 2000 approximately 50% of Angola's population were believed to be less than 15 years of age. According to official government figures published in December 2000 the annual population growth rate was 3%. In a 2001 estimate, life expectancy for the total population was reported to be significantly lower than the 1996 estimate at 42 years. A former Portuguese colony, the official language is Portuguese but various Bantu languages are widely spoken (mainly Umbundu, Kimbundu, Kikongo, Chokwe and Ganguela) a small percentage of the population speak separate tongues such as Khosian. (See Annex C)[1][2b][7a][38a]

#### Economy

2.3 Angola is a country rich in mineral wealth and natural resources including diamonds, petroleum and iron. The largest source of income for the country is that of petroleum mining and production. However, as a direct consequence of the civil war the economy has been severely mismanaged and is in disarray. In December 1999 a reformed currency was announced under which, one million Readjusted Kwanza equals one New Kwanza. [1][2b][10a][36b]

For further information on the Angolan economy, refer to Angola in 'Africa South of the Sahara' Europa

World Yearbook 2002 (31st edition)

### 3. HISTORY

# Post - Independence historical background

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

For history prior to 1975 refer to Angola in 'Africa South of the Sahara' Europa World Yearbook 2002 (31st edition)

### Lusaka Peace Accord

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

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

### **UNAVEM III & MONUA**

3.04 In 1995 a UN Security Council resolution authorised the deployment of a 7,000 strong peacekeeping force, UNAVEM III, to oversee implementation of the Lusaka Protocol, in particular the demobilisation of troops on both sides. This included the withdrawal of Government troops; the assembly of UNITA troops in quartering areas and their demilitarisation; the selection of 26,300 UNITA troops to join the Angolan Armed Forces (FAA) and general demobilisation on both sides. Other UNAVEM objectives included the dismantling of check points; the quartering of the Governments Rapid Intervention Police; and the quartering and integration of the UNITA police. Originally expected to complete its tasks by February 1997, there were substantial delays at each stage of the process and UNAVEM's mandate was extended several times. [1][3b]

3.05 On 31st June 1997 the UN Security Council voted unanimously to a recommendation that UNAVEM III be disbanded and replaced by a UN Civilian Observer

Mission (MONUA). UNAVEM III's infantry battalions were all scheduled to withdraw, but in view of the volatile situation in the northeast provinces, the withdrawal was delayed several times. At the beginning of 1998 MONUA's military personnel was reduced from 1750 men to about 1000 including observers. By February 1999, when the UN announced plans to withdraw from Angola, following the breakdown of the peace process, it comprised 86 Observers, 309 Civilian Police Observers, 39 Staff Officers and 550 Troops. [1][3b][24a]

- 3.06 MONUA was given a seven-month mandate to oversee the remaining tasks of the Lusaka accord, including the extension of State administration to those areas that were under UNITA control and the complete demilitarisation of UNITA. UNITA moved very slowly in handing over these areas and consequently the UN Security Council imposed a second package of sanctions against UNITA on 31<sup>st</sup> October 1997. [1]
- 3.07 Despite UNITA's public commitment, reaffirmed in December 2001, to fully implement its obligations under the peace agreement, it has not co-operated over the question of the extension of state administration or the demobilisation of its remaining armed forces administration. At the beginning of 1998, around half the country remained under UNITA control. UNITA also retained experienced and well-equipped armed forces, reports suggested 70,000 men in uniform in mid 1998. This impasse and in particular UNITA's failure to hand over the remaining areas under their administration, once again led to a deterioration in the security situation. [1][31][54]
- 3.08 Towards the end of January 1998, the UN Security Council (UNSC) voted unanimously for a three-month extension of the UN peacekeeping operation in Angola. Members of the Council hoped that this would be the last troop renewal. A recommendation by the UNSC to reduce the numbers of the UN force was also approved. Several more extensions followed; the final one expiring in February 1999, after the decision was taken to withdraw MONUA completely as there was no longer a tangible peace process for them to oversee. [21a][24]
- 3.09 In June 1998 Maitre Beye (the UN Secretary General's Special representative to Angola) was killed in a plane crash near Abidjan, Côte d'Ivoire whilst on an extensive international mission. He had been seeking to persuade influential supporters of Savimbi to persuade him to return to the peace process. Issa Diallo replaced Beye in August 1998. The UN launched an official inquiry into the crash. However, the death of the Beye left a vacuum that further destabilised negotiations. Hostilities between the government and UNITA increased, with each side blaming the other, there were also rumours of the recruitment of foreign mercenaries by both sides. [1][2c][31]
- 3.10 As the security situation continued to deteriorate, the Angolan government, weakened by military reverses, accused the UN of failing to monitor UNITA's military preparation through the sale of diamonds UNITA had procured substantial purchases of heavy armoury. By the beginning of 1999 there was a growing realisation that the UN Angolan operations of the previous four years had proved unsuccessful. On 26<sup>th</sup> February 1999 the UN Security Council voted unanimously to end MONUA's mandate and withdraw its operatives from Angola by 20 March 1999. (see paragraphs 4.09 4.11 for most recent history) [1]

#### 4. STATE STRUCTURES

### THE CONSTITUTION

4.01 Angola is governed by a Constitution promulgated in November 1975. It was amended several times, most recently in August 1992, when the word "People's" was removed from the official name of the country. The Constitution stipulates that the State shall respect and protect the human person and human dignity with all citizens equal before the law. The Constitution also guarantees freedom of expression, of assembly, of demonstration, of association, of all other forms of expression. At the same time, groupings whose aims and activities are contrary to the Constitutional order and penal laws, or that, even indirectly, pursue political objectives through organisations of a military, paramilitary or militarised nature shall be forbidden. Constitutional reform, due to be initiated in the course of 2001, was blocked by deadlock between the opposition and the ruling MPLA party in the National Assembly. [1][2c][34c]

4.02 Under the Constitution adopted at independence, the sole legal party was the MPLA. However, in December 1990, the MPLA announced that the Constitution would be revised to permit opposition parties. In March 1991 legislative approval was granted for the formation of political parties. The supreme organ of state is the National Assembly; according to the Constitution this should compose of 223 deputies although three seats have never been filled (see annex E). There is an executive President elected for up to three renewable terms of five years, who appoints the Council of Ministers. [1]

# Presidential and legislative election plans

4.03 In January 2000 President dos Santos announced that the Government was creating the necessary conditions to hold Presidential and Legislative elections in 2001. The majority of political parties have expressed the view that, with much of the country's infrastructure destroyed, more time is needed to prepare for elections. Angola's territory is vast and the road and bridge network is in serious disrepair. It was subsequently decided that elections would not take place until 2002. Referring to this possibility on 30th December 2000 dos Santos commented that at the start of 2000, elections by November 2001 had appeared almost certain, but the timetable had since been pushed forward to 2002. He attributed the delay to the activities of the armed wing of UNITA. President dos Santos had promised that elections would be held in the second half of 2002, however in the course of 2001 the government postponed plans for elections until 2003. The Constitutional Committee of the National Assembly is currently working on a new constitution and a new electoral law. In August 2001, President dos Santos emphasised the need for draft electoral reforms to formally establish the criteria for a general election, however this not prompted any concrete plans. The most recent meeting of the Committee was in March 2002, when it ruled that provincial governors would not be elected, but appointed by central government. [1][2c][20b][34b][35g][40a] [451]

4.04 Since 2000, several alliances have been created between opposition parties. Of these, the most significant was the United Front for Change; this comprised of 17 minor political parties. On 17 June 2000 Angolan TV reported the launch of the United Independent Union of Independent Parties (UNIDO). Described as centre left politically, UNIDO is a coalition of five parties without any seats in parliament. The party manifesto calls for an end to violence but seeks dialogue instead. Also in June 2000 it was reported that Lopo do Nascimento, a former MPLA secretary-general, intended to form a centre left party. However, in a radio interview on 11 September 2000 do Nascimento

denied these reports and said he would remain loyal to the MPLA, although he believed that a detailed internal debate on the future party leadership was needed. In September 2000 two more small parties, the Reunification of the Angolan Nation Party (PRPA) and the National Angolan Liberation Front formed an electoral alliance. The creation of these new political organisations, coupled with the formation of a church-based independent peace movement, (see paragraph 7.28) appeared to indicate the presence of an increasingly vociferous opposition, committed to ending the war and holding free and fair elections. [1][2c][16h][20a][20b][36d]

4.05 Eugenio Manuvakola (UNITA-R), Adel Chivukuvuku (the illegally deposed UNITA parliamentary leader) and Holden Roberto (FNLA) have all indicated their intention to run in future Presidential elections. The opposition parties are poverty stricken and have no organised presence throughout the country. Their best chance of success would be if they stood as a broad activist coalition, but given the personalities and interference by the ruling party in the affairs of the opposition by encouraging and financing splits, this is unlikely. The opposition will have a difficult time whether they end up fielding one or several candidates. [20b][24b]

4.06 In May 2001 the Finance Minister Julio Bessa told the state newspaper that the National Assembly had approved the setting up of an election fund of 34 million dollars. In August 2001 a United States Assessment team who visited the country to assess electoral conditions, reported that conditions were not appropriate for Angola to hold elections in late 2002. Doubts were expressed on account of the current situation in the country and also the need for adjustments to the country's legal framework including revisions on the laws on political parties and party financing. In August 2001 President dos Santos announced that he would not run in the next election which could take place in 2002. Following the peace accord signed in April 2002 between the government and UNITA, the president announced that elections would take place, however he did not indicate a precise timescale. Lopo do Nascimento a respected political figure from the MPLA's early years and the country's first prime minister after independence has been urged by church and civil leaders to return to politics. He said in an interview that he would be prepared to stand for the presidency if the MPLA chose him as a candidate. [14f][23f][23j][52][53]

### POLITICAL SYSTEM

# Multi-Party Politics and the 1992 elections

4.07 Representatives of the Government and 26 political parties met in Luanda in the second half of January 1992 to discuss the transition to multi-party democracy. It was agreed that the elections would be organised on the basis of proportional representation, with the President being elected for a five-year term, renewable for three terms. The legislative assembly would be elected for a four-year term. [1]

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

# Government of Unity and Reconciliation

4.09 Progress was also slow on the political aspects of the Lusaka protocol. UNITA's military tasks were officially declared completed on 13 December 1996 by the UN Secretary General's Special representative to Angola, Maitre Beye. UNITA was then able to make the transformation from a military group to a political party and UNITA deputies to the National Assembly could take their seats in Luanda. Delays concerning agreements such as the status of the UNITA leader, Jonas Savimbi - who was finally accorded the official title of "leader of the opposition" - meant that the Government of Unity and National Reconciliation (GURN) was not inaugurated until April 1997 [1][3b]

4.10 On 9 April 1997 UNITA representatives (four Ministers and seven Vice Ministers) finally took their places in the GURN. Seventy UNITA Deputies finally filled the seats in the National Assembly won in 1992. By June 1998, UNITA had opened their new HQ in Luanda, although Dr Savimbi still did not fulfil his promises to move to the capital from his stronghold in Bailundo in the central highlands. In mid-August 1998 the government threatened to suspend UNITA's representatives unless the organisation had fully disarmed and ceded all remaining territory under the its control by 28 August 1998. On 31 August 1998 the government suspended the UNITA Deputies from office as a mark of their displeasure at the delaying tactics employed by UNITA in implementing the terms of the Lusaka Protocol. Following a split within UNITA, those MP's adhering to the newly formed UNITA-R (see paragraph 6.33) were reinstated, other UNITA deputies remaining loyal to Savimbi were reinstated at a later date following diplomatic pressure. The government subsequently restated its belief in the terms of the Lusaka Protocol, maintaining its refusal to deal with Savimbi. [1][2c][14][15][27][31][45c]

4.11 In August 2000, the Angolan Armed Forces (FAA) Chief of Staff, General de Matos, indicated that although a position would be made available for Savimbi in the National Assembly, he would not be offered the vice presidency. In March 2001, the government rejected calls by Savimbi for a resumption of trilateral negotiations between the government, UNITA and the UN, although it was willing to discuss the Lusaka Accord with the pro-government UNITA-R. The government's commitment to the Accord was reaffirmed, and its efforts to effect a ceasefire boosted, following the death of Savimbi on 22 February 2002. Unconfirmed reports in the days following his death, that Savimbi's successor General Dembo had also died has irreversibly weakened UNITA's position as a military force. As a result, a truce between the FAA and UNITA forces was agreed on 14 March 2002. The government subsequently issued a statement confirming the official cessation of military offensives against UNITA. In April 2002, the government granted an amnesty to UNITA rebels as a precursor to a formal peace accord (based on the provisions of the 1994 Lusaka Protocol) signed on 4 April 2002. A joint military commission will monitor the ceasefire, disarm rebel troops and integrate them in to the army or civilian life. On 11 April 2002, a new government employment initiative, the Special National Reconstruction Service, was established to find work for the demobilised soldiers. (see paragraph 6.44) [1][14b,g-h][23v,y-z][57]

## Relations with neighbouring countries

4.12 In October 1997 the Angolan Government provided substantial (and ultimately decisive) military support to the ex-president of the Congo, General Denis Sassou-Nguesso, in his military coup against the elected government of President Parcel Lissouba. Angola's involvement had been prompted by Lissouba's support for FLEC and UNITA forces, both of which were reported to have operated from bases in Congo. FAA

troops were reported to have committed summary executions, and engaged in acts of rape and looting in Congo during 2000. [1][2c]

- 4.13 The rebellion in neighbouring DRC against President Laurent Kabila, which began in 1998, served to widen the gulf between UNITA and the government. Both sides sent troops across the border. UNITA had traditionally relied on DRC as a secure supply conduit to the outside world and received support from ousted President Mobutu. They therefore supported the rebels. The Angolan government meanwhile supports Kabila. Other neighbouring countries such as Uganda and Rwanda have also been drawn in and the conflict is threatening to destabilise the entire region. Angolan troops are currently stationed in DRC within the framework of an alliance with Namibia and Zimbabwe; their role is to report the search for peace and national reconciliation. There were also reports that FAA troops summarily executed citizens in DRC during 2000. Following the assassination of President Kabila in January 2001 the Angolan authorities were quick to confirm that their troops would remain in the DRC. As a result of discussions held in October 2001, Defence Minister Kundi Paihama announced that Angolan troops would be withdrawing from the DRC following a review of the security along the border. On 14 November 2001, the Foreign Minister told the UN Security Council that a "substantial number" of Angolan troops had been withdrawn. [2c][16y] [16bb][18b][21h][31]
- 4.14 After Namibia decided in December 1999 to allow FAA to launch anti-UNITA attacks from Namibian territory; there was extensive cross-border fighting which resulted in civilian deaths and injuries (see paragraph 7.04). In January 2001 it was reported that FAA troops had been responsible for acts of torture in the border region of Caprivi, and banditry in the Namibian region of Kavango. In the early part of 2001, there were further reports that UNITA forces killed a number of Namibian soldiers and abused Namibian citizens in border regions. In October 2000 the Namibian Government denied that it had troops deployed in Angola or that the Government had entered the Angolan civil war in any form. [1][2c][43]
- 4.15 In previous years there have been various occasions where tensions have risen between Angola and Zambia, these tensions arose from the Angolan Governments belief that their neighbours were providing support to UNITA. Such a situation arose in 1999 following a series of repeated allegations that Zambia was allowing its territory to be used as a transit point for the provision of arms and supplies to the rebels. Subsequently, there were allegations and counter allegations between the two countries regarding activities along their common border (see paragraph 7.08). Tensions showed some signs of improvement in mid 2000; both countries reportedly agreed to intensify efforts to improve the deteriorating security situation and Zambia's army chief was invited to visit his Angolan counterpart. In January 2001 Zambia's Defence Minister moved to deny reports in his countries press that the Angolan Air Force had bombed Zambian territory. He stated that the two countries were currently enjoying good relations. [1][20c][36e][45e]
- 4.16 In September 2000 co-operative relations between the Angola Government and its neighbours, DRC and Congo were reported to have reached unprecedented levels; the three countries had signed security accords in accordance with their harmonious relations. In February 2001 the leaders of Angola, Namibia and Zambia agreed to create a tripartite commission to act as a forum for addressing security problems, concerns and suspicions. It was hoped that the new commission would end the dispute between Angola and Zambia. In spite of this, there were reports in May 2001 that the Zambian army had become involved in skirmishes with the FAA along the border, and in July 2001 Zambian security forces detained a further 10 Angolan soldiers in the border

region. During 2001, there were also reports that UNITA and government forces abducted Zambian civilians for forced labour. [1][2c][16n]

### **GOVERNMENT AMNESTIES**

4.17 Since the resumption of hostilities between government forces and UNITA in December 1998 the authorities claim that 10,000 soldiers have defected from Savimbi's movement (see paragraph 6.22). According to independent reports all captured and surrendering soldiers were incorporated into the Angolan army. Certainly it is the case that the FAA have 10 battalions formed by former UNITA soldiers. There have also been public shows of forgiveness toward deserting UNITA leaders, both civilian and military. Most of these officials now operate freely in Luanda and some former UNITA generals are now senior officers in the FAA. Defecting UNITA officers integrated into the FAA are always kept out of the public eye. These defections occurred in response to the repeated pledges of President Dos Santos to the effect that any UNITA defector who renounced the armed struggle could live freely in Angola with dignity. However, these pledges were not formalised and had not really been fully tested. [3g][3j][13c][42c]

4.18 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<sup>th</sup> November 2000 the Angolan National Assembly passed by an overwhelming majority President Dos Santos proposed legislation that grants amnesty to all those who lay down their arms. The law covers all military crimes committed up to the date of its introduction, except those of a violent nature and which included death; it also covers crimes against the security of the state and petty crimes such as theft. Under the law, which came into force on 15 December 2000, those who wanted to be granted an amnesty had 90 days to voluntarily report to the authorities and confirm their willingness to be reintegrated into society (where applicable the war must also be renounced). The law also extended to those who had already been captured and allowed them 60 days to apply. [2c][3j][33d][42c]

4.19 UNITA rebel leaders have rejected the President's offer of an amnesty. According to the Government press many more UNITA fighters have been tempted out of the bush by the amnesty law. There is almost no chance that very senior UNITA officers are tempted by the Amnesty alone. They are more likely to cut individual deals about their future life and the safety of their families. Few observers believe that Savimbi himself would accept the offer of an amnesty or that, in reality, such an offer would apply to him - since July 1999 there has been an outstanding warrant for his arrest as a war criminal. His death, in February 2002 at the hands of the FAA however, marked the end of the government's pursuit of Savimbi [3i][3j][20d][23p][42c][45f]

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

National Assembly approved further draft amnesty legislation, put forward by the government. In January 2002, this draft amnesty enabled some UNITA exiles to return to their families, however the principal opposition parties argued that it was unlikely to bring an end to the civil war. In April 2002, following the formal ceasefire in March, parliament passed a further amnesty law as a result of peace talks between the government and UNITA. [1][23y][33d-e][35f][45g]

## JUDICIARY

- 4.21 The Constitution provides for an independent judiciary; however, the judiciary, where it functions, is not independent of the President and the MPLA. In practice the court system lacks the means, experience, training and political backing to assert its independence from the President and the ruling party. The President has strong appointive powers, including the power to appoint Supreme Court justices without confirmation by the National Assembly. The judicial system was largely destroyed during the civil war and does not function in large areas of the country. [2c]
- 4.22 The court system consists of the Supreme Court at the appellate level plus municipal and provincial courts of original jurisdiction under the nominal authority of the Supreme Court. Only 9 of the 12 seats on the Supreme Court were filled by the end of 1999. The Supreme Court serves as the appellate division for questions of law and fact but does not have the authority to interpret the Constitution. The Constitution reserves that role for a Constitutional Court as mandated by the 1991 Constitution; however this had not been set up by the end of 2000. Trials for political and security crimes are supposed to be handled exclusively by the Supreme Court. [2c]
- 4.23 The Constitution provides defendants with the presumption of innocence, the right to a defence, and the right to appeal. Legal reform in 1991 established the right to public trials and a system of bail, and recognised the accused's right to counsel; however, the Government does not respect these rights in practice. Judges are usually lay persons, not licensed lawyers. The judge and two lay persons elected by the full court act as the jury. Court cases are often backlogged in judges' offices, delays of 2 or 3 years are common and poor communication between the various authorities also leads to prolonged detention. Longs delays are also commonplace for trials at Supreme Court level. [2c]
- 4.24 In January 2001 6 members of the small opposition party, PADPA, were arrested for protesting outside the Presidential Palace (see paragraph 5.27). They appeared in court on 30<sup>th</sup> January 2001 and, despite the lack of independence enjoyed by the Angolan judiciary, were found not guilty. [46]

# **UNITA Court Systems**

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

### MILITARY SERVICE

- 4.26 Laws on conscription have been extant since 26 March 1993. Angola has conscription for all males between 20 and 45 years of age. Females within the same age range can also be conscripted if it is considered necessary by the Council of Ministers. Those over the age of 30 only serve in the Reserve Force. Military Service in the army is for a period of two years including training time. In the navy and air force service is for three years. For those in higher ranks service is for four years, and some may be retained longer. An exemption can be obtained on health grounds. [3d][4][19]
- 4.27 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, such as during the present crisis. In June 1999 government announced the standardisation of the certificates of deferment for military service: a yellow certificate for deferment on educational grounds, a white one for health reasons. Both certificates will be valid for between 6 to 12 months and should bear the signature of the Chief of the Personnel Division of the FAA General Staff. Fraudulent use or endorsement of these certificates constitutes a crime under military criminal law. [3d][35a]
- 4.28 According to a note from the office of the FAA in Luanda dating from 1993 an alternative is available to military service, called community service. Individuals are allowed to conscientiously object to military service and are able to perform community service instead. Independent information dating from 1998 confirms that there was such an arrangement; however there are reports that this option has not always been available in practice. [4][19]
- 4.29 Desertion is punishable by a prison sentence of between two and eight years. If carried out during a time of war or on military operations, the penalty increases to between eight and twelve years. Those who fail to report for compulsory service and are subsequently apprehended face between 3 days and 2 years after which new call-up papers may be issued. There are also reports that they have their terms of service increased to four years. The penalties have been extant since 24 November 1993. [3d] [4][19]
- 4.30 In November 1998 the Angolan government conducted a census of male citizens born between 1 January 1979 and 31 December 1981 in order to keep their records up to date. To enforce mandatory military laws, there were reports that the military and police conducted forced conscription drives in many of the areas under the control of the Government, including Luanda. Men and boys were reportedly rounded up during raids by police and soldiers and taken to military basis throughout the country. Amnesty International reported that many of those forcibly recruited were under the age of 18. There were also numerous reports that people were beaten in the course of the raids and that some were killed. Persons who could prove that they had jobs were usually released, and those with financial means could buy their way out of the military. The Government denied that forced recruiting has been taking place. [2c][10a][36a][37c]
- 4.31 During 2001 there were numerous reports of forced conscription in the Lunda and Uige provinces. In November 2001, as hostilities between the FAA and UNITA intensified, a campaign of radio announcements instructed young men to report to

military bases around the country. In November and December 2001, this extended to a mass conscription drive by the Ministry of Defence in which 15,000 men were recruited into the FAA by the end of the year. The government stated that the campaign was intended to standardise registration procedures and to eliminate the recruitment of juveniles. [2c][16aa][20e]

# Military recruitment by UNITA

4.32 During 2000, UNITA carried out forced recruiting, including the recruitment of minors, some as young as 10, throughout all of the countries disputed territory. Recruits were taken to isolated military camps and subjected to psychological stress and extreme hardships; those who attempted to desert were executed. Women, many as young as 13 years of age, were recruited forcibly to serve as porters and camp followers, and reports of sexual assault were widespread and credible. In August 1999 UNITA were reported to have kidnapped eight tribal chiefs from villages south of Uige because they had failed to get enough recruits. In 2001, UNITA continued to forcibly conscript civilians, including children, for military duty. [2c][34a]

### INTERNAL SECURITY

4.33 The Ministry of the Interior is responsible for internal security. It exercises this function through the Angolan National Police (ANP); the paramilitary Rapid Intervention Police (PIR) created in 1992 as an elite military force, and other organs of state security. The Armed Forces of Angola (FAA) are responsible for protecting the state against external threats and have intervened in regional conflicts every year since 1996. Since the resumption of localised hostilities within the country the FAA have also become involved in counterinsurgency operations against UNITA and, on a smaller scale, those who favour independence in Cabinda province. The Government's security forces are firmly under the control of the civilian leadership. Members of the security forces have committed numerous serious human rights abuses. Reports of such human rights violations are seldom investigated and those responsible are rarely held to account. [2c] [10a][31]

4.34 During the current conflict military attacks have resulted in indiscriminate and summary killings, torture, abductions, destruction of property, and theft. The provinces most affected during 2000 were Lunda Norte, Lunda Sul, Malange, Bie, and Moxico, although UNITA has also mounted raids on or near the coast. In the course of 2001, security forces failed to respond promptly to attacks on civilians, which contributed to civilian deaths and loss of property. The Government's frequent failures to pay, feed, and equip army and police personnel has resulted in extortion and theft. Government personnel frequently confiscated food, including donated relief supplies, livestock, and personal property, including non-governmental organisation (NGO) vehicles, often after forcibly depopulating areas and robbing the displaced persons. However, respect for humanitarian workers and property by security forces improved during 2000 as the result of an order from the Armed Forces Chief of Staff and better liaison between the Government and the UN on such problems. [2c]

4.35 On 26 January 2001 General Joao de Matos, Chief of Staff of the FAA, was sacked by President dos Santos. No reasons were given for his dismissal though sources in Luanda linked it to policy differences with senior politicians. Speculation had been mounting about the general's position after he expressed doubts as to whether there would ever be a military solution to the civil war. Deputy Defence Minister, Armando de Cruz Neto, replaced General de Matos. [49]

### LEGAL RIGHTS/DETENTION

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

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

# Death Penalty and Extrajudicial Killings

4.38 The death penalty was abolished in Angola in 1992. There are many allegations of extrajudicial killings by the police and army, however verification of reports of abuses by the army and rebels forces is difficult, particularly those emanating from remote areas. The government's late 1999 and early 2000 offensives included a scorched earth policy, burning villages and killing civilians, particularly in Cuando Cubango and Lunda Sul provinces. Similarly in 2001, the failure of the government to provide protection for civilians and NGO workers contributed to a number of killings by UNITA throughout the country. According to a report by Human Rights Watch Government forces reportedly executed villagers. The same report also alleged that in at least one location in Lunda Sul, a mass grave that the government claimed was holding victims of UNITA's excesses was in all probability the result of systematic extrajudicial killings by the government. UNITA abolished the death penalty in 1996, although there is no independent assessment of their legal system. Extensive testimony from UNITA defectors referred to summary executions of prisoners. [2c][12][27]

### PRISON SYSTEM

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

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

### **UNITA Prisons**

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

#### MEDICAL SERVICES

## **Medical Treatment**

4.42 Medical care is provided free of charge but its availability is limited by a shortage of trained personnel and medicines. Years of under investment in health, coupled with three decades of conflict, have caused an almost complete break down in health services. Many diseases including tuberculosis, acute diarrhoea and acute respiratory diseases are endemic in many parts of the country and preventative services are very limited. In late 2000 the Health Ministry announced that 1.2 million cases of malaria had been recorded throughout the country. Childbirth mortality is also high; government figures published at the end of 2000 put the figure at 120-150 per 1,500 women. Many basic health services are now provided by humanitarian agencies. Since 1995, Save the Children Fund (SCF) has been helping to build up the limited government health services that continue to operate in the provinces of Benguela and Huambo. Their capacity to deliver these services is severely constrained by a lack of resources, and the continuing conflict. In February 2001 the Angolan Health Minister acknowledged the serious health situation in the country. She also urged the Community of Portuguese speaking countries (CPLP) chief to discuss the possibility of assisting Angola in the training of personnel. [1][11][17b][33f][35c][38a]

4.43 In March 2001 it was announced that a new hospital would be constructed in Luanda with the co-operation of the Chinese. It was reported that the hospital would serve 2.5 million people living in Luanda and its environs. Luanda currently has only two hospitals - Josina Machel and Americo Boavida - and some private health clinics. The clinics are beyond the reach of the majority of the population because they require payment in dollars. [24c]

4.44 Angola is now the only country in the world where polio is not under control During the first seven months of 1999, 90 children were reported to have died from polio in Luanda and up to 50 in Benguela. There were also unconfirmed reports of cases in rebel held territory. In July 1999 UNICEF began an inoculation program which was intended to cover all the country's 2.7 million children. Many of the people most vulnerable to the disease are hiding out in rural areas, and it has not been possible for aid workers to track them down. In January 2000 UNICEF stated that only 36% of Angolan children had been vaccinated against polio. In April 2001 the health authorities in Luanda vaccinated over one million children up to the age of five against poliomyelitis. In August 2001 the second round of polio immunisations took place during which over three and a half million children under five were vaccinated and given vitamin A. [8][11] [16][21c][51a]

### AIDS

4.45 In July 1999 the Ministry of Health estimated that 30,000 people had died in the two decades since the AIDS epidemic was declared. In July 1998, the Ministry of Health launched a forum for the formulation of a Strategic Plan for a National Programme in the Fight against AIDS 2000 - 2002. Representatives of the various Ministries, NGOs, churches and private sector groups have been involved in a series of meetings and seminars to debate their plans for a national response based on the current assessment of the epidemic. In November 2001, estimates of those currently HIV positive range between 160,000 and 350,000 (or between 3% and 6% of the population). Most are in the 20 - 39 age groups and most contracted the virus through heterosexual intercourse, although now there is an emerging pattern of babies born with the infection. In February 2001 Angola's health minister commented that AIDS statistics did not reflect the actual situation in the country which was in fact more serious. The minister also announced that the Strategic Plan to tackle AIDS was to be introduced in March 2001. Nevertheless, a study conducted by UNAIDS in conjunction with the World Health Organisation (WHO) in November 2001, revealed that total recorded cases of HIV/AIDS increased threefold between 1999 and 2001. A further UN-sponsored review of the government's progress on the extended provision for treatment for HIV/AIDS, conducted by SCF, suggested that the Strategic Plan had had little impact on the epidemiological situation. [7b][16z][33f][37b][42b][51b][55]

### People with Disabilities

4.46 The number of physically disabled persons includes estimated 90,000 disabled landmine survivors (see paragraph 7.24) While there is no institutional discrimination against the disabled; the Government is doing little to improve their physical, financial, or social conditions. There is no legislation mandating accessibility for the disabled in public or private facilities, in view of the degradation of the country's infrastructure and high unemployment rate, it is difficult for the disabled to find employment or participate in the education system. War veterans receive support from the Ministry of Defence. [1] [2c][11]

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### Education

4.47 Education is officially compulsory for eight years, between seven and fifteen years of age, and is provided free of charge by the Government at both primary and secondary level. In reality, students often had to pay significant expenses. In addition, although primary education is free there were not enough schools. Primary education begins at six years of age and lasts for four years. Secondary education beginning at age ten lasts for up to seven years. In 2000 the Ministry of Education was reported to be barely functioning due to a lack of resources. The net enrolment rate of school-age children in 2000 was 40 percent; however, while 50 percent of children aged between 5 and 14 are in school, only 30 percent of children remain in school after grade 5. There was an 18% enrolment rate gap; favouring boys over girls. In December 2000 government figures stated that more than 2.3 million children were not attending school. Teachers were reported to be chronically underpaid and to often demand unofficial payment or bribes from students. Most educational infrastructure is damaged either partially or totally and lacks basic equipment and teaching materials. [1][2c][3h][11][38a]

4.48 In June 2001 the Government admitted that the education system had suffered as a result of the ongoing civil war which had lead to an illiteracy rate of 42%, and also added that 70% of children between 6 and 14 ran the risk of being illiterate. SCF reported that "a mere 5.8% of the 2001 budget was directed towards education". In August 2001, the Ministry of Justice launched an 18-month campaign to register and provide identity papers to an estimated 5 million minors up to the age of 17. This measure is intended to ensure that minors may be more accurately registered for purposes of schooling, employment, and with regard to conscription. Only in Luanda do children have a chance of an adequate education and even then lack of classroom space and trained teachers as well as high pupil staff ratios are severe problems. [1][2c] [11][16r][16z]

4.49 There is a booming market in private education, the standard of which is variable. There are two Universities in Luanda; one is state funded and poorly resourced, the other is supported by the Catholic Church and offers adequate standards of teaching but for a limited range of courses. Academic life has been circumscribed severely by the civil war; however, there is academic freedom, and academics do not practice self-censorship. Nation-wide, 50% of men and 70% of women are illiterate. [2c][3j][11]

# 5. HUMAN RIGHTS - Specific Situation

#### Overview

5.01 The Government's human rights record remains poor; although there were slight improvements in a few areas, namely in press freedoms under the amnesty law of December 2000, serious problems remain. Citizens have no effective means to change their government, large numbers of the security and military forces continue to act outside the law without punishment, and privacy rights continue to be infringed as a result of forcible recruitment into the FAA. Human rights abuses by the military wing of UNITA were also widespread. UNITA prevented freedom of speech, the press, assembly, association and movement in all areas under its control. [2c]

### Rights of the Individual

5.02 The Constitution provides all adult citizens with the right to vote by secret ballot in direct multiparty elections to choose the President of the Republic and deputies in the 220-seat National Assembly; in practice, citizens have no effective means to change their government. The Lusaka Protocol establishes the mechanism for returning the country to an electoral calendar. The Constitutional Committee of the National Assembly was working on a new constitution and a new electoral law during 2000; however the process was not completed by year's end. The Government's plans to hold elections in 2002, have been delayed until 2003 at least. (see paragraph 4.03). Opposition parties complained of harassment and intimidation by the Government. [2c]

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

5.04 The Constitution provides for the right to organise and for collective bargaining; however, the Government generally does not respect these rights in practice (see paragraph 5.29). The Government dominates the economy through state-run enterprises. The Ministry of Public Administration, Employment, and Social Security sets wages and benefits on an annual basis. Legislation prohibits discrimination against union members and calls for worker complaints to be adjudicated in regular civil courts. Under the law, employers found guilty of anti-union discrimination are required to reinstate workers who have been fired for union activities. In practice, neither the Labour Code nor the judicial systems are capable of defending these rights. [2c]

# **Employment Rights**

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

## People Trafficking

5.06 The Constitution prohibits human bondage, although no legislation exists to enforce this position. There are reports that Angolans are trafficked to the United Kingdom for labour exploitation and that women are trafficked to South Africa. There also continued to be allegations that UNITA abducted persons, including children, for forced labour and military service, and abducted women for use as sex slaves. In July 2001, the government implemented measures to register children to protect them against potential trafficking. [2c]

## Rights of the individual in UNITA held areas

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

UNITA's control in October 2000 were reportedly forced to donate 50 kg of maize and 25kg of beans to the rebels. It was also reported that those too old to serve in the military were being sent to the fields to produce food. [2c][33b]

### FREEDOM OF RELIGION

5.08 The Constitution provides for freedom of religion, including the separation of church and state, and the Government respects this right in practice. The Government does not require religious groups to register. Colonial era statutes banned all non-Christian religious groups from Angola; while these statutes still exist, they are no longer enforced. Members of the clergy in government-held areas regularly use their pulpits to criticise government policies. There have been no recent reports of religious detainees or prisoners. In March 2001, the government announced that a colonial-era law granting civil authority to the churches is to be put back into effect. [2a][2c]

5.09 Christianity is the religion of the vast majority of the country's population estimated at 11.5 million. Roman Catholicism is the country's largest single denomination, claiming 5 million adherents, but precise figures cannot be verified. The major Protestant denominations are also present, along with a number of indigenous African and Brazilian Christian denominations. The largest Protestant denominations include the Methodists, Baptists, United Church of Christ, and Congregationalists. The largest syncretic religious group is the Kimbanguist Church, whose followers believe that a mid-20th century Congolese pastor named Joseph Kimbangu, was a prophet. A small portion of the country's rural population practises animism or traditional indigenous religions. There is a small Islamic community based around migrants from West Africa, Angolans are often intolerant of the religion. Muslims are generally allowed to worship, although the building of mosques usually leads to local tensions. There are also a number of government officials whose adherence to dialectical materialism includes atheism. There are amicable relations between the country's religious denominations, and there is a functioning ecumenical movement, particularly in support of peace. In mid-2000 statements by MPLA officials and statements in the state owned press suggested that tension between the Catholic Church and the government had increased. Nevertheless, in February 2001, a Catholic FM radio station, Radio Ecclesia began airing short-wave broadcasts countrywide, while state-owned television also broadcasts live Sunday morning Catholic Church services. [2a,c][3h][7a][16d]

5.10 In May 2000 all Angola's churches formed a joint body to campaign for peace and national reconciliation. Combined, the churches have a much larger support base than any other organisation in the country. They are to draw up a plan of action that could intersect with a coalition of political parties that was officially launched in June 2000 (see paragraph 4.04). In June 2000 a peace march and service was held in Luanda and in July 2000 a Congress for Peace was held; both events were supported by the church (see paragraph 7.28) [29e][33a][35]

# Religious freedom in UNITA held areas

5.11 While in general the rebel group UNITA permitted freedom of religion, interviews with persons who left UNITA-controlled areas revealed that the clergy did not enjoy the right to criticise UNITA policies. In January 1999, unknown gunmen killed Father Albino Saluaco, a Catholic parish priest, and two catechists in a town in the province of Huambo that was under UNITA military occupation. Father Saluaco had served as

deputy director of a project to reintegrate child soldiers into their families. No group had claimed responsibility for the incident by the end of 2000. [2a,c]

### FREEDOM OF SPEECH AND THE PRESS

5.12 The Constitution provides for freedom of expression and of the press and specifically provides that the media cannot be subject to ideological, political, or artistic censorship, the Government does not respect this right in practice. Although the Government's respect for freedom of the press has improved marginally since April 2000, the Government continued to intimidate and threaten journalists into practising self-censorship. There were reports that the Government pays journalists to publish progovernment stories. The Government detained or placed under investigation journalists who reported sensitive issues, including military operations, government corruption, and UNITA, especially Jonas Savimbi. The news ban on war coverage that was instituted in 1999 remained effective; however the strong discouragement of negative news coverage by the Government that occurred in 1999 lessened during 2000 and 2001. [2c]

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

5.14 During 2000 the Government became increasingly tolerant of criticism of its policies and actions in the independent media. Private media attention to corruption, economic mismanagement and opposition politics also increased during the year 2000. There are five private weekly publications with circulations in the low thousands. A list of publications is attached (Annex G). There are also five commercial radio stations including the Catholic Radio Ecclesia, and Radio Lac Luanda, which openly criticised aspects of government policies during 2000. In June 2000 Amnesty International published a further report documenting breeches of press freedom since December 1999. During the latter half of 2000 there were attempts by the Government to improve relations with the media. This saw a decrease in media harassment in most areas, with the exception of Kwanza Norte and Malange, where the Government continued to target journalists and limit press freedoms. However in the course of 2001 independent stations continued to be restricted, and in the case of Radio Ecclesia, targeted for attack, by the government. [2c][10b]

5.15 Defamation against the President or his representatives is a criminal offence, punishable with imprisonment or fines. There is no truth defence to defamation charges; the only allowable defence is to show that the accused did not produce the actual writing alleged to have caused harm. In 1999 the Government harassed, arrested and detained

more than 20 journalists on charges of slander, defamation and crimes against the security of the State; however, such incidents decreased during the year 2001. Where cases of defamation come to trial journalists are usually convicted, fined and given a suspended prison sentence, however the number of convictions declined as a result of the provisions of the amnesty law passed in December 2001. [2c][9a]

5.16 In October 1999 the National Department of Criminal Investigation (DNIC) detained Rafael Marques, an independent journalist and human rights activist known for his vocal criticism of the government. Marques was charged with defamation and slander, largely in connection with an article that appeared in "Angora" in July 1999 referring to President dos Santos as a dictator. He was held for 45 days of preventive detention (although press law only allows a maximum of 15 days in detention) before being released pending a trial. This began on 21 March 2000 but was largely held in secret. On 31 March 2000 Marques was convicted of defaming President dos Santos and was sentenced to six months imprisonment. In the same case the editor of "Angora", received a sentence of two months' imprisonment and a fine equivalent to approximately US\$ 6,000. However, during the course of 2001 Marques was granted amnesty under the provisions of the amnesty law passed by parliament in December 2000. In January 2002, an Angolan court ordered Marques to pay the president \$1,000 in compensation. [2c][9a][21][26]

5.17 On 2 December 1999 Andre Mussamo, a correspondent for Angolan National Radio and a contributor to Folha 8, was arrested and detained in Kwanza Norte province for "violation of a state secrets." He was detained for over three months before being released on bail in mid March 2000. On 31 May 2000, the charges were dropped when it was shown that Mussamo had not published any material from a secret document; however, the person who provided Mussamo with the document was convicted. Mussamo is reportedly still under investigation, and as of the end of 2000 he was been barred from leaving the country or from practising journalism. The Union of Angolan Journalists criticised the Government's actions in the Mussamo case. [2c][9a]

5.18 In November 1999, Isidoro Natalicio was convicted of defamation. During the year 2000, the local government threatened to evict Natalicio from his home and filed another defamation charge against him. In July 2000 the local government in Kwanza Norte evicted him from his home on the grounds that his work for independent and international radio stations violated his lease. In July 2000 individuals claiming they represented government authorities kidnapped Catholic Radio Ecclesia director Jose Paulo and forced him to drive at gunpoint to the outskirts of Luanda, where he managed to escape unhurt. The Government later denied responsibility for the assault. His appeal against the decision was successful and he was acquitted in 2000. [2c][9a]

5.19 As a result of the Marques trial, the Government decided to revise the press law. In August 2000 a committee appointed by the President released a draft law for public comment. Despite wide criticism of the new text, the Government encouraged a series of public seminars as well as radio and television programming on the topic. The draft was criticised widely for not allowing the expansion of political dialogue and discussion and for increasing the criminal penalties for defamation. The Committee to Protect Journalists (CPJ) recommended the withdrawal of the draft law. In October 2000 the Government suspended the drafting process, withdrew its draft and announced its intention to appoint a committee consisting of both government and non government representatives to reconsider the drafting process; however, the process had not begun by the end of 2001. [2c]

5.20 In October 2000 Antonio Paciencia, the editor of Angolan State Radio, was found

dead in neighbouring Zambia. He had travelled there on a UN organised visit. Investigations confirmed that he had been killed but did not attribute any responsibility for his murder. The Angolan government and some journalists blamed UNITA. [2c]

5.21 On 22 February 2001 unidentified gunmen burst in to the Malange home of Isaias Soares and opened fire. Soares brothers returned fire and the attackers fled; Soares, a VOA and Radio Ecclesia journalist who has been harassed on several previous occasions for his professional activities, was unharmed. Following the attack neighbours warned that criminal gangs were looking for the journalist; there were calls for the authorities to take the necessary measures to find those responsible. In August 1999 the Government banned Soares from covering official events or reporting on military issues in Malange. In July and August 2000, the Government continued to harass Soares, and the provincial government seized his motorcycle, which was his only means of transport. The local authorities in Malange had also banned the journalist from accessing official buildings. [2c][16j]

5.22 In July 2001 there were reports that the situation of the press had deteriorated. The Angolan Journalists Union (SJA) alleged the existence of a 'terror campaign' being waged against the private media. Freelance journalist Rafael Marques cited the suspension of news reports on the independent Catholic station Radio Ecclesia. Marques also expressed concern about the police's treatment of himself and a BBC journalist earlier in July when trying to report the relocation of thousands of residents in the Boa Vista area of Luanda. The case of independent newspaper journalist Gilbert Neto arrested and interrogated in early July with a foreign researcher and increasing difficulties for provincial journalists in the provinces of Kwanza-Norte and Malanje were also raised in a report by the CPJ. [9b][16s][16x]

# Freedom of speech and the press in UNITA held areas

5.23 UNITA does not permit freedom of expression in the areas under its control. UNITA publishes information on the Internet but no longer has a radio station. Journalists who worked for the now defunct UNITA radio station -Vorgan - were allowed no freedom of expression and risked imprisonment and torture if they were suspected of passing information to the government. [2c][10b]

## FREEDOM OF ASSEMBLY & ASSOCIATION

5.24 The Constitution provides for the right of assembly; however, the Government restricts this right of practice. The law requires a minimum of 3 days' prior notice before public or private assemblies are held, and makes participants liable for "offences against the honour and consideration due to persons and to organs of sovereignty". Applications for pro-government assemblies are granted routinely without delay; however, applications for protest assemblies are rarely granted. However, during the year, the Government allowed at least five non-official public demonstrations against government policy in Luanda, an increase from previous years. [2c]

5.25 On 18 February 2000, 25 members of the Party for the Support of Democracy and Progress in Angola (PADPA) demonstrated in front of the Carmo Church in downtown Luanda in a highly publicised hunger strike against an increase in fuel prices. Police dispersed the demonstration on the grounds that the police had not received the required 3-day notification prior to the demonstration, and police detained 12 protestors.

There also were allegations of police assault against protestors. On 23 February 2000, police dispersed a demonstration outside the Luanda Provincial Government and reportedly beat some demonstrators. On 24 February 2000, police with rifles dispersed a demonstration, arrested 10 protestors, including the leaders of 2 opposition parties and reportedly beat some of the protestors. The following day the police issued an apology for the arbitrary arrests. [2c][46]

5.26 The Government became more tolerant of public protest later in the year 2000. On 11 March 2000, officials permitted an opposition march by 100 members of opposition parties against high fuel prices; this was the first authorised opposition demonstration since 1992. On 11 June 2000 some 2,000 protesters participated in a government sanctioned peace march. In July 2000 a Church-sponsored Congress for Peace was held in Luanda. The event brought together civil society groups, a wide cross-section of church members, opposition politicians and officials from the governing MPLA party. However, a debate in the National Assembly the same week as the congress took place concluded that the government's military option was still necessary. [16d][22]

5.27 On 24 January 2001 25 supporters of the PADPA again began a strike - this time outside the Presidential Palace. The protest was in response to a political scandal that has arisen in France over illegal arms sales from which a number of prominent Frenchmen reportedly profited. President Dos Santos's name has cropped up repeatedly in connection with the case. The protesters distributed leaflets critical of the President until riot police violently broke up the protest under the cover of darkness arresting six people including the PADPA president. Following a finding by Angolan judiciaries that the protesters were not guilty of any crime (see paragraph 4.24), the PADPA were reportedly considering bringing a case against the police for violating its right to demonstrate and illegal imprisonment. [2c][46]

5.28 The Constitution provides for the right of association; but the Government restricts this right in practice. Legislation allows the Government to deny registration to private associations on security grounds, in practice the Government accepts virtually all applications, including those for political parties. There are informal government constraints on the operation of associations. The Government arbitrarily limits organised activities deemed adverse to its interests, by refusing to grant licences and through other means. During 2001, the Ministry of Justice blocked the registration of the Association of Peace, Justice and Democracy on the basis that the organisation's monitoring and documenting prison abuses and due process violations was outside the realm of an NGO; however the association continued to function at the year's end. [2c]

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

5.30 The Constitution provides for the right to strike. Legislation passed in 1991 provides

the legal framework for, and strictly regulates this right. The law prohibits lockouts and worker occupation of places of employment, and provides protection for non-striking workers. It prohibits strikes by military and police personnel, prison workers, and fire fighters. The law does not prohibit employer retribution against strikers effectively. There were several strikes during 2000 by teachers. On 7 August 2000, teachers in four provinces engaged in strikes to protest lack of training and low wages. In January 2001 UNTA led general strikes by public employees to demand an increase in the minimum wage, while strikes organised by SIMA continued during 2001. [2c]

### FREEDOM OF MOVEMENT

5.31 The Constitution provides for freedom of movement and residence, and freedom of exit from and entry into the country. The Government does not respect these rights in practice. During 2000, a network of government checkpoints throughout the country interfered with the right to travel. In 2001, there were reports that the government attempted to restrict the movement of opposition deputies and NGOs within, and journalists out of, the country. For example, in August 2001 an independent journalist, Gilberto Neto, was barred from leaving the country. Such checkpoints served as a source of income for many of the country's security service personnel. Extortion at checkpoints was reported to be routine in the centre of Luanda and pervasive on major commercial routes; police harassment of refugees was also reported. The Government routinely cuts off access to areas of the country that are deemed insecure or beyond the administrative authority of the State, this has had a particular effect on the distribution of IDPs (see paragraphs 6.22 - 6.27). Insecurity prevented persons from transporting goods during the year. The Government did not place restrictions on emigration and repatriation; however, there were reports that immigration officials harassed and extorted money from foreign businessmen. Landmines are a major impediment to the freedom of movement (see paragraph 7.23); both UNITA and Government forces have laid these. [2c][23n]

### Freedom of movement within UNITA held areas

5.32 There is no freedom of movement in areas controlled by UNITA, the organisation operate a laissez-passer system in all areas under its control. A permit is reportedly required for all travel - even for visit a neighbouring village. As UNITA lost or captured territory it is also responsible for forced displacement. Government officials, traditional authorities and aid workers were especially targeted during UNITA's operations. In October 2000 it was reported that more than 39,000 people who were living under the control of UNITA, had presented themselves to the government authorities in the different municipalities of Bie Province. Reports claimed that the population was abandoning Savimbi due to the robberies, rapes, and assassinations that were taking place as well as the lack of food or medical attention. These reports continued in 2001. [2c][12][33b][33f]

## Internal Flight

5.33 Flight from agents of persecution is possible but fraught with difficulty. The effects of the civil war including the continued laying of mines, illegal roadblocks and check points as well as a deep rooted hatred between UNITA and government supporters has resulted in a potentially extremely hazardous journey for those fleeing. [13a]

5.34 The extension of State administration, (as required under the Lusaka protocol peace agreement) had been concluded only in four provinces, out of a total of eighteen before the resumption of hostilities. Since December 1998 this figure has changed many times. Territory controlled by UNITA is not necessarily administered by them; however, access is denied to the Government. [13a]

# **Emigration and Asylum**

5.35 In general terms, the Angolan authorities are well aware of the economic and social pressures which motivate Angolans of all ethnic origins to seek to emigrate, and that asylum applications are often used as a means of achieving this. The controls at Luanda airport are thorough. Any Angolans who have been deported from abroad, or who lived abroad for many years, would be questioned by immigration and police at the airport with a view to establishing their identity and whether they were of interest to the authorities for political or criminal reasons. The fact of applying for asylum would not, if discovered, be of particular interest. [3c][16h]

## 7. SPECIFIC GROUPS

### PARTI

WOMEN CHILDREN ETHNIC GROUPS RELIGIOUS GROUPS REFUGEES HOMOSEXUALS

### PART II

UNITA FLEC/CABINDANS JOURNALISTS PRISON CONDITIONS

# 6. HUMAN RIGHTS - Specific Groups

#### WOMEN

6.01 Violence against women is widespread. Credible evidence indicates that a significant proportion of homicides were perpetrated against women, usually by their spouses. In 1997 a Ministry of Women was created to deal specifically with violence against women. Women increasingly were active in lobbying for rights during the year. The Government continued its project to reduce violence against women and improve the status of women and efforts during the year 2000 included public education campaign. In September 1999 the Government vowed to curb the increase in prostitution in the country. The Minister of Family and Women Promotion announced measures such as the establishment of schools for re-education and specific training

centres for teaching cooking, art and sewing. Allegations of rape by Government forces in the central highlands increased during the year 2000. Incidents of rape were reported to be particularly common during house to house searches. Such incidents were reported to be especially common in large areas of Bie, Huambo and Uige provinces. In 2001, four FAA soldiers were convicted of raping a pregnant woman, tried in a military, then a civil, court where the sentence was extended from 7 to the maximum 20 years imprisonment. There were also some unconfirmed reports of rape by UNITA forces. [2c] [12][45d]

## Discrimination against women

6.02 The Constitution and Family Code provides for equal rights without regard to gender; however societal discrimination against women remains a problem, particularly in rural areas. In addition, a portion of the Civil code dates back to colonial times and includes discriminatory provisions against women in the areas of inheritance, property sales, and participation in commercial activities. A series of national conferences on women's rights, partially funded by foreign donors, continued to produce calls for the government to amend the Civil Code to end women's legal inequality, create a social welfare programme, and strengthen enforcement mechanisms for existing legislation. There are no effective mechanisms to enforce child support laws, and women carry the major portion of responsibilities in raising children. The organisation RedeMulher/Angola pressured the government to increase awareness of women's concerns in the country. In October 2001 the association participated in the International Women's March Against Poverty and Violence Against Women. The organisation addressed the violence in the home and workplace, education, and IDP problems. [2c]

6.03 Despite constitutional protections, women suffer from discrimination. Women are frequently the victims of brutality in the home, disproportionate malnutrition and poor medical provision. The law provides for equal pay for equal work, but in practice, women are rarely compensated equally. Some women hold senior positions in the military (primarily in the medical field) and civil service, but women are mostly relegated to low-level positions in state-run industries and in the small private sector. In much of the country, women constituted a growing percentage of the disabled, since they were most likely to become victims of landmines (see paragraph 7.24). Under the law, adult women may open bank accounts, accept employment, and own property without interference from their spouses. Upon the death of a male head of household, the widow is automatically entitled to 50 per cent of the estate with the remainder divided equally among legitimate children [2c][21p]

### CHILDREN

6.04 Angola has been singled out by the United Nations as the worst place in the world to be a child. Some 50% of the population are believed to be under the age of 15; however, the Government pays little attention to children's rights and welfare. The continuing civil war, the virtual collapse of the health system, the lack of basic education, countrywide food shortages, and a lack of access to clean water have all had a terrible impact on Angola's children. Almost one third of children die before their fifth birthday, 42% of all children are underweight. The education system is also seriously underresourced (see paragraph 4.47). In a report published in November 2001, Save the Children stated that half of Angola's internally displaced population consists of children. In June 2001 UNICEF estimated that about 1 million children in the country have lost

Government is unable to enforce these provisions. [2c]

6.10 In June 2001 about 2,000 children marched through Luanda demanding an end to abuse and exploitation. The march was organised by the National Institute for Children (INAC) and came after a petition signed by some 70,000 people in three provinces called for an end to abduction, conscription and exploitation of children. [16p]

## ETHNIC GROUPS

- 6.11 Angola has considerable ethnic diversity, its main ethnic groups include the Ovimbundu (estimated 37% of population in 1989), Mbundu (25%), Bakongo (15%), Lunda-Chokwe (8%), Ganguela (6%), Nyaneka-Humbe (3%) and Ovambo (2%) (See Annex C). There are also a small percentage of Mestiço (the term for people of mixed white and African ancestry) and European's. [1][6]
- 6.12 Angola's population includes 1 to 2 per cent of Khoisan and other linguistically distinct hunter-gatherer tribes scattered throughout the southern provinces of Namibe, Cunene and Cuando Cubango. There was lack of adequate laws to protect the rights of traditional pastoral communities of the Ovimbundu, Nanheca and Ovambu, in the Cunene and Huila provinces as the government attampted to clarify land titles in the region. In July 2001 the Ministry of Agriculture, in conjunction with the UN Food and Agriculture Organisation, began fencing off plots of land for pastoral groups in these provinces. As a consequence of the legal deficiencies these groups do not participate actively in the political or economic life of the country and have no ability to influence government decisions concerning their interests. [2c]

## The Bakongo

- 6.13 The Bakongo are one of the third largest ethnic groupings in Angola (Ovimbundu are the largest followed by Kimbundu), although the tribe is spread over three countries: DRC, Congo and Angola. The vast majority, approximately 10 million, live in western DRC, 850,000 in southern Congo and only 600,000 in northern Angola. The two subgroups living in Angola are the Sosso and Sorongo. Their main language, Kikongo, is one of DRC's four national languages, although they traditionally also speak French, a relic of DRC's colonial past. [27][28]
- 6.14 Each of Angola's three largest ethno-linguistic groups has been associated with a respective military organisation during the fight for independence and the civil war that followed. The Ovimbundu people of the south with UNITA, the Mbundu with the MPLA (who also attracted the intellectuals in Luanda) and the Bakongo with the FNLA. [28]
- 6.15 By 1979, most of the fighting was concentrated away from the north and many of those Bakongo who had fled to DRC were able to return. Their exiled leader, Holden Roberto, was able to return to fight the 1992 presidential election after political parties were legalised. In September 1992, the FNLA received 2.4% of the National Assembly seats in the first direct elections since independence. [28]
- 6.16 Several Bakongo separatist groups exist in the UK. Their aim is self-determination for the Bakongo but their publications and propaganda are unclear. There is no evidence of links with home-based movements.

one parent in the war and almost 300,000 have lost both and more than 1 million children have no access to education and health facilities. [2c][11][16r]

6.05 There has been an increase in the number of street children in Luanda and other cities, in 1998 UNICEF estimated that there were approximately 5000. This resulted from the breakdown of family structures due to the civil war and the dire economic circumstances. Living conditions in youth hostels are so poor the majority of children preferred to sleep on the streets. Orphanages are overcrowded and admission to schools difficult because the children often do not have the necessary identification papers. Street children shine shoes, wash cars, and carry water but many resort to petty crime. Girls roaming the streets, although less numerous than boys, are often subjected to rape, sometimes even by the police. With the assistance of aid agencies, the Angolan Ministry of Social Affairs has launched a scheme to trace the relatives of such children and re-unite them, but in practice the relatives are not always willing or able to take them back. Children, often held in prison for petty theft, are incarcerated with adult detainees (see paragraph 4.40). However, Angola is currently revising it juvenile justice system with aid of UNICEF, and a foster parent placement system has been set up for those children either separated from their families or orphaned by the conflict. [2c][11][27]

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

6.07 Children were often victims in the civil war. Government and UNITA forces killed, kidnapped and injured children during attacks throughout the year 2000. Children were also killed and injured by landmine explosions in increasing numbers. UNITA and the Government allowed 8,000 child soldiers to be demobilised in 1996 and 1997. The Government has not brought any significant number of children back into the armed forces, although some children might have been caught up in forced campaigns. There are also credible reports that UNITA forcibly recruited children as young as 10 years of age into its armed forces (see also paragraph 4.32). [2c]

6.08 In August 2001, the government launched an 18 month campaign to register and identify an estimated 5 million children. The campaign, organised by the Ministry of Justice, was designed to improve children's access to government services and to offer greater protection against underage recruitment into the armed forces. The government considers its registration programme to be a first step in addressing the number of homeless children (see also paragraph 4.31) [2c]

6.09 The legal minimum age for employment is 14 years. Children between the ages of 14 and 18 may not work at night, in dangerous conditions, or in occupations requiring great physical effort; however, these provisions generally are not enforced. The Inspector General of the Ministry of Public Administration, Employment and Social Security is responsible for enforcing labour laws. The Ministry maintains employment centres where prospective employees register, and the centre screens out applicants under the age of 14; however, many younger children work on family farms, as domestic servants, and in the informal sector. Family based child labour in subsistence agriculture is common. Poverty and social upheavals have brought large numbers of orphaned and abandoned children, as well as runaways, into unregulated urban employment in the informal sector. The law prohibits forced or bonded child labour; however, the

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

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

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

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

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

Based in London, they have joined forces with the MBFA and announced, in June 1998, they would be working together on a joint programme. Their President is Joac Mansianganisoma. [29][30]

6.17 In Angola there is no discrimination in law against those of Bakongo origin and no evidence that, for example, they are prevented from trading or treated as second class citizens in society as a whole. But there have been times when they have come under suspicion and been attacked as a group. One of the most serious instances of persecution was directed against "Zairians" (i.e. Bakongo Angolans) on January 22 1993. Rumours were spread of a plot to kill the Angolan president, which resulted in "Zairians" being hunted down and chased from the markets. Officially 69 people were killed in the disturbances in several cities although most reports talk of between four and six thousand dead. The killers are reputed to be the military, the national police and civilians. The massacre became known as "Bloody Friday" and was condemned by the government. But this incident is not indicative of the general picture and there has been no repetition. [3c][28]

6.18 A substantial Bakongo community continues to live in Luanda and they have been able to join the major political parties, including the MPLA. There is no evidence of a systematic persecution or targeting of Bakongo, although the Bakongo are likely targets if a scapegoat is needed. [3c]

6.19 If a Bakongo were a victim of scapegoating, he or she would not necessarily be able to look to the police for protection (although this would also apply to many other Angolans). The Angolan police are poorly paid and generally acknowledged to be corrupt and lacking in discipline. They tend to be motivated more by the opportunity to extort bribes than the pursuit of justice. It could not therefore be ruled out that a Bakongo who had come to the attention of the authorities might be pressurised by members of the police with a view to extorting bribes. [3c]

6.20 Although a Bakongo returning from abroad would probably be recognised as such, he or she would not automatically be associated with UNITA (traditionally supported by the Ovimbundu, rather than the Bakongo) or with any opposition elements. [3c]

## RELIGIOUS GROUPS

For information on religious groups see paragraphs 5.08 - 5.11 on Freedom of Religion

### REFUGEES

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

# INTERNALLY DISPLACED PERSONS (IDPs) AND THE HUMANITARIAN SITUATION

6.22 With UNITA rebels driven from their central highland strongholds in 1999, the border areas with Namibia and Zambia saw increased military activity during 2000 as the FAA pursued the rebels. During 2001 there was an increase in instances in which internally displaced persons were harassed by police officers and denied humanitarian assistance due to misappropriation and obstruction by the authorities). Internally displaced people were also forcibly conscripted, both in Government and UNITA controlled areas. In March 2000 Amnesty International reported that some of the refugees who crossed into Namibia were forcibly returned to Angola. By December 2001 there was a total of 214,524 Angolan nationals taking refuge in Zambia. The Zambian ambassador maintained that once the security conditions allow, these people would be returned to Angola. [2c][10d][16ff][16hh][17a][36e][51c]

6.23 Efforts of the government and humanitarian agencies have drastically reduced malnutrition since June 1999 though for many the threat of starvation is still not far away. At this time malnutrition related diseases responsible for the deaths of children in the provinces of Luau and Moxico were continuing to claim lives. In January 2002 for example, the global malnutrition rates in Caconda, Huila province were recorded at 20.7% among displaced children. The situation was also reported to be worsening in the northern town of M'banza-Congo in Zaire Province, where food prices had rocketed following the temporary closure of the road from Luanda. Elsewhere efforts were reportedly being made to help people become more self-sufficient. [2c][16g][17b][51a-c]

6.24 In October 2000 the government announced plans to convince displaced people living in the main cities to return to their areas of origin where possible, or to adhere to the resettlement programme in new settlement areas. Overall, the situation for internally displaced person's improved during 2000. Many people were moved from transit camps and urban warehouses with poor conditions to rural, safe secure areas, and provided with homes, small land parcels, medical care, and education by the Government and UNHCR. In November 2000 the UNHCR began new assistance programmes and now provides protection and assistance in three provinces. Nevertheless with the further government offensives throughout 2001, by December 2001 the WFP reported a steady movement of IDPs into urban centres. [2c][16g][50][51a]

6.25 In March 2002, a report by Human Rights Watch indicated that the humanitarian

situation in Angola was still critical, with approximately 4.3 million Angolans (31% of the population) internally displaced, and an estimated 435,000 refugees forced to flee to neighbouring countries. In August 2001 it was estimated that a total of 3 million people had been displaced since the resumption of hostilities in 1998. Overall during 2001, more that 500,000 were displaced, and between November 2001 and January 2002 an average of 48,500 a month were forced from their homes. There are 120 internally displaced person's camps in the country, 35 of these were inaccessible due to their distance from urban centres, and there is a lack of adequate water supply in these areas. Many internally displaced people are former returnees from neighbouring countries who were previously reintegrated into the country between 1994 to 1998. [2c] [12][51c-d]

6.26 Between December 2001 and February 2002, an area in which the situation was reported as particularly serious was Kuito, capital of Bie province. 11,000 new IDPs were registered in the first two weeks of January alone, taking the total number of IDP arrivals there in the previous five months to 67,000, and the overall number reliant on humanitarian aid to 180,000. Major displacement, due to the war situation and in particular the activities of UNITA also continued throughout 2001, most notably in Huambo, Moxico and Uige provinces. A priority for 2001 is reported to be the resettlement of 315,000 people, the majority of who are concentrated in camps and transit centres in the provinces of Bengo, Bie, Huila and Moxico. In spite of the death of UNITA's leader on 22 February, which has fuelled hopes of a ceasefire and peace, the general humanitarian situation has yet to improve in any way in fact it has deteriorated. In February and March 2002, the UN warned of a worsening humanitarian crisis in the central and eastern provinces targeted for the resettlement. [12][16m][16cc][21i][21k] [23o][33q][38a]

6.27 By March 2002 OCHA reported that most of the therapeutic food centres (TFC) in the provinces of Bie, Benguela, Kuanda, Kubango and Moxico had exceeded their maximum capacity. It was also reported that hundreds of IDPs have been transferred to the few camps, for example in Kuito, with spare capacity. OCHA nevertheless indicated that the most overcrowded refugee camp in the Camacupa district of Bie province, will be expanded by mid-2002. In February 2002 UN Under-Secretary General for Humanitarian Affairs expressed concerns about the TFC's capacity to cope with an ever-increasing number of IDPs, and the also raised serious doubts over the government's ability to effectively respond to the impending crisis. On 16 April 2002, the government and relief agencies announced the start of 36 assessments covering 13 previously inaccessible provinces, so that a more comprehensive analysis of the humanitarian situation may be undertaken. [14mm][16gg][50][51c]

### HOMOSEXUALS

6.28 The law states that 'Homosexual acts are illegal' and are described as offences against public morality. There have, however, been no recently reported incidents of people being targeted or attacked either by the government, the FAA or UNITA on grounds of their sexuality. [56]

### POLITICAL ACTIVISM - UNITA

6.29 UNITA maintained a political presence in Luanda until October 1992. There was no presence of any sort between November 1992 and April 1995, and then in May 1995 UNITA re-opened their Luanda office. This remained in place until April 1998 when the MPLA refused to deal with UNITA unless they complied with the Lusaka Protocol. In September 1998, the UNITA office was taken over by UNITA-Renovada (see paragraph 6.37). [3i]

6.30 UNITA is not a single, coherent organisation; it comprises of at least two major groups in addition to which there are also known sympathisers. The main distinction is between those who were, until February 2002, fighting under Savimbi and those who were not. During the conflict, the government did not tolerate Savimbi or his armed group and the only way to have safely left this was to defect to the FAA. The FAA accepted into their ranks several thousand former UNITA fighters; some of who defected upon capture. The peace accord, signed in April 2002 by the government and UNITA, laid the foundations for the full demobilisation of UNITAs forces and their integration into either the army or civilian life. (see paragraph 6.45). [2c][3i][14g][23p]

6.31 There are a number of people in the Government of National Reconciliation (GURN), including ministers and vice ministers, who openly support the political goals of UNITA, but have renounced the armed struggle. There is also an UNITA Parliamentary Party. Some members have aligned themselves to UNITA Renovada (see paragraph 6.37); others have retained their allegiance to UNITA's political goals. On the whole these people are protected by their renunciation of violence. They are often frank about their differences with the MPLA, however the Government is clearly suspicious about some of the more independent members of the Parliamentary Party. [3g]

# Recent Political History of UNITA

6.32 The second half of 1998 saw a fatal fracture in the peace process. The Lusaka Protocol required UNITA to hand over to state administration the remaining areas under their control but their repeated delays caused the UN to vote for further sanctions against them. In August 1998 UNITA announced that it had broken off links with Portugal, Russia and the United States, the three observer countries to the Lusaka accord. On 31 August 1998, the government suspended UNITA's 70 deputies including four ministers and seven vice ministers in the GURN. On 2 September 1998 a group of 5 UNITA moderates wishing to negotiate with the government to conclude the Lusaka Protocol, issued a manifesto declaring the suspension of Savimbi and the introduction of an interim leadership pending a general congress of the party. The group were all based in Luanda, and led by former Tourism Minister, Jorge Valentim. [1][15][31]

6.33 The breakaway faction called itself UNITA-Renovada (UNITA-R) meaning the UNITA Renewal Committee; they commanded very little support within UNITA. Conversely, the Government welcomed the development, quickly recognising the faction and re-appointing its supporters to the executive. They also brought pressure on UNITA deputies in Luanda who had not declared their support for UNITA -R, stopping their salaries and other perks. President dos Santos announced that he would only deal with UNITA-R in negotiations concerning the implementation of the Lusaka Peace Accord. UNITA-R was also recognised by the Southern African Development Community (SADC). [1][15]

6.34 On 20 October 1998 the National Assembly reconvened amid confusion over the status of UNITA deputies who had not joined UNITA-R. As of 23 September 1998 nine of the 11 UNITA ministers and vice ministers in the GURN had been reinstated (see annex E). The UNITA deputies who remained loyal to Savimbi and had been suspended from parliament were also reinstated following diplomatic pressure. On 27 October 1998

Angola's National Assembly voted to strip UNITA leader, Jonas Savimbi, of his "special status" as leader of the opposition. This was one of the last major elements of the Lusaka accord to be fulfilled and the decision to revoke this was based upon Savimbi's failure to adhere to his side of the peace treaty signed with the government. [1][14][15]

6.35 During 1999 Amnesty International reported that government forces, the militia and, in some cases the police, were responsible for the harassment, assault and detention of officials and others suspected of sympathising with UNITA. The government declared Savimbi a war criminal in February 1999 and, in July 1999 issued a warrant for the UNITA leader's arrest, blaming him for the return to war. Notwithstanding the arrest warrant, Savimbi would appear to be covered by the President's offer of an amnesty available although many observers doubt that such an offer would, in reality, apply to Savimbi (see paragraph 4.19). In March 2001, Savimbi called for a resumption of negotiations with the government and UN, however the Angolan Foreign Minister reportedly announced that Savimbi had been excluded from the peace process. On 30 January 2002, UNITA-R members appealed to Savimbi to join in dialogue to find a reasonable resolution of the Angolan conflict, however there are no reports confirming that any such dialogue took place. In light of the peace accord signed in April 2002, dialogue between UNITA and UNITA-R has restarted with UNITA-R providing a team to collaborate with UNITA's management committee which is overseeing the party until a new leader is elected at its next congress. [1][3i-j][10a][14mm][20c-d][33m][45f]

# UNITA - RENOVADA (UNITA-R)

6.36 UNITA-R MP's were reinstated to parliament after a short hiatus in 1998. They remain polarised from UNITA and Savimbi and are recognised as the official representatives of UNITA by the vast majority of African and European governments. However, there is reported to be growing dissension within the rank and that tribalism is creeping in to the structure of the organisation. Leader, Jorge Valentim, and most of his officials are Ovimbundos, whereas the ordinary members are drawn from many other ethnic and tribal groups. In an interview on 14 March 2002 UNITA-R president, Eugenio Manuvakola, who is a fervent critic of Savimbi, stated that his death meant that the only path for the rebels was peace as UNITA troops were no longer obeying the orders of their commanders. UNITA-R also expressed concern about the fate of leading UNITA members who had been detained in the movements' prisons. [16II][35b][37a]

6.37 UNITA-R have very little credibility, any it did have was lost with its recognition as the official opposition and de facto inheritor to UNITA's obligations under the Lusaka Protocol. In reality, UNITA-R is a MPLA sponsored group that exists to adopt the obligations and privileges that UNITA undertook in the GURN. Some UNITA political staff who have defected since 1992 and subsequently joined Renovada live and work in Luanda. Renovada maintain that they suffer a form of persecution, they claim that the Government imposes strict limits on their freedom to operate and travel however these are unfounded. Some former UNITA politicians who defected to UNITA-R do however have their names on the UN list of people whose travel should be restricted. No political party can operate without the tolerance of the Government and, as such, UNITA-R's existence is an indication that the MPLA do not consider them a threat. [3h-i][15]

# UNITA's Military Wing

6.38 UNITA's military wing or army is known as the FALA, on occasion they may also be

referred to as the Black Cockerel troops. Like many other liberation movements UNITA also have both women's and youth sections. The women's section is known as the League for Angolan Women (LIMA) whilst the youth section is known as the Angolan Youth Movement (JURA). During 2001 and 2002, as in previous years, UNITA forces continue to commit many serious human rights abuses. [1][2c][3j]

- 6.39 The FAA launched a major offensive against UNITA in September 1999 that ultimately forced the rebel group out of their Central Highlands stronghold (see paragraph 7.02). Following the launch of the offensive there were reports that in a letter dated 27 September 1999 to President dos Santos, UNITA leader Jonas Savimbi called for an immediate. Two separate UNITA representatives denied such a letter had been sent. However, prior to this incident, the Angolan government had repeatedly stated that it was not prepared to negotiate with Savimbi again in view of his failure to abide by internationally brokered agreements. [17a]
- 6.40 In November 1999 one of Savimbi's closest aides, senior commander General Jacinto Bandua, surrendered to FAA forces. He subsequently told journalists that UNITA's troop morale was low after successive defeats. Cases of defections and surrender continued in throughout 2001 and into 2002. For example, in January 2002, Savimbi's own bodyguards and also 5,000 UNITA supporters in Balombo. Further instances of defections occurred between January and March 2002 when, on three reported occasions, 20 50 UNITA soldiers and civilians in Benguela and Huambo provinces. Despite these losses UNITA continued to launch terrorist attacks. [13c][33k] [33t]
- 6.41 A shake up within UNITA's military ranks took place in June 2000. Prison or execution often awaits those officers or commanders who, in the eyes of the rebel leader, have failed. The six high level changes came nine months after UNITA suffered a series of heavy defeats that resulted in them loosing their Central Highland headquarters. Despite the changes, Savimbi maintained that frank dialogue is the only way to end the war. A UNITA source described the changes as normal but refused to comment on the whereabouts of the officers who had been replaced. However, in October 2000 a former rebel soldier who had surrendered to the FAA claimed that three UNITA generals, a brigadier and a colonel had been executed on Savimbi's orders. [23d][33a]
- 6.42 In September 2000 it was reported that authorities in Namibia had detained 82 suspected members of UNITA. The rebels were being treated as illegal immigrants and the Namibian authorities. In April 2001 it was confirmed that the removal of more than 80 soldiers and collaborators would proceed, despite a high court ruling that the removal of one representative Jose Domingos Sikunda was illegal. [23e][16k]
- 6.43 On 22 March 2001 Savimbi broke 18 months of public silence to call for peace talks when he spoke on the telephone to the Voice of America radio service in Luanda. Savimbi, had not been seen in public for 10 years. Savimbi said that Angola's last attempt at peace the 1994 Lusaka Peace Accord could be revived. He also urged opposition politicians, the church and independent journalists to work towards a dialogue for peace. In response the Government said that it was not prepared to negotiate with Savimbi, even if he was to disarm his forces, but would be prepared to resume talks on the Lusaka Protocol with the UNITA-R faction. The Government observed that in his statements Savimbi made no mention of disarming his forces. [21f][35d]
- 6.44 The death of Jonas Savimbi at the hands of government forces on 22 February

2002 (see also paragraph 7.17) left UNITA's military wing in disarray. Having already lost many generals and other senior military personnel in combat since January, UNITA's military capabilities were severely weakened. On 27 February 2002 UNITA's vice president General Antonio Dembo assumed the leadership with the responsibility of uniting and reorganising the rebel group's fighting forces and reassessing UNITA's priorities with government and international pressure to commit to a ceasefire. In spite of these external pressures, UNITA continued to launch attacks on FAA territory into March 2002. However, with the death of Dembo reported on 5 March 2002, UNITA officials in Luanda began talks with the government over the possibility of a ceasefire. A second round of talks between the government and rebels, announced on 21 March 2002, led to the signing of a peace accord on 4 April 2002. The accord, signed by UNITA's new interim leader Paulo "Gato" Lukamba has made provision for the military wing to be absorbed in to the army and the repatriation of up to 5,000 UNITA soldiers in Congo and Rwanda; formally ending UNITA's military campaign. [14d][16ii][16kk][21n-o][23s,x,z] [33s][45k-i][57]

## Surrendering UNITA fighters

6.45 Since the resumption of hostilities in December 1998 several thousand UNITA fighters have surrendered to the Government authorities and been reintegrated into the FAA. (see paragraph 4.20). Re-integration into the FAA prior to demobilisation is probably the only viable option for people who have only known a fighting life. The conditions under which demobilised UNITA combatants live are poor, but they are not specifically singled out for this. Many have no skills and are wholly dependent on re-integration programmes, however many such programmes were suspended in December 1998. In January 2001 the Government approved a Peace and Reconciliation Fund to help support the re-integration of soldiers (and civilians) who have surrendered. This development came in response to opposition party accusations that the authorities were more interested in receiving political dividends from the UNITA deserters' declarations than the process of their re-integration into society. [2c][3g][3j][38b]

# Sanctions against UNITA

6.46 In addition to the existing sanctions in place before the resurgence of hostilities at the end of 1998, the UN has since banned all commerce in diamonds with UNITA and the sale of arms and petroleum, these embargoes have apparently been flouted with impunity. The UN is now seeking to deploy civilian "sanctions monitors" throughout Africa to try and eradicate sanctions busting. A scheme was introduced this year to certificate all legitimately-produced diamonds being traded by the Angolan government, so dealers world wide would be able to differentiate between those produced by the government and those by UNITA. In June 1999, South Africa in supporting the UN went further and proposed a certification scheme for all diamonds produced in southern Africa. There have also been suggestions that the UN might trace all the illegally exported diamonds and confiscate them. The UN is investigating claims that some European companies, including some based in the UK, are still trading with UNITA. [21b][42a][44][45b]

6.47 The government of Côte d'Ivoire announced in May 1999 that it was withdrawing the passports it had issued to Jonas Savimbi and some of his followers, which had allowed them to travel freely outside Angola. France also said it intended to expel Isaias Samakuwa, UNITA's representative there, and ban him from re-entry in accordance with the UN's 1997 sanctions that demanded the closure of all UNITA offices and the expulsion of senior personnel. [45a]

6.48 In February 2000 the world's biggest diamond dealer, De Beers of South Africa, promised to guarantee that it would not trade in stones from African rebel movements. In March 2000 countries which have been involved in sanction busting operations were named in a UN report. The report suggested that UNITA had used diamonds to court favours from certain African governments, notably Burkina Faso and Togo. The report also stated that UNITA received arms from Eastern Europe on almost a daily basis. In line with UN Security Council resolutions Togo expelled 56 UNITA supporters in May 2000. The Angolan authorities claimed that the gesture was not enough, and maintained that Togo remained a sanctuary for armed UNITA rebels and that the two maintained contact. As a consequence, the Angolan government took the decision to boycott the annual summit of the Organisation of African Unity (OAU), which was held in the Togolese capital of Lome in July 2000. South African security sources stated that UNITA were continuing to receive military supplies from Eastern Europe as recently as July 2000. [16e-f][20a][23c]

6.49 In April 2001 a report by the US based Forecast Intelligence Centre stated that the UN sanctions may be hindering the ability of Savimbi's rebel movement to make diamond-for-guns deals but they were far from stopping them. Even UN officials admit that the trade continues though the sanctions decrease the number of people willing to make such deals. Some sources believe that the seizure of certain productive diamond fields by Angolan government troops is hurting UNITA more than UN sanctions. A meeting of the UN Security Council on 16 November 2001 concluded that the effectiveness of sanctions against UNITA needed to improve, a sentiment echoed by the Portuguese Ambassador Fernando Neves on 20 February 2002. However, in light of the new climate of conciliation since Savimbi's death, UNITA have demanded that sanctions be eased. Thus it remains to be seen what, pending the outcome of the current peace talks, the course of sanctions against UNITA will take. [16ee][16ji][45m][47][61]

## POLITICAL ACTIVISM - F.L.E.C./ CABINDANS

6.50 FLEC (Frente para a Libertacao do Enclave de Cabinda) was formed in 1963 as a nationalist movement seeking separate independence for Cabinda, a 2,807 sq mile (7,300 sq km) oil-rich enclave on the Atlantic coast sandwiched between the DRC and the Congo Republic. Since its formation FLEC has split into a number of factions (see Annex A); some of these factions have engaged in rebel activity in their attempt to achieve their aim of an independent Cabinda. The main FLEC factions, FLEC-Renovada (FLEC-R) and FLEC-Forças Armadas Cabindesas (FLEC-FAC) are deeply divided; encouraging competition and conflict that Luanda often exploits. The rebel groups reportedly retain wide popular support from the Cabindan locals. [1][5][10c][16i]

## History of FLEC

6.51 Throughout its existence FLEC has been marginalised. Following Angolan independence FLEC, unlike the other main nationalist groups (MPLA, UNITA and FNLA), did not achieve recognition by the Organisation for African Unity, (OAU). FLEC did not enter the political process with the introduction of multi - partyism, arguing that the September 1992 elections were for Angolans not Cabindans. The Angolan law on political parties' dictates that, in order to register, a party must possess support in at least 10 of the 18 provinces, this effectively disqualifies FLEC. [1][5]

6.52 Throughout 1997 and into 1998 the number of attacks by the FAA on villages suspected of supporting FLEC factions multiplied. These raids were often followed by

government reprisals, in which unarmed civilians were reportedly beaten and killed and soldiers looted and burned houses. During the same period attacks by both FLEC-FAC and FLEC-R increased. They tended to target foreign companies operating in Cabinda; however, as this struck at the economy the FAA retaliated. An Amnesty International report published in April 1998 listed several examples of soldiers and other officials threatening, or actually carrying out, beatings, torture and killings of unarmed civilians. Reports of such occurrences continued into 2000. [2c][10c]

# Recent FLEC Activity

6.53 FLEC became increasingly active again in 2000. In May 2000 the FLEC-FAC kidnapped three Portuguese workers and one local employee of a construction company. The three were still held by FLEC in March 2001 when the FLEC-R faction was also reported to have taken five Portuguese hostages. It was announced in June 2001 that the last of a number of hostages had been released after diplomatic intervention by the governments of Gabon and Congo Brazzaville. The rebels want Portugal, the formal colonial power, to persuade the Angolan government to negotiate on their demands for independence and a higher share of revenues from the enclave's lucrative offshore oil fields. However, Portugal says it sees Cabinda as part of Angola. [21e][23h]

6.54 In early 2001 Angolan President Jose Eduardo dos Santos' government discussed plans for greater autonomy for Cabinda. However, in February 2001 the FAA launched operations into the province. In 2001 FLEC-FAC, together with UNITA rebels, continued to torture and kill foreign and dual nationals and civilians in Cabinda province. Some observers believe that whilst the FLEC government-in-exile (see paragraph 6.50) angles for negotiations, as well as launching diplomatic offensives throughout Europe, rebels on the ground will be forced to continue to wage their low-intensity war with little help from the outside. This will push the rebels closer to the urban areas and more desperate means of survival, including violent acts of banditry and increased kidnapping. [2c][16i]

6.55 The Government's official position with regard to Cabinda is that it is "an internal issue" but as recently as March 2001, reaffirmed their willingness to engage in dialogue. However, according to FLEC-FAC, the Government who have not allowed other countries or the UN to get involved in the issue, would prefer a military solution. The rebels point to the strong military presence in the enclave and observe that the personnel stationed there can not understand the local language thus all dialogue with the population takes place in Portuguese. A report in March 2001 stated that main separatist movements reject Government suggestions to grant the territory autonomy; instead they are demanding a referendum. [40b]

6.56 During the early part of 2001 there have been reports in the Government controlled media of rebels from the FLEC-FAC faction surrendering under the provisions of the government amnesty (see paragraph 4.20). Those surrendering reportedly described the difficult conditions that they were subjected to in the bush and expressed the view that war was not the best solution to the Cabinda issue; they also called upon their colleagues to lay down their arms, begin dialogue and become reintegrated into society. Reports also stated that some of those surrendering expressed the view that if the amnesty law continues all others fighting in Cabinda will also surrender. [36e][38c]

6.57 In late March 2001 the Cabinda Christian Churches' Council accused FAA troops stationed in the territory of human rights abuses and looting. One of the worst affected localities was said to be Bitchequet, in the Cacongo municipality. The church claimed that more than 2,000 people were living without a roof having fled into the Cabinda bush to escape the looting activities. It was claimed that more than 200 huts were burnt and the church expressed fears that the population would flee into neighbouring countries.

[40c]

## The future of Cabindan separatists

6.58 A report in February 2001 suggested that the rise in separatist activity in the oil-rich Angolan enclave of Cabinda could actually signal the demise of the rebel movement. The report suggested that a well-equipped Angolan military and closer co-operation between Luanda and the rebels' former allies in Congo-Brazzaville and the Democratic Republic of Congo (DRC) could have further isolated the faction-ridden FLEC separatists. There is a view that this isolation could ultimately sound the death knell for the rebel movement; however, it was not considered likely that their liberation from control by Luanda would be successful. In August 2001, the Interior Minister Fernando da Piedade Dias dos Santos appealed to the FLEC separatists to end hostilities for the peaceful solution of the 'Cabinda problem'). In December 2001, leaders of the FLAC-FAC began exploratory contacts with the government on the possibility of negotiations, though the talks have not yielded any tangible agreements as yet.) [16i][20f][33i]

### JOURNALISTS

For information on journalists see paragraphs 5.12 - 5.23 on Freedom of the Speech and and the Media

## PRISON CONDITIONS

For information on prison conditions see paragraphs 4.39 - 4.41 on the Prison System

## 7. HUMAN RIGHTS - Civil War Situation

#### Overview

7.01 During over 26 years of conflict, many Angolans have struggled simply to survive. Despite being, in theory, a presidential parliamentary democracy, in fact there is no real tradition of democracy, pluralism or respect for human rights. The combination of war and economic mismanagement has led to much of Angola's infrastructure being destroyed, leaving no effective administration or judicial system in many regions. [3e]

## Recent developments in the Civil War

7.02 In February 1999 the UN withdrew MONUA, the monitoring mission, after it became clear that UNITA had abandoned any pretence of adhering to the terms of the peace agreement. In mid-September 1999 government forces launched a major offensive against UNITA. By 20 October 1999 the government formally announced that it had pushed UNITA out of its Central Highlands stronghold and taken control of the rebel movements two most important bases of Bailundo and Andulo, and several smaller towns. There was considerable destruction reported, particularly in Bailundo and Malange. It was also reported that government forces had taken ground in the central Provinces of Bie, Huambo and Moxico. [13b][17a][50]

7.03 Throughout late 1999 the government continued to enjoy a string of successes. On 24 December 1999 government forces captured UNITA's former headquarters at Jamba. The government claimed that it had captured 200 UNITA soldiers during the fighting. It said 400 had been captured during fighting for Calai, which was taken by the FAA on 10<sup>th</sup> December 1999. The government claimed to have destroyed more than 80 percent of UNITA's fighting capacity. [12]

7.04 The Angolan Government's efforts to drive UNITA from their traditional stronghold forced the rebels further south and west and up to the borders of neighbouring Namibia and Zambia. In December 1999 the Namibian government permitted the FAA to attack UNITA from Namibian soil. UNITA have since launched a number of attacks into Namibia, killing and abducting civilians. [16b][50]

7.05 During the first quarter of 2000, the government appeared to be in the ascendance on the battlefield. UNITA lost control of long held territory in the south and east of the country, they also lost access to many support channels, and to diamond mines, which have traditionally provided their revenue. As the year 2000 progressed this changed as UNITA adapted back to guerrilla attacks and high-profile hit-and-run ambushes on main roads. In March 2000 the FAA adapted their fighting methods so as to correspond with guerrilla warfare. [12][13c][32a][50]

7.07 In May 2000 the FAA launched a fresh offensive in the eastern province of Moxico where UNITA rebels, driven from their traditional strongholds during 1999, were thought to have regrouped in the dense and inaccessible forests of the region. By August 2000 the FAA had made several more gains. They were reported to control 11 or the 13 municipalities in the diamond rich provinces of Lunda Norte and Lunda Sul. State control was also been restored for the first time in 25 years in 4 regions of Cuando Cubango Province that border Namibia. In September 2000 the FAA captured the strategic town and UNITA base of Cazombo, and also towns in the north close to the DRC border. In November 2000 FAA troops were reportedly engaged in a large-scale military campaign in the east of Bie Province. [13c][16g][50]

7.08 The military activity along the border caused tensions with Zambia who accused the FAA of making incursions into their territory. In July 2000 it was reported that Zambia and Angola had agreed to intensify co-operation aimed at improving the deteriorating security situation between the two countries. In September 2000 the Zambian army chief visited Angola at the invitation of his FAA counterpart, Joao de Matos. During his visit the Zambian general reaffirmed that his government would not allow UNITA rebels to carry out activities against Angola from its territory. [20a][20c]

7.09 Throughout 2000 UNITA troops committed numerous extra-judicial killings in the course of attacks on villages. Interviews with refugees indicated that UNITA committed abuses, including public extra-judicial killings, as a deliberate policy. Attacks by UNITA on civilian traffic on roads in the interior of the country resulted in many deaths during 2000, many such attacks occurred on the Malanje-Luanda road. [2c]

7.10 During the first six months of 2001 UNITA continued their guerrilla activities in many areas throughout the country and new outbreaks of violence were being reported daily. The worst affected provinces included Bie, Huambo, Moxico and Uige. In January 2001 alone the ongoing conflict reportedly produced newly displaced persons in 10 of Angola's 18 provinces. One such incident on 15<sup>th</sup> March 2001 saw UNITA forces attempt to take by storm the town of Calomboloca in Bengo Province, less than 100km

southeast of the capital Luanda. FAA forces successfully repelled the attack. According to an estimate attributed to President dos Santos in early 2001, some 8,000 men continue to fight under the leadership of Jonas Savimbi UNITA. Reports in April 2001 indicated that the FAA continued in their pursuit of the residual forces of UNITA. [16m] [23g][50]

7.11 In a communiqué issued by General Geraldo Abreu Kamorteiro, the FALA (Forças Armadas de Libertação de Angola) Chief of Staff claimed that the Angolan Government had launched a further major offensive on 12<sup>th</sup> March 2001. According to the UNITA General more than 7,800 FAA soldiers and commandos were involved, as well as National Police and Civil Defence Organisation members were involved. By 22<sup>nd</sup> March 2001 the General reported that there had been activity relating to the offensive had occurred in numerous localities spreading over 10 provinces. [39]

7.12 In April 2001 a commander in the FAA was quoted on Radio Ecclesia as saying that UNITA are using new tactics in the conflict. This involves small mobile groups of rebel soldiers whose objective is to obtain food and weapons. He explained that the rebels no longer had an exact location, a situation that made it difficult for FAA troops to overcome the guerrillas. During April 2001 it was reported that UNITA had carried out successful operations in the Provinces of Bie, Cuanza Sul, Huambo, Huila, Uige and Zaire. [160]

7.13 In June 2001 UNITA's tactic was reported to be that of striking hard in the Governments heartland, an attack on the town of Uige in late June was met with vigorous response from the FAA and was reported to have resulted in over 20 deaths and over 90 injured. Earlier in the year in May 2001 less than 80 kilometres from Luanda at least two UNITA units attacked the town of Caxito. During the raid at least 70 people were reported to have been killed. [23g][23i][33g]

7.14 In August and September 2001, a number of reports of UNITA attacks on land routes through the country were reported. These included an attack on a train in central western Kwanza-Norte that reportedly claimed the lives of over 250 passengers, and attacks on a bus in Malange province and a civilian road convoy in Kwanza Sul province. In October 2001 a military source expressed concern about the security situation around Libolo in Kwanza Sul province where the FAA were experiencing difficulties neutralising UNITA rebels. [16v][23k-I][45h]

7.15 From September to November 2001, there were numerous reports of increasing losses sustained by UNITA. In early October 2001, Televisao Publica de Angola reported that the FAA had killed 30 rebels in Lunda Sul province, and on the same day Angolan police were reported to have killed a further 15 rebels in Bie province). On 29 October 2001 Portuguese news agency Lusa reported that the FAA had killed 216 rebels following a month of clashes in Sumbe, south of Luanda). The Angolan government described UNITA's increasing use of terrorist actions as desperate and made efforts to discourage the tactics. In November 2001, there were also increasing instances of rebel soldiers defecting from UNITA to the FAA. [21g][21q][33j][35e] [36g] [45j]

7.16 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 make territorial gains in regions east of Luanda, further weakening UNITA's position in northern and western provinces, and subsequently pushing the rebel forces back into their original strongholds in the remote eastern

province of Moxico. The Angolan Press agency reported that, between 14 and 17 February 2002, five UNITA generals (including high profile commanders - Brigadier Mbule and General 'Big Joy') were killed or captured in combat in Moxico. On 15 February 2002, 141 UNITA rebels were reportedly killed by the FAA in the southern provinces of Huila, Namibe and Cunene. Following these attacks, the FAA reportedly freed 4,484 civilians from UNITA captivity. There were reports of UNITA attacks during January and February 2002, such as an attack on the southern town of Kakutji, however they increasingly sporadic in nature, gaining little by way of territory. [16dd][33n-o]

7.17 On 22 February 2002 UNITA's influential leader Jonas Savimbi was killed, along with 21 of his body guards, by government forces following clashes on the banks of the Luvuei river in a remote part of the eastern province of Moxico. On 23 February his body was shown to the media in the Lucusse locality where he fell. He was buried in Lucusse a day laterHis death was reported by the FAA on 22 February, and confirmed in statements issued by the government and UNITA sources in the days following, his death immediately accelerated UNITA's decline as a fighting force. In spite of this there followed a defiant declaration by rebel officials that the ideals of UNITA would live on. Two attacks on government forces followed on 26 February and 6 March 2002; in Catala, 280 miles east of Luanda and in the southern province of Cunene, resulting in 16 fatalities. UNITA's overall position continued to worsen on 5 & 6 March 2002 when a number of reports confirmed the demise of Savimbi's successor General Antonio Dembo (see paragraphs 6.29 - 6.49). [211-m,r][23p-q,t][33p,r][58][59]

7.18 This prompted the government to construct a plan to call a truce between the FAA and UNITA forces, establishing a platform for talks aimed at bringing about a formal ceasefire, thereby ending the civil war). On 14 March 2002, the government formally halted its offensive against UNITA, an announcement that was welcomed by the rebel group and the UN). In an official statement the government outlined the grounds for talks with UNITA, which began on 15 March 2002. While the FAA has ceased their operations, it remains to be seen whether all of UNITA's rebel forces would follow suit. On 18 March 2002, Agence France Presse reported that some sections of UNITA's forces continue to fight on, capturing the central town of Mundombe. Following the conclusion of peace talks on 30 March 2002, a peace accord was signed between the government and UNITA on 4 April 2002. The Accord, based on the Lusaka Protocol of 1994, allows for a joint military commission to oversee plans to absorb the outstanding UNITA forces into the FAA and the demobilisation of some 50,000 soldiers. [14b-e,g] [23u-w,z][33s][33u][49b][57][60]

## **TORTURE & DISAPPEARANCES**

7.19 The Constitution and Penal Code expressly forbid mistreatment of suspects, detainees or prisoners. However, the UN and other human rights organisations report that there is widespread and generalised abuse of suspects. Security service personnel regularly employ torture and other forms of cruel and degrading treatment, including rape. Confessions are regularly obtained this way and the perpetrators are rarely if ever punished. During 2001, the UN assigned civil-military liaison officers to FAA combat units to address harassment; as a result, incidents of abuse have declined significantly.
[2c]

7.20 Interviews with persons who fled UNITA-held areas revealed that UNITA uses cruel and inhuman practices, including public torture and mutilation, to punish dissent and

deter further acts of disloyalty. There have been repeated credible allegations that UNITA President Jonas Savimbi has ordered suspects to be tortured and executed in his presence. There were also reports that UNITA engaged in reprisal attacks on civilians during 2000. UNITA reportedly cut off the ears and hands of civilians in order to extract information and to discourage civilians from providing the Government with information on UNITA or from fleeing to government-controlled areas. [2c]

7.21 Persons taken into police custody are often reported to disappear without a trace, particularly in rural areas. The US State Department's report covering 2001 stated that during the year suspects accused of illegal weapons ownership or collaboration with UNITA disappeared. [2c]

7.22 Civilians abducted by UNITA generally were either forced to become soldiers or support personnel, or were considered government collaborators. Those who escaped UNITA custody and were able to return to government-held areas reported that they were subjected to torture, beatings and sexual abuse. Reports of UNITA kidnappings during 2001 included; in April 2001, UNITA forces attacked Dombe-Grande in Benguela province, killing seven and kidnapping 50 civilians. In May 2001, 61 children were kidnapped from a school in Caxito and used as forced labour, before being released on 25 May 2001 after international pressure. UNITA also briefly held 15 international ADPP volunteers before releasing them. [2c]

## Landmines

7.23 In November 2001 UN statistics estimated that between 9 and 15 million landmines were planted throughout Angola during the 30 years of civil war, mainly in the agricultural provinces. In 1997 Angola signed the Ottawa Convention banning land mines and prior to the renewal of hostilities in 1998 the Government had established demining teams, but by September 1998 these had virtually ceased to operate. Following the resumption of hostilities both FAA forces and UNITA began laying new mines. However, on 25 July 2000 the National Assembly voted overwhelmingly to ratify the International Mine Ban Treaty. It remains to be seen if this will result in the FAA ceasing the use of mines. Since mid-2000 various NGOs participated in landmine clearance operations and the government implemented a Mine Action Plan to address the problem. [2c][11][16a,e]

7.24 UNITA used landmines primarily on roads and trails to disrupt transportation, and to control village populations. Government mining generally was confined to strategic positions around towns for defensive purposes. In 2000 UNICEF were reported to have estimated that 90,000 Angolans had either been killed or permanently maimed by landmine accidents since the beginning of the hostilities including 8,000 child amputees. Women from rural areas are at particular risk of becoming victims of landmines, and in 2000 they were reported to constitute a growing percentage of the disabled. There were at least 100 fatalities due to landmine explosions during 2000. Fear of injury and death from landmines effectively imprisoned and impoverished entire communities. In October 2000 it was reported that mine action funding for that year would total US\$ 17.4 million. [2c][11][16e]

7.25 An unpleasant trend that emerged in 1999 was the booby trapping of mines with devices designed to trigger the mine when it is being made safe by the de-miner. Such devices were also attached to ordinance other than mines. The devices used for booby-trapping do not bring them into the area covered by the Ottawa Treaty banning anti-personnel landmines, signed in 1997. A mine clearance consultant for the Halo Trust

estimated in August 2001 that a figure of between 200,000 and one million landmines was a reasonable estimate of the number of landmines in the country. A Human Rights Watch report issued in March 2002 highlighted that 70% of landmine casualties were civilian. [12][16w][48]

# Security situation in Luanda

7.26 The capital of Angola has remained free from fighting, but there are corrupt elements of the police and armed forces that perpetrate violent crime. Originally designed by the Portuguese to accommodate 300,000 people, estimates of the city's population in the late 1990's ranged between 3 and 4 million as people seek refuge from other areas of the country. In January 2001 official statistics said that more than 500,000 war-displaced people were living in 20 camps in the Luanda area. As a result of the Government's Amnesty Law several hundred criminals were released from the capitals overcrowded jails in late 2000 and early 2001; this reportedly sent crime rates soaring. [3e][13b][21d][31][33c]

7.27 In September 2001 an attack on an electrical substation on the outskirts of Luanda led to the interruption of power supplies to the city. It was reported that suspected members of UNITA were responsible and that two were killed together with an Angolan armed forces soldier in the exchange of fire, which followed the attack. This is the first time UNITA has struck within the greater Luanda area since 1992. In the latter part of 2001, Luanda has returned to relative calm as UNITA's campaign of high profile guerrilla attacks in the northern and western provinces tailed off. [16dd][23m]

#### Internal Peace Moves

7.28 In 2000 the Inter-Ecclesial Committee for Peace (COIEPA) emerged as a force for peace in Angola. This organisation made up of the Catholic Bishops Conference of Angola and Sao Tome, the Angolan Evangelical Alliance and the Council of Angolan Christian Churches was created after Angolans, through a wide range of civic organisations, asked the church to help in the peace efforts. In an open letter to the church in May 2001 Jonas Savimbi asked for their assistance in mediation between UNITA and the ruling MPLA. At the same time President dos Santos stated publicly that he would talk to Savimbi if UNITA laid down its weapons and honoured a 1994 peace agreement. [16u]

7.29 The general-secretary of COIEPA Reverend Daniel Ntoni-Nzinga said in June 2001 that there were various factors, which indicated this third attempt at peace could work, and should be taken seriously. He said the aim was to have UNITA, the government and civil society around the negotiating table by the end of 2001. In July 2001, the Angolan Catholic Church's Pro Pace peace movement, called on the Government to undertake frank dialogue with the UNITA rebels, and on rebel chief Jonas Savimbi to collaborate in reconciliation. In August 2001 COIEPA sponsored a three day meeting in Luanda attended by about 15 church and civic bodies, the participants pledged to commit themselves to seeking a long lasting peace through social reconciliation and said it was "up to the people of Angola to define their path to peace". In March 2002, COIEPA welcomed the ceasefire between the government and UNITA, but remained cautiously optimistic about the chances of lasting peace. [16q,t-u][16ee][51c]

#### **Human Rights Monitoring**

7.30 The Government does not prohibit independent investigations of its human rights

abuses; however, it fails to co-operate and often uses security conditions as pretext to deny access to affected areas. The Angolan Government does not welcome any form of external monitoring, and usually reacts badly to criticism. In 2001 there were reports that members of the FAA and the police harassed and threatened NGO and humanitarian workers in Malange, Bie and Kwanza-Norte provinces. It was also reported that NGO workers were killed during UNITA attacks, though it was unknown whether, in most cases, they were targeted because of their work. The Constitution provides for the creation of an office of the Provider of Justice, or ombudsman, to defend citizens' rights and liberties; however, this office has not yet been filled. UNITA has refused all attempts to conduct investigations of human rights abuses in areas under its control [2c][3j]

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

7.32 Another Human Rights Group is the Angola Forum, founded early in 1999 and based in Lisbon, it monitors violations by both sides. In a report delivered to the Portuguese parliament in May 1999, both the Angolan government and UNITA were accused of serious abuses and corruption. The report included accusations of sales of fuel by the FAA to UNITA, diversion by dos Santos of international funds and resources to both his own and to the MPLA's accounts, and gratuitous violence by both sides against the civilian population. [41a]

7.33 During the year 2000 Amnesty International issued dedicated reports, their first report was published in March and focused on human rights abuses in the Namibian border region, the second came out in June and addressed issues regarding freedom of expression. Both reports documented a series of alleged human rights abuses committed by the Angolan authorities and, in the case of the former, also UNITA and the Namibian Army (see paragraph 4.14). In response to the March 2000 report the Angolan government denied its forces involvement in human rights violations. A further report in December 2001 updated instances of human rights abuses by members of the police. It also noted that some steps had been taken to protect the rights and civil liberties of detainees and prisoners, for example the placing of prosecutors in police stations. However, police and military officers continued to abuse their power, and no steps appeared to have been taken to bring to justice officers responsible for human rights violations. [10a-b,d][16c]

#### **UN Office in Luanda**

7.34 Following the closure of its observer mission in February 1999 the UN confined its operations in Angola to humanitarian agencies and a human rights division. However, in August 1999 the UN announced plans to open a new office in the country to explore measures aimed at restoring peace. On 15 October 1999 the Angolan Government approved the return of a UN mission, but limited it's role to humanitarian activities and human rights work. The new UN office was not initially permitted a political role although this request was later agreed. A Security Council resolution passed the same month established the United Nations Office in Angola (UNOA) with 30 staff members. On 18 October 2001, the UN Security Council extended the mandate for a further six months following the review of a report by the UN Secretary General on the situation in Angola and the UN's role in the country. [1][3j][10a][12][13d][16m][23a]

### ANNEX A

# A.1 POLITICAL PARTIES AND COALITIONS

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

At present the main parties in Angola include:

# i. MOVIMENTO POPULAR DE LIBERTACAO DE ANGOLA (MPLA)

Popular Movement for the Liberation of Angola

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

## II. UNIAO NACIONAL PARA A INDEPENDENCIA TOTAL DE ANGOLA

## (UNITA)

National Union for the Total Independence of Angola

Founded in 1966 to secure independence from Portugal and later received support from Portugal to oppose the MPLA. Joined forces with FNLA (see later) and conducted guerrilla campaign against the MPLA government with aid from some Western nations. Received intermittent support from South Africa and USA. Signed peace agreement with MPLA - PT in November 1994. Implementation of the terms of the peace agreement remains incomplete. Interim president of the party, since the death of Jonas Malheiro Savimbi on 22 February 2002, is Paulo Lukamba.

### iii. UNITA Renovada (UNITA-R):

The UNITA Renewal Committee

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

## iv. FORUM DEMOCRATICO ANGOLANO (FDA)

# Angolan Democratic Forum

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

# V. PARTIDO DEMOCRATICO LIBERAL ANGOLAN (PDLA)

Angolan Democratic Liberal Party

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

# vi. PARTIDO DEMOCRATICO ANGOLANA (PDA)

Angolan Democratic Party

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

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

# VII. PARTIDO NACIONAL DEMOCRATICO DE ANGOLA (PNDA)

Angolan National Democratic Party

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

# viii. ALIANCA DEMOCRATICA DE ANGOLA (ADA)

Democratic Alliance of Angola

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

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

Democratic Party for Progress - Angolan National Alliance

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

# x. PARTIDO RENOVADOR DEMOCRATICO (PRD)

Democratic Renewal Party

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

# xi. PARTIDO LIBERAL DEMOCRATICO (PLD)

Liberal Democratic Party

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

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

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

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

# xiii. PARTIDO SOCIAL DEMOCRATICO (PSD)

Social Democratic Party

Formed in May 1991, the Presidential candidate, Bengue Pedro Joao was placed seventh in elections whilst the party gained one seat in the National Assembly.

## xiv DEMOCRATIC CIVILIAN OPPOSITION:

Founded 1994; opposition alliance which includes:-

# CONVENÇÃO NACIONAL DEMOCRATA DE ANGOLA (CNDA)

Leader Paulino Pinto Joao.

# FRENTE NACIONAL DE LIBERTACAO DE ANGOLA (FNLA)

National Front for the Liberation of Angola

Founded in 1962. President is Lucas Ngonda.

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

Leader: Isidoro Klala.

# NATIONAL ECOLOGICAL PARTY OF ANGOLA

Leader: Sukawa Dizizeko Ricardo.

#### NATIONAL UNION FOR DEMOCRACY

Leader: Sebastiao Rogerio Suzama.

## PARTIDO RENOVADOR SOCIAL (PRS)

## Social Renewal Party

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

# PARTY OF SOLIDARITY AND THE CONSCIENCE OF ANGOLA

Leader: Fernendo Dombassi Quiesse.

# UNITED INDEPENDENT UNION OF DEMOCRATIC PARTIES (UNIDO)

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

# Other parties in Angola include:

# PARTIDO DE APOIO DEMOCRATICO E PROGRESSO DE ANGOLA (PADPA)

Party for the Support of Democracy and Progress in Angola

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

# PARTIDO ANGOLANO LIBERAL (PAL)

Angolan Liberal Party

Acting leader: Manuel Francisco Lulo.

# PARTIDO SOCIAL DEMOCRATICO DE ANGOLA (PSDA)

(Angolan Social Democratic Party)

Leader: Andre Milton Kilandamoko.

## FRENTE DE LIBERTAÇÃO DO ENCLAVE DE CABINDA (FLEC)

Front for the Liberation of the Enclave of Cabinda

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

The FLEC factions with a military wing are:

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

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

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

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

iii. FDC - Frente Democratic de Cabinda:

Led by Francisco Xavier Lubota.

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

[1][5]

### ANNEX B

## **B.1 Prominent People**

AGUIONALDO Jamie: Governor of Banco Nacional de Angola

ANNAN Kofi: UN Secretary General

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

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

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

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

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

CHITUNDA Jeremias: Vice President of UNITA

DEMBO Gen. Antonio Sebastiao: Vice President of UNITA

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

van DUNEM Fernando Jose Franca - Prime Minister

FERNANDES Gen. Tony da Costa: Angolan Ambassador to UK

GATO Armindo Lucas Paulo: Secretary - General of UNITA

IZATA Sebastiao: Vice Foreign Minister

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

LUKAMBA Paulo: UNITA interim leader, March 2002 onwards

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

MARQUES Rafael: Prominent journalist and human rights activist.

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

MOCO Marcolino Jose Carlos: Prime Minister, November 1992 - June 1996

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

MUTEKA Faustino: Minister for Territorial Administration

DE NASCIMENTO Lopo: Former MPLA Secretary General.

NETO Dr Agostinho: President MPLA pre - independence to 1979

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

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

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

SAVIMBI Dr Jonas: former president of UNITA who was killed on 22 February 2002.

TIAGO Henrique N'Zita: Leader of FLEC/FAC

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

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

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

### ANNEX C

#### C.1 TRIBES AND LANGUAGES

## 1. OVIMBUNDU (SINGULAR OCIMBUNDU)

## LANGUAGE - UMBUNDU

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

# 2. MBUNDU (USUALLY KNOWN AS KIMBUNDU)

#### LANGUAGE - KIMBUNDU

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

# 3. BAKONGO (SINGULAR KONGO)

## LANGUAGE - KIKONGO

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

### 4. LUNDA - CHOKWE

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

## 5. GANGUELA

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

#### 6. NYANEKA-HUMBE

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

# 7. AMBO (PLURAL OVAMBO)

## LANGUAGE OSHIVAMBO

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

Note: there are variations of spelling of all the above tribes. [6]

## ANNEX D

## D.1 CHRONOLOGY OF EVENTS IN ANGOLA

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

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

JANUARY 1975 Agreement reached between the three nationalist parties and Portuguese government establishing date of independence and transitional government structure

Fighting breaks out between the MPLA and FNLA

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

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

NOVEMBER 1975 Cuban troops assist MPLA

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

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

DECEMBER 1977 MPLA formulates rigorous Marxist/Leninist programme for party and changes name to MPLA -

Pt: Partido de Trabalho.

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

NOVEMBER 1980 People's assembly inaugurated

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

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

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

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

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

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

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

MARCH 1991 Political parties legalised

1 MAY 1991 Estoril peace agreement

JUNE 1991 Joint military and political committee meets for first time

15 JULY 1991 New amnesty law introduced

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

AUGUST 1992 Country name changed to Republic of Angola

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

29/30 SEPT 92 Presidential and legislative elections take place

5 OCT 1992 UNITA withdraw from FAA

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

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

19 MAY 1993 US government officially recognises Angolan government

26 SEPT 1993 UN imposes arms and petroleum embargo against UNITA

20 NOV 1994 Lusaka Peace Accord signed

FEBRUARY 1995 UN III created by UN Security Council

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

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

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

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

11 APRIL 1997 Government of unity and reconciliation inaugurated.

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

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

30 OCT 1997 UN imposes additional sanctions against UNITA.

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

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

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

AUGUST 1998 Arrival of Issa Diallo, Beye's replacement

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

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

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

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

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

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

FEBRUARY 1999 UN observer mission closed down.

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

JULY 1999 Further plane downed with crew taken hostage. UNITA attack town of

Catete, killing 9 and abducting 22.

SEPTEMBER 1999 FAA launch major offensive against UNITA

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

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

**DECEMBER 1999** UNITA forces driven towards Namibia and Zambian borders.

Namibia provides support to Angolan government and permits attacks from UNITA soil.

UNITA launch attacks into Namibia.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Savimbi tells Voice of America Radio he is ready to discuss peace.

APRIL 2001 FAA report that UNITA adopt new guerrilla tactics resulted in successful operations in 6 central/eastern provinces.

AUGUST 2001 Dos Santos says he plans to stand down at next election, but gives no date.

SEPT - NOV 2001 FAA successes increase pushing UNITA further south and east to Moxico and Cuando. FAA attempt to discourage UNITA's use of guerrilla tactics.

DECEMBER 2001 Savimbi re-iterates readiness to discuss peace

FEBRUARY 2002 14-17th - 5 UNITA Generals killed

22<sup>nd</sup> - Jonas Savimbi killed in Moxico province

MARCH 2002 6th - Savimbi's successor, General Dembo, is reported dead

14th - FAA halt its offensives against UNITA

15<sup>th</sup> - 30<sup>th</sup> Peace talks between UNITA committee led by interim leader Paulo Lukamba "Gato", FAA and government officials.

30th - Peace deal informally agreed

APRIL 2002 4<sup>th</sup> - 5<sup>th</sup> Peace accord formally signed. Provisions to be supervised by a joint military committee. UNITA troops to be absorbed into the FAA. 50,000 UNITA troops to be demobilised.

23<sup>rd</sup> - UN Special Representative issues an interim assessment of the implementation of the peace accord.

#### ANNEX E

#### E.1 ELECTION RESULTS

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

#### PRESIDENT

| CANDIDATE                           | NO OF VOTES | % OF VOTES |
|-------------------------------------|-------------|------------|
| Jose Eduardo dos Santos (MPLA)      | 1,953.335   | 49.57      |
| Dr Jonas 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     |

## NATIONAL ASSEMBLY

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

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

## UNITA REPRESENTATIVES IN GURN BEFORE THE SUSPENSIONS:

## Ministries of:

Commerce Geology & Mines Health Hotels & Tourism

#### Vice Ministers of:

Agriculture
Defence
Finance
Home Affairs
Mass Communication
Public Works
Social Reintegration
Trade

NB All UNITA representatives were suspended 31.08.1998 but President dos Santos lifted the suspensions on three UNITA ministers (Valentim - Hotels and Tourism, Hossi - Commerce, Sicato - Health) and six vice-ministers in Defence, Interior, Social Reintegration, Finance, Agriculture and Public Works on 23.09.1998 because he had received "the necessary political clarification in relation to the peace process." [1][3f]

### ANNEX F

F.1 GLOSSARY

CIVPOL CIVILIAN POLICE

CGSILA GENERAL CENTRALE OF INDEPENDENT AND FREE LABOUR UNIONS OF ANGOLA

COIEPA INTER-ECCLESIAL COMMITTEE FOR PEACE

DRC DEMOCRATIC REPUBLIC OF CONGO

FAA ANGOLAN ARMED FORCES

FALA ARMED FORCES FOR THE LIBERATIION OF ANGOLA

FLEC FRONT FOR THE LIBERATION OF CABINDA ENCLAVE

FNLA NATIONAL FRONT FOR THE LIBERATION OF ANGOLA

GDP GROSS DOMESTIC PRODUCT

**GURN GOVERNMENT OF UNITY AND RECONCILIATION** 

HRMG HUMAN RIGHTS MONITORING GROUP

KZR READJUSTED KWANZA

MONUA UN OBSERVER MISSION IN ANGOLA

MPLA POPULAR MOVEMENT FOR THE LIBERATION OF ANGOLA

PIR RAPID INTERVENTION POLICE

SGSR (UN) SECRETARY GENERAL'S SPECIAL

REPRESENTATIVE

SJA ANGOLAN JOURNALISTS UNION

TPA TELEVISION POPULAR ANGOLA

**UN UNITED NATIONS** 

**UNAVEM UNITED NATIONS ANGOLA VERIFICATION MISSION** 

UNHOR UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

UNITA NATIONAL UNION FOR THE TOTAL INDEPENDENCE OF ANGOLA

**UNSG UNITED NATIONS SECRETARY-GENERAL** 

UNTA UNION OF ANGOLAN WORKERS

WFP WORLD FOOD PROGRAMME

## ANNEX G

#### G.1 THE PRESS

The press was nationalised in 1976.

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

#### DAILIES

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

O JORNAL DE ANGOLA: Rua Rainha Ginga 18-24, CP 1312, Luanda: Director General Luis 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.

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

HORIZONTE: Rua da Samba 144, 10 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, 20 andar, CP 16088, Luanda.

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

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

#### RADIO STATIONS

LUANDA ANTENNA COMERCIAL: Largo Luther King, Luanda. (Independent)

Broadcasts in Luanda Only

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

Broadcasts in Luanda Only

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

Broadcasts nationally, has regional stations.

RADIO MORENA: Benguela based (Independent)

### TELEVISION

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

Broadcasts nationally.

WT MUNDOVIDEO: Local broadcaster in Luanda

[1][3h][26]

## ANNEX H

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