



COUNTRY OF ORIGIN INFORMATION REPORT

ANGOLA

1 SEPTEMBER 2010

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Preface

- i This Country of Origin Information (COI) Report has been produced by the COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 23 August 2010. The report was issued on 1 September 2010.
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a compilation of extracts from the source material identified, focusing on the main issues raised in asylum and human rights applications. In some sections where the topics covered arise infrequently in asylum/human rights claims only web links are provided. The Report is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the COI Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated. Similarly, the absence of information does not necessarily mean that a particular event or action, amongst other things, did or does not occur.
- vi As noted above, the Report is a compilation of extracts produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents though COIS will bring the discrepancies together and aim to provide a range of sources, where available, to ensure that a balanced picture is presented. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted

text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.
- ix COI Reports are published regularly on the top 30 asylum intake countries. Reports on countries outside the top 30 countries may also be published if there is a particular operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

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INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's COI material. The IAGCI welcomes feedback on UKBA's COI Reports and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://www.ociukba.homeoffice.gov.uk>
- xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at <http://www.ociukba.homeoffice.gov.uk/>
- xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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Background information

1. GEOGRAPHY

- 1.01 Angola is located in southern Africa, bordering the South Atlantic Ocean, between Namibia and the Democratic Republic of the Congo. It also has borders with the Republic of the Congo, Namibia and Zambia. The overall land area of the country is 1,246,700 sq km. The ethnic groups that make up the Angolan population are the Ovimbundu (37%), Kimbundu (25%), Bakongo (13%), mestico (mixed European and native African) (2%), European (1%), and other ethnic groups (22%). (Central Intelligence Agency *World Factbook*, 27 May 2010 version). [3]. According to a December 2009 report submitted by the Angolan government to the Working Group on the Universal Periodical Review of the United Nations Human Rights Council, one of Angola's provinces, Cabinda, is separated from the rest of the country by the Congo River estuary and part of the Democratic Republic of the Congo. Angola is divided administratively into 18 provinces, 163 municipalities and 547 districts. It has an estimated 16,526,000 inhabitants, with a population density of 13.2 persons per square kilometre. [35a] (p2)
- 1.02 According to Travlang.com (accessed on 16 June 2010), the official language of Angola is Portuguese. Other languages spoken include Umbundu, Kimbundu, Kongo, Chokwe, Lwena and Lunda. [9]. As regards the languages spoken by the people of Cabinda, Ethnologue (accessed on 22 July 2010) lists Koongo (aka Kongo, Kikongo, Kikoongo, Congo, Cabinda) and Yombe (aka Kiyombe, Kiombi, Lombe and Bayombe) as the languages spoken in that province. [40]. According to a Global Security report about Cabinda, "Cabindês is the National Language of Cabinda. However, a large number of Cabinda Citizens speak French. The Cabindans at least, for the literate among them, are 90% French speaking and only 10% speak Portuguese." [37]
- 1.03 Information published in the World Travel Guide website (accessed on 16 June 2010) indicates that the following days in 2010 are public holidays: 1 January (New Year's Day), 4 January (Martyrs of the Colonial Repression Day), 4 February (Start of Liberation War), 8 March (International Women's Day), 2 April (Good Friday), 4 April (Peace and Reconciliation Day), 5 April (Easter Monday), 1 May (Labour Day), 25 May (Africa Day), 1 June (International Children's Day), 17 September (Nation's Founder and National Heroes Day), 1 November (All Soul's Day), 11 November (Independence Day), 25 December (Christmas Day). [10]

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CABINDA PROVINCE

1.04 A Global Security profile of Cabinda (modified on 9 January 2010) stated that:

“Situated in Central Africa between Zaire and Congo, Cabinda stretches along the Atlantic coast and covers an area of about 10,000 square kilometers. A strip of Zairian territory 60 km in width divides Angola from Cabinda. The population of Cabinda, which stands at around 300,000 indigenous people, is comparable in numbers to that of the Seychelles (60,000), of Luxemburg (300,000), of the Gambia and of Equatorial Guinea. Although out of this number only one third live in the actual territory of Cabinda. The other two thirds inhabit the surroundings in a generally stable state on Congolese and Zairian territory. Unlike most African countries where the majority are Animists, the majority of Cabinda People are Christians.” [37]

1.05 The Global Security report also noted the significance of Cabinda in relation to Angola’s oil reserves:

“The Angolan economy is highly dependent on its oil sector, which accounts for about half of the country’s Gross Domestic Product (GDP) and over 90% of export revenues. Cabinda faces a situation similar to the Niger Delta states in Nigeria. Cabinda produces more than half of Angola’s oil and accounts for nearly all of its foreign exchange earnings. The province receives about 10% of the taxes paid by ChevronTexaco and its partners operating offshore Cabinda.” [37]

See and [Human rights violations committed in Cabinda](#)

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2. ECONOMY

- 2.01 The Foreign and Commonwealth Office (UK) *Country Profile on Angola* (25 June 2009 version), stated that:

“The Angolan economy is highly dependent on oil, accounting for over half of GDP and 83% of government revenue and 97% of export value. It is the second largest producer, after Nigeria, in sub-Saharan Africa. It joined OPEC at the beginning of 2007. The current production, all offshore, is estimated to have risen to over 2m bpd in 2007, as investment in deep and ultra-deep blocks comes on stream, this has now decreased to 1.63m bpd due to decreased demand and OPEP capping.

“...Angola’s recent impressive growth rate, the highest in the world at an estimated 23.4% in 2007, was driven by steeply rising oil production...diamonds also play a large part in the Angolan economy but have also been impacted significantly by the global economic downturn. Angola was the fourth largest producer of rough diamonds - largely gemstone quality - in the world in 2008. Output has grown steadily since the war when smuggling, illegal digging and the absence of government control had caused a significant drop. This has since been reversed.

“...Angola is also endowed with large expanses of prime agricultural land but the proliferation of land mines during the war (recent estimates put the number laid at 4 million) has been one of the main reasons for the reduction in the area under cultivation to 3%. Once the bread basket of Angola, the Central Highlands has reverted to subsistence agriculture. Decades of central planning, mismanagement, corruption and the war have long distorted the economy. In 2000, Angola began tentative economic reforms. It has since made significant progress in achieving macro-economic stability and reducing inflation (from over 300% in 1999 to about 11.8% by the end of 2007.) Basically a dollar economy, the government intervenes heavily to support the Kwanza. Angola does not have a formal agreement with the IMF. It has increasingly turned to oil-backed or commercial loans to finance expenditure.”
[1]

- 2.02 The CIA *World Factbook* (27 May 2010 version) provided additional basic economic data:

- GDP growth rate in 2009, estimated at -0.3%
- GDP per capita in 2009, estimated at US \$8,900
- Inflation rate in 2009, estimated at 13.1%
- Unemployment rate: [information not available]
- Labour force in 2009, estimated at 7,769,000. [3]

- 2.03 According to the XE Universal Currency Converter website, as of 17 June 2010, the currency of Angola is the Kwanza. One US dollar is equivalent to 92.3 Kwanzas; one Euro is equivalent to 114.4 Kwanzas, and one British pound is equivalent to 136.8 Kwanzas. [17]

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3. HISTORY (PRE-INDEPENDENCE TO 2008)

The following provides a brief history of Angola. Further information can be found in the following sources:

<http://africanhistory.about.com/od/angola/p/AngolaHist1.htm>

<http://countrystudies.us/angola/3.htm>

<http://www.lonelyplanet.com/angola/history>

- 3.01 The Foreign and Commonwealth Office (UK) *Country Profile on Angola* (25 June 2009 version), stated that:

“Angola was a Portuguese colony for 500 years. But until the 1920s, there was little investment and the Portuguese presence was confined to the coastal towns...Angolans began to agitate for independence in the mid-1950s. Three nationalist groups were formed: the MPLA [Popular Movement for the Liberation of Angola] in 1956, the FNLA [National Liberation Front of Angola] in 1958 and UNITA [National Union for the Total Independence of Angola] in 1966. In 1961, the armed struggle was launched. But the principle of independence was not conceded until 1974, much later than most African countries. Portugal hastily arranged a conference with the 3 movements, all of which had gained Organisation of African Unity (OAU) recognition, to work out the transitional arrangements to independence. The agreement was set out in the Alvor Accord of January 1975. It provided for a transitional government to prepare a constitution and for elections to be held before independence day, set for 11 November 1975. But the agreement broke down and the movements fought each other for control of the capital. The Portuguese settlers left en masse. Elections were never held.

“On independence day the MPLA controlled the capital. They declared themselves the government and imposed a one-party constitution to be guided by Marxist-Leninism. The other movements retreated to their rural bases. The MPLA's victory was secured with military hardware from the Soviet Union and Cuban troops. The FNLA and UNITA had secured less help from their backers - the USA, apartheid South Africa and Mobutu's Zaire. Although the FNLA soon gave up the armed struggle, UNITA continued to fight a long guerrilla war which was to last until 2002. Throughout this period, UNITA moved with impunity in the countryside while the MPLA controlled the towns.

“Two attempts at brokering a peace (the Bicesse Accords of May 1991 and the Lusaka Protocol of 1994) failed. Both were monitored by small UN peacekeeping forces, UNAVEM I and II. The UN Security Council also imposed a series of sanctions on UNITA from 1993. These also failed to stop the fighting. The MPLA therefore decided at its Party Congress in December 1998 to pursue a final military offensive against UNITA. It asked the UN to leave. After 3 years of fighting, government forces succeeded, firstly by killing UNITA's leader in February 2002 and subsequently by coming to an agreement with UNITA commanders to end the war: the Luena Memorandum of Understanding of April 2002. Isaias Samakuva was subsequently elected the new UNITA leader at the Party's 9th Congress in 2003. He was re-elected in July 2007.

“Although peace has been achieved on the mainland, the problem of Cabinda remains unresolved. A low level guerrilla war has been conducted for over 30 years by rebel groups fighting for the independence of the province. The Angolan government has alternately tried negotiations and military force to no avail. A ceasefire agreement was signed on 1 August 2006 but it did not attract the support of all the Cabindan factions.” [1]

- 3.02 A Global Security report, dated 9 January 2010, about Cabinda stated the following about the history of the province:

“Cabinda became a Portuguese Protectorate with the signing of the Treaty of Simulambuco in 1885, and became known as the Portuguese Congo from the earliest 1900 onward. The Cabindans base their independence claim on the fact that Cabinda was never part of Angola and on the Treaty of Simulambuco of 1885 with the Portuguese as a Portuguese protectorate state. The treaty was part of Portugal's attempt to consolidate its empire during the European powers' scramble for Africa in the late 19th century. In the 1933 Constitution defining the Estado Novo, Cabinda and Angola were considered distinct and separate parts of Portugal. In 1956 Portugal joined the administration of its Protectorate of Cabinda to that of its Colony of Angola.

“The year 1960 witnessed the creation of the Freedom Movement for the State of Cabinda (MLEC) followed in 1963 by the forming of two other groups (National Action Committee of the Cabindan People – CAUNC and the Mayombé Alliance – ALLIAMA) supporting the same cause. In 1963 the merger of the three main Independence movements (M.L.E.C., ALIAMA, and C.A.U.N.C.) brought about the creation of FLEC [Front for the Liberation of the Enclave of Cabinda] in Pointe-Noire (Loango) Congo. In 1974 the Portuguese government authorized FLEC to establish itself on Cabinda territory.

“The invasion of Cabinda happened on the 11 of November 1975, when MPLA troops entered Cabinda via Pointe Noire. They were financially supported by the Oil Giant Chevron, Chevron paid the MPLA to take over the Cabindan oil fields.

“...since the early 1990s, the government of Angola has implemented various measures in order to appease the groups, such as encouraging FLEC members to lay down their arms and join the administration, a move that has met with at least partial success.

“...on 22 May 1996 the Front for the Liberation of the Enclave of Cabinda - Armed Forces of Cabinda (FLEC-FAC) rebels fought with Angolan government troops only a week after FLEC-FAC signed a cease-fire agreement with the government. Since 1975, FLEC-FAC's 3,000-man army had fought the Angolan government for the 2,880-square mile Cabinda province. By late December 1996 clashes between the Front for the Liberation of the Enclave of Cabinda (FLEC) and Angolan government troops continued as the respective forces attempt to capture territory previously held by the National Union for the Total Independence of Angola (UNITA).

“...by the end of February 2003, General Armando da Cruz Neto, the FAA chief of staff, confidently announced: ‘We are in a position to state that there have been significant changes in Cabinda's military situation as a result of

operations carried out by our armed forces. FLEC-Renovada has ceased to operate since late 2002. We could say that the operation launched to restore peace in Cabinda has reached a positive phase. The next phase entails the development of border control mechanisms, so as to prevent FLEC forces from regrouping and returning.’

“On 8 June 2003, the Angola Press Agency reported that the FLEC-FAC chief of staff, Francisco Luemba, and six other high-ranking officers had surrendered to government authorities.” [37]

- 3.03 The Human Rights Watch report, *They Put Me in the Hole*, published on 22 June 2009 about Cabinda, stated:

“In 2006, a Memorandum of Understanding (MOU) signed by the Angolan government and António Bento Bembe, the former leader of the FLEC Renovada wing and president of the Cabindan Forum for Dialogue (FCD), sought to formally end the armed conflict. The FCD had been established in 2004 as a joint commission including representatives of the two main FLEC factions - FLEC Renovada and FLEC-FAC - as well as members of civil society and the churches, to facilitate peace negotiations with the government. The MOU included an amnesty, a demobilization and reintegration plan for former FLEC combatants, and the allocation of a number of government posts to a range of former FLEC officials. The peace agreement, however, has enjoyed little credibility in Cabinda, because the most active FLEC wing, FLEC-FAC, as well as other members of the FCD, had been excluded from the talks, and no political concessions were made to the separatists. The armed insurgency has continued, but since 2006 the government has claimed the war ended in Cabinda and has attributed continuing sporadic attacks to ‘bandits.’ ” [12b]

- 3.04 The United States State Department *Background Note on Angola*, published in March 2010, reported that:

“Angola held legislative elections on September 5, 2008, Angola’s first since 1992. Due to technical difficulties on election day, voting was extended through September 6 in some constituencies. The results of the elections were accepted by UNITA and most other opposition parties. The MPLA won 81.6% of the electorate, giving it 191 out of 220 seats in parliament. The remaining 29 parliamentary seats were won by the National Union for the Total Independence of Angola (UNITA) (16), the Social Renewal Party (PRS) (8), National Front for the Liberation of Angola (FNLA) (3), and the New Democracy (ND) coalition (2).” [2b]

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4. RECENT DEVELOPMENTS (JANUARY 2010 TO AUGUST 2010)

TOGO FOOTBALL TEAM ATTACKED BY FLEC

4.01 BBC News reported on 8 January 2010 that:

“Gunmen have fired on a bus carrying Togo's football team to the Africa Cup of Nations in Angola, wounding players and reportedly killing the driver.

“The attackers machine-gunned the vehicle after it crossed from the Republic of Congo into Angola's oil-rich territory of Cabinda.

“...the Front for the Liberation of the Enclave of Cabinda (Flec), which said it carried out the attack, has fought for independence for several decades, but entered a ceasefire in 2006.

“...nine people, including at least two players, were wounded during the shooting, reports said. Central defender Serge Akakpo was among those hurt and back-up goalkeeper Kodjovi Obilale was also reportedly injured.

“...the bus was travelling to Cabinda from the squad's training ground in the Republic of Congo when the shooting happened.” [6c]

4.02 A report published by *The Guardian* newspaper (UK), dated 11 January 2010, provided more information about the shooting incident:

“Rodrigues Mingas, secretary general of the Front for the Liberation of the Enclave of Cabinda (Flec), said his fighters had meant to attack security guards as the convoy passed through the Angolan province of Cabinda, which sits wholly inside Congo.

“Today [11 January 2010], Angolan state media reported two arrests in connection with Friday's attack, which came as the Togo team travelled to the Africa Cup of Nations. Three people were killed - the team's assistant coach, its official spokesman and the bus driver.

“...the provincial prosecutor, Antonio Nito, said the two people arrested belonged to Flec, which has fought for three decades against the Angolan government and claimed responsibility for the attack.

“ ‘The two elements of Flec were captured at the scene of the incident, the road to Massabi that connects both countries [Angola and Congo],’ he said in a statement published on the state-owned news agency Angop. No other details were immediately available.

“Eight people were wounded during the ambush, including a goalkeeper, Kodjovi Dodji Obilalé, who was airlifted to South Africa. He is said to be in a stable condition in intensive care.

“Cabinda is responsible for half of Angola's oil production. Before the attack Flec was not thought to be a serious risk. Last month [December 2009] an Angolan minister without portfolio, António Bento Bembe, who is a former Flec fighter, said the group no longer existed. He claimed all that remained of Flec

was a few individuals who were trying to attract unhappy Cabindans with false statements.” [39]

- 4.03 A Human Rights Watch (HRW) report, dated 23 June 2010, provided more recent information:

“The criminal court in Cabinda is prosecuting under state security laws Father Raúl Tati, a Catholic priest; Francisco Luemba, a lawyer; and Belchior Lanso Tati, a university professor. They were arrested following an attack on January 8 [2010] in Cabinda on Togolese footballers who were participating in the African Cup of Nations. The separatist guerrilla movement Front for the Liberation of the Enclave of Cabinda (FLEC) claimed responsibility for the attack.

“...the government has charged Raúl Tati, Luemba, and Belchior Lanso Tati for unspecified ‘other crimes against the security of the state.’ Their indictment is based on documents in their possession - including public documents and private notes - and their participation in an allegedly ‘illegal’ meeting with FLEC officials last year. Human Rights Watch has credible information that the meetings were aimed to facilitate a dialogue on peace and that a senior advisor of Angola’s president encouraged the initiative.

“...since the January [2010] attack, the Angolan authorities have imprisoned nine men for state security crimes. The only two who were arrested for direct involvement in the attack have still not been charged. Five were charged with ‘other acts against the security of the state,’ under article 26 of a 1978 state security crime law.

“In April [2010], the government briefly detained five people for wearing T-shirts with the faces of several Cabinda detainees and released them conditionally. In May [2010], security forces prevented a public demonstration in solidarity with the detainees, which the governor had banned, and besieged the homes of the organizers. In June [2010], a court sentenced André Zeferino Puati, an employee of the US oil company Chevron, charged with ‘other acts against the security of the state,’ for possession of FLEC documents, to three years of imprisonment.” [12d] (HRW report - *Angola: End Case Against Cabinda Rights Defenders*, 23 June 2010)

See also [Human rights institutions, organisations and activists](#)

CHANGES TO THE CONSTITUTION

- 4.04 The United States State Department *Background Note on Angola*, published in March 2010, reported that:

“Angola enacted a new constitution on February 5, 2010 and on February 8, President dos Santos swore in a new government. The new constitution allows for the direct election of the president, introduces the new office of the vice president, and eliminates the position of prime minister. After signing the new constitution, President dos Santos declared that national elections would take place in 2012. Municipal elections may take place after the next national poll. The central government administers the country through 18 provinces. Governors of the provinces are appointed by and serve at the pleasure of the

president. The government has embarked on a program of decentralization, and in August 2007 the Council of Ministers passed a resolution to grant some municipalities control of their own budgets; this measure was extended to all municipalities in 2008.” [2b]

- 4.05 A report published in the Information Portal on Corruption and Governance in Africa (IPOC), dated 21 January 2010, stated that:

“Angola's parliament approved a new constitution on Thursday [21 January 2010] that will allow President Jose Eduardo dos Santos to extend his three-decade long rule over one of Africa's top oil producers without a direct ballot.

“The constitution was approved by 186 out of a total 220 votes in parliament, in which the ruling party holds an overwhelming majority over a weak and divided opposition. The main opposition UNITA party boycotted the vote.

“...the constitution needs to be approved by the country's Constitutional Court and the president before coming into effect.

“The new charter will keep the president as head of government and the armed forces. It replaces the prime minister with a vice president, ensuring the president will be more involved in day-to-day affairs of state.

“The president will be chosen as the leader of the party which wins the biggest share of the vote for parliament. Under the previous constitution the president and parliament were elected via two separate elections.

“Analysts say this constitution grants even more power to Africa's second longest serving ruler.

“ ‘The ruling MPLA says the constitution will increase democracy, but by abolishing the presidential ballot and concentrating all the power on the president it will do exactly the opposite,’ said Fernando Macedo, a political analyst in Luanda.” [11]

See also [Constitution](#)

For more recent Angolan news reports, refer to the Internet weblinks below:

<http://www.bbc.co.uk/news/world/africa/>

<http://www.afrol.com/countries/angola>

<http://af.reuters.com/>

<http://allafrica.com/>

<http://www.irinnews.org/Africa-Country.aspx?Country=AO>

<http://www.afriquejet.com/afrique/angola-c-33.html>

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5. CONSTITUTION

5.01 The www.trocaire.com (Irish Catholic NGO) website (accessed on 23 August 2010) provided information about the key elements of the new 2010 Constitution, which replaced the 1992 Constitution:

- “• The President will no longer be directly elected. Instead the person that heads up the list of the party that gains the most votes in the legislative election will automatically become president.
- The post of Prime Minister is abolished and executive responsibility concentrated in the hands of the president.
- The president is empowered to appoint the judges of the Constitutional Court, Supreme Court and the Court Audit - the high-court in Angola responsible for reviewing legal issues on public expenditure.
- The new constitution maintains the status of Angola's oil-producing exclave of Cabinda , where separatists from FLEC have fought more than three decades of war against the government, in a bid for autonomy.
- Land belongs to the state. Only the state has the right to grant land concessions and these concessions can only be given out to Angolan nationals or companies.
- The Constitution provides numerous guarantees of individual freedom and prohibits discrimination based on colour, race, ethnic identity, sex, place of birth, religion, level of education, and economic or social status.
- Abolition of death penalty.
- Office of the National Ombudsman (Provedore de Justiça) enshrined in Constitution, with responsibility to defend the rights, freedoms and guarantees of citizens, to assure the justice and legality of the public administration.” [43]

Internet weblink to the 2010 Angolan Constitution:

<http://www.comissaoconstitucional.ao/pdfs/constituicao-da-republica-de-angola-versao-ingles.pdf>

See also [Recent developments](#)

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6. POLITICAL SYSTEM

6.01 The Central Intelligence Agency (CIA) *World Factbook* (27 May 2010 version) noted that Angola is a democratic multi-party republic with a presidential system of government. The government is made up of an executive, legislative and judiciary. The current president is José Eduardo dos Santos. The unicameral National Assembly is Angola's parliament and has 220 seats. Members of the National Assembly are elected by proportional vote to serve four-year terms. [3]

- 6.02 The United States State Department *Background Note on Angola*, published on 22 March 2010, noted that:

“Angola is governed by a president, vice president, and 85 appointed ministers and state secretaries. Political power is concentrated in the presidency. The executive branch of the government is composed of the president (head of state and government), the vice president, ministers of state and the Council of Ministers. The Council of Ministers, composed of all government ministers and secretaries of state, meets regularly to discuss policy issues. The president, the Council of Ministers, and individual ministers in their areas of competence have the ability to legislate by decree...the central government administers the country through 18 provinces. Governors of the provinces are appointed by and serve at the pleasure of the president.” [2b]

See also section on [Political affiliation](#)

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Human Rights

7. INTRODUCTION

- 7.01 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, published on 11 March 2010, stated in its introductory section that:

“The government's human rights record [in 2009] remained poor, and there were numerous, serious problems. Human rights abuses included the abridgement of citizens' right to elect officials at all levels; unlawful killings by police, military, and private security forces; torture, beatings, and rape by security forces; harsh prison conditions; arbitrary arrest and detention; official corruption and impunity; judicial inefficiency and lack of independence; lengthy pretrial detention; lack of due process; restrictions on freedom of speech, press, assembly, and association; forced evictions without compensation; and discrimination, violence, and abuse perpetrated against women and children.”
[2a] (Introduction)

- 7.02 The Amnesty International *2010 Annual Report*, published in May 2010, stated that:

“The government continued to make commitments towards the provision of social housing. However, forced evictions persisted, including one of the largest carried out in recent years. Extrajudicial executions, excessive use of force, arbitrary arrests and detentions, and torture and other ill-treatment by police were reported...the police continued to carry out human rights violations, including excessive use of force and extrajudicial executions. Few officers were brought to justice and little information was made available about action taken against police for past human rights violations...arbitrary arrests and detentions by the police were reported. Most of the arrests were accompanied by excessive use of force. Police were also reported to have tortured and otherwise ill-treated detainees in Lunda Norte province...journalists continued to face harassment in the form of lawsuits and other restrictions. At least three journalists were accused of abusing the media, while another received a suspended prison sentence for defamation.”
[5a]

- 7.03 The *Freedom in the World 2010* report, published by Freedom House on 3 May 2010, noted that:

“Angola is not an electoral democracy. Long-delayed legislative elections held in September 2008, while largely reflective of the people's will, were not free and fair. The 220-seat National Assembly, whose members serve four-year terms, has little power, and 90 percent of legislation originates in the executive branch...presidential elections, repeatedly delayed since 1997, were postponed again in 2009.

“...media restrictions were eased somewhat after 2002, but despite constitutional guarantees of freedom of expression, journalists are driven to self-censorship by the threat of dismissal, detention, and legal sanction by authorities. Defamation of the president or his representatives and libel are criminal offenses, punishable by imprisonment or fines. The 2006 Press Law

ended the state monopoly on television broadcasting, called for the creation of a public-service broadcaster, and allowed journalists to use truth as a defense in libel and defamation trials. However, the law includes onerous registration requirements as well as restrictive provisions concerning journalistic ‘duties’ and access to information. Moreover, almost none of the legislation required for the law’s implementation had been passed by the end of 2009.

“...the constitution guarantees freedom of assembly and association. Increasingly, authorities are allowing opposition groups to hold demonstrations in Luanda, though crackdowns are common in the interior. The right to strike and form unions is provided by the constitution, but the MPLA dominates the labor movement and only a few independent unions exist. Hundreds of nongovernmental organizations (NGOs) operate in Angola, many of them demanding political reform, government accountability, and human rights protections. Churches in particular have grown more outspoken. However, the government has occasionally threatened organizations with closure.

“...lengthy pretrial detention is common, and prisoners are subject to torture, severe overcrowding, sexual abuse, extortion, and a lack of basic services. Despite increased resources and human rights training, security forces continue to commit abuses with impunity.” [13]

For further information, see Human Rights Watch *World Report 2010* - <http://www.hrw.org/en/node/87450>

For information about specific human rights issues, see [Arrest and detention - legal rights](#); [Prison conditions](#); [Human rights violations by the security forces](#); [Freedom of speech and media](#); [Freedom of religion](#)

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8. SECURITY FORCES

OVERVIEW

- 8.01 The United States State Department *2009 Country Report on Human Rights Practices on Angola* stated that:

“The National Police, controlled by the Interior Ministry, are responsible for internal security and law enforcement. The Internal Intelligence Service reports to the Office of the Presidency and investigates sensitive state security matters. The [Angolan Armed Forces] FAA is responsible for external security but also has domestic security responsibilities, including border security, expulsion of illegal immigrants, and small-scale actions against dissident FLEC factions in Cabinda.

“Other than personnel assigned to elite units, police were poorly paid, and the practice of supplementing income through extortion of civilians was widespread. Corruption and impunity remained serious problems.”
[2a] (Section 1d)

See also [Human rights violations by the security forces](#)

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ARMED FORCES

- 8.02 The *Angola Armed Forces* section of Jane's *Sentinel Country Risk Assessment* section (26 January 2010 version) provided information about Angola's armed forces:

"The Angolan Armed Forces (FAA) were created from the communist-backed Movimento Popular de Libertação de Angola (MPLA) forces in the long-running civil war and were originally known as the Forças Armadas Populares de Libertação de Angola (FAPLA). The current force is dominated by the army, which, with some 30 regiments and over 100,000 members, is the largest standing army in central or southern Africa. The air force is also one of the largest in sub-Saharan Africa and has benefited from large quantities of relatively modern equipment since the late 1990s. The navy, by contrast, has never been properly developed and, since the original Soviet-supplied equipment deteriorated by the mid-1990s, has been essentially a shore-based force...the army constitutes the vast bulk of the armed forces, with some 100,000 members, followed by the air force and then the navy with 7,000 and 890 members, respectively. Civilian control over the military is exercised via the Ministry of National Defence in Luanda. Angola is then divided in to four military areas (north, east, south and central) with further command structures in each of the 17 provinces outside Luanda.

"The Armed Forces General Inspection Department (IGFAA) is in charge of supervising, controlling and guaranteeing the proper administration and management of human, material and financial resources of the FAA and national defence ministry institutions. The IGFAA has existed since 1991, but was only officially established in April 2006." [7]

HUMAN RIGHTS VIOLATIONS BY THE SECURITY FORCES

- 8.03 Amnesty International, in its submission to the United Nations Universal Periodic Review of Angola, dated September 2009, presented to the United Nations Human Rights Council, stated that "in 2003, the Angolan National Police launched a 10-year Modernization and Development Plan, aimed at improving police professionalism. Despite some improvements in police conduct since then, there have been continued reports of arbitrary arrests and unlawful detention, torture and ill-treatment, deaths in police custody, extrajudicial executions, as well as excessive use of force and firearms by the police." [5c]

Internet weblink to the Amnesty International submission:

<http://www.amnesty.org/en/library/asset/AFR12/005/2009/en/84202b5f-9f2a-4082-ab4c-85011df682c8/afr120052009eng.html#sdfnote15sym>

Arbitrary arrest and detention

- 8.04 Amnesty International noted in its *Annual Report 2010*, released in May 2010, which covered events in 2009, that “arbitrary arrests and detentions by the police were reported.” [5a]. The United States State Department *2009 Country Report on Human Rights Practices on Angola* stated that:

“Unlawful arrest and detention continued to be serious problems. NGOs continued efforts to secure the release of illegally detained persons. During the year [2009] NGOs reported more than 500 cases of illegal detentions. In 2008 citizens reported to NGOs 700 cases of illegal detention; NGOs reported receiving petitions daily from relatives of illegally detained persons seeking pro bono legal assistance. NGOs also reported that police often detained citizens without charge or denied them access to a judge for extended periods and then released them.

“In mining provinces such as Lunda Norte, Lunda Sul, and Bie, international organizations reported that government security forces detained illegal immigrants and their families in transit centers, where the security forces subjected them to systematic rape, body cavity searches, and deprivation of food and water.

“Security officials arbitrarily arrested members of the opposition. For example, in August 2008 security forces arrested 13 members of the Party for Democratic Support and Progress of Angola opposition party for distributing pamphlets on behalf of another opposition party. The Luanda Provincial Court dismissed the case as the prosecutor found the charges erroneous.” [2a] (Section 1d)

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Torture

- 8.05 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, published on 11 March 2010, stated that:

“The constitution and law prohibit such practices; however, government security forces tortured, beat, and otherwise abused persons. Reports of beatings and other abuses in police stations during interrogations were common. The media reported that on October 9 [2009], seven former police agents from the National Police force claimed that they were tortured while undergoing interrogation in prison.

“In 2007 the UN Working Group on Arbitrary Detentions (UNWGAD) reported a number of detainees with visible signs of torture. Police and other security forces rarely were held accountable. Although the government punished some violators administratively, no prosecutions occurred during the year.

“Abuses by the army continued. There were NGO and media reports of violence by security forces in Cabinda and Lunda Norte. In Cabinda, FAA troops illegally detained, beat, or threatened citizens suspected of FLEC collaboration during anti-insurgency operations, according to human rights NGOs.” [2a] (Section 1c)

- 8.06 Amnesty International, in its submission to the United Nations Universal Periodic Review of Angola, dated September 2009, presented to the United Nations Human Rights Council, stated that:

“Although there have been fewer cases of torture and ill-treatment reported in the past four years, reports persist of the practice, especially while in police custody. At least one of these cases resulted in a death in custody. In February 2007, police officers arrested Francisco Levi da Costa and two other men after a shop owner accused them of attempting to steal three boxes of fish. The police took the men to the Eighth Police Station in Luanda, where they beat them for four consecutive days. Allegedly, Francisco Levi da Costa was beaten on the head and lost consciousness, but police accused him of faking in order to be released. He died four days later in the police cell. No one has been held accountable for his death.” [5c]

Extrajudicial killings

- 8.07 The United States State Department *2009 Country Report on Human Rights Practices on Angola* noted that during 2009:

“There were no reports that the government or its agents committed politically motivated killings; however, human rights activists and domestic media sources reported that security forces arbitrarily killed two persons during the year. In 2008 security forces arbitrarily killed 23 persons.

“...domestic media and local human rights activists reported that police use of excessive force resulted in killings.

“On September 12 [2009], police in Luanda tortured a male citizen charged with selling drugs. While he was under arrest, police denied him medical assistance. He later died in prison due to serious contusions and abuse. The provincial commander of police requested an investigation; however, there were no updates by year's end.

“On September 22 [2009], police arrested a male citizen in Porto Amboim for a public argument and tortured him. He later died due to serious contusions and cuts. There was no investigation by year's end.” [2a] (Section 1a)

- 8.08 Amnesty International, in its submission to the United Nations Universal Periodic Review of Angola, dated September 2009, presented to the United Nations Human Rights Council, stated that:

“Police have used excessive force on various occasions when dispersing demonstrations, during forced evictions and when carrying out arrests. On a few occasions their use of force and firearms has amounted to extrajudicial executions. For example, in July 2008 a group of about seven police officers went to the area of Largo da Frescura in a white, unmarked vehicle and opened fire on eight youths, killing all of them. The police officers claimed that they had gone to the area in response to reports that a group of youths suspected of armed robbery were in that area, that the youths fired shots at them and that they were compelled to shoot back to defend themselves, killing the youths in the process. None of the police officers were injured as a result of the crossfire. However, eye-witnesses to the event stated that the armed police officers instructed the youths to lie on their stomachs, shot them while

they were lying on the ground and then drove off leaving the youths. Seven police officers were arrested in connection with this incident, but to date no trial has taken place.” [5c]

Human rights violations committed in Cabinda

8.09 The United States State Department *2009 Country Report on Human Rights Practices on Angola* observed that “the Memorandum of Understanding for Peace and Reconciliation for Cabinda Province, signed in 2006, largely brought an end to the insurgency in the province, although sporadic attacks by dissident factions of the Front for the Liberation of the Enclave of Cabinda (FLEC) and counterinsurgency operations by the Armed Forces of Angola (FAA) continued during the year.” [2a] (section 1a)

8.10 Regarding human rights abuses committed by the security forces in Cabinda, the Human Rights Watch report, *They Put Me in the Hole*, published on 22 June 2009, stated:

“At least 38 people who have been arrested by Angolan military and intelligence officials in Cabinda, Angola’s oil-rich enclave, from September 2007 to March 2009 have been subjected to torture and cruel or inhumane treatment in military custody and been denied basic due process rights as well as the right to a fair trial. The detainees are accused by the authorities of involvement in armed opposition in Cabinda in the context of a separatist insurgency.

“The intensity of the armed conflict in Cabinda has declined as a result of large-scale counterinsurgency operations in 2002-2003, and the government publicly claims that the Cabinda conflict came to a close in 2006, when a peace agreement was signed with a faction of the rebel Liberation Front for the Independence of the Enclave of Cabinda (FLEC). But the campaign for independence remains unresolved, and sporadic guerrilla attacks have been ongoing.” [12b]

8.11 Regarding human rights abuses committed by the security forces in Cabinda, the Human Rights Watch *2010 World Report*, published in January 2010, stated:

“Human rights scrutiny remains restricted in Cabinda, particularly in the interior [during 2009]. The government has not responded to calls for an independent investigation into allegations of torture and other serious human rights violations committed by the FAA, and perpetrators of torture are not prosecuted.

“Since September 2007 the military has arbitrarily arrested more than 40 rebel suspects. Most of them claim to have been subjected to torture and mistreatment designed to extort confessions during lengthy incommunicado custody. They were eventually brought to a civilian prison and charged with ‘crimes against the security of the state’ and other related crimes, but in several cases were denied due process rights.” [12a]

See also [Cabinda province](#)

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AVENUES OF COMPLAINT

- 8.12 The United States State Department *2009 Country Report on Human Rights Practices on Angola* noted that during 2009:

“Most complaints were handled within the National Police by internal disciplinary procedures, which sometimes led to formal punishment, including dismissal. However, the government did not establish mechanisms to expedite investigations and punish alleged offenders, and it rarely disclosed publicly the results of internal investigations.” [2a] (Section 1d)

Impunity and prosecution of the security forces

- 8.13 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, noted that “impunity remained a problem, although the government prosecuted some human rights violators. Results of investigations into security force abuses were seldom released.” [2a] (section 1a). On the same subject, the Amnesty International *2010 Annual Report* stated that “few officers were brought to justice [for human rights violations] and little information was made available about action taken against police for past human rights violations.” [5a]

- 8.14 Amnesty International, in its submission to the United Nations Universal Periodic Review of Angola, dated September 2009, presented to the United Nations Human Rights Council, stated that:

“In the majority of cases [of human rights violations], the authorities have failed to bring police officers responsible for human rights violations to justice; to establish the truth of what happened; and to ensure victims receive full reparation. The police accountability mechanisms have to a great extent been unresponsive to the victims and have failed to prevent human rights violations from occurring or bring police officers to justice when they do occur.” [5c]

- 8.15 In March 2010, an Angolan court convicted seven police officers for reportedly unlawfully killing eight men, as reported by Reuters on 22 March 2010:

“Seven Angolan policemen were sentenced to 24 years each in jail on Monday [22 March 2010] for the murder of eight men in a poor neighbourhood, in what analysts said was a key step forward in a drive to end widespread police brutality.

“Judge Salomao Filipe said the trial had shown that the policemen ordered a group of young men in Luanda's crime-ridden Sambizanga neighbourhood to lie face down on the ground and then shot them at point-blank range in July 2008.

“Five victims died immediately and three on the way to hospital. One of these managed to identify two of the policemen before succumbing to his injuries.

“The shooting took place during a police operation aimed at ending gang violence, but the judge said there was no evidence that the accused had been ordered to carry out the killings.

“ ‘Although the defendants may have believed that the young men were criminals, their actions are unjustifiable,’ said Filipe. ‘Each of you will get 24 years in jail.’

“...in its 2009 Human Rights Report on Angola, the U.S. State Department said the oil producing country's human rights record remained poor, citing numerous serious problems, including ‘unlawful killings by police.’

“But some analysts said the sentences handed down on Monday, widely reported on local media, could signal a new determination to stop police brutality.” [38b]

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9. MILITARY SERVICE

LEGISLATION

- 9.01 According to the Child Soldiers (NGO) *2008 Global Report*, published in May 2008:

“Under the constitution it was the right and highest duty of every citizen to defend the country, military service was compulsory, and the manner in which it was fulfilled was established by law. Under Law 1/93, military service was compulsory for all men aged between 20 and 45. Women over 20 could also volunteer to join. Recruitment started at 18, with registration under the military census. Those who failed to register were subject to unspecified sanctions, which in practice amounted to the payment of fines.

“Under Article 8.3 of Law 1/93, the National Assembly was empowered to decree the military call-up of citizens from the age of 18 in the case of a national emergency and at the request of the Council of Ministers. The law also stipulated that military service was for two years, but the National Assembly could extend or reduce the term by a year if needed and if ‘conditions of service permit’. The law provided for conscientious objectors to perform civilian service. Decree No. 40/96 of 13 December 1996, on the application of military service, established a minimum age of 18 for the voluntary recruitment of men.” [8]

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RECRUITMENT

- 9.02 A Conscience and Peace Tax International report, dated February 2010, published in the War Resisters International website, submitted for a United Nations Human Rights Council Universal Periodic Review, stated:

“Each January the Ministry of Defence issues a decree calling on male citizens entering their eighteenth year to register [for military service]. In 2009, for instance, the summons was addressed to all male citizens, whether or not resident in Angola, born between 1st January and 31st December 1991, and registration was required between 12th January and 28th February.

“Although fighting continued in the Cabinda enclave against the secessionist FLAC [FLEC], the end of the civil war against UNITA led to a pause in recruitment. No call-ups were issued in 2002 or 2003. In January 2004, however annual call-ups resumed, and in 2005 the summons to register was also addressed to all those born between 1981 and 1986 who had not previously registered. Those born between 1970 and 1974 (ie approaching the upper age limit) were also called upon to ‘regularize their military situation.’

“There have been no reports of any suspension of recruitment following the end of the major military confrontation in Cabinda.” [4]

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PENALTIES FOR EVADING MILITARY SERVICE

9.03 The Conscience and Peace Tax International report stated:

“Under article 29 of the Military Penal Code (*Lei dos Crimes Militares*), No. 4/94, of 28th January 1994, those who fail to report for military service – including conscientious objectors - are liable to a sentence of two years imprisonment followed by military service of twice the normal length, ie. four years.

“It has been alleged that in practice when such persons have been apprehended they have sometimes been punished by being sent into active service with no training or training of only two to four weeks. It has to be assumed that this increases the risk of a violent death.

“Deserters may be sentenced to between two and eight years of imprisonment in times of peace and eight to twelve years in time of war. In practice it is alleged that during the civil war deserters were either summarily executed or posted to the front line.” [4]

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CONSCIENTIOUS OBJECTION

9.04 The Conscience and Peace Tax International report also stated that:

“Article 10, Paragraphs 5-7 (paragraphs 1-4 do not seem to exist) of Law 1/93 states that persons liable for military service who are conscientious objectors will perform an appropriate civilian service, to be the subject of specific implementing regulations.

“As far as is known, such regulations have never been promulgated, and no Angolan conscientious objectors have performed an alternative civilian service. Angolan antimilitarist organisations insist that conscientious objectors are not in practice released from military service, exemptions being given only to persons with disabilities or severe illness, and to students for the duration of their studies, provided that they have registered for military service.” [4]

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10. JUDICIARY

ORGANISATION

10.01 A report dated December 2009, submitted by the Angolan government to the Working Group on the Universal Periodical Review of the United Nations Human Rights Council, stated that the judicial system consists of various courts, namely:

“(a) Constitutional Court the highest authority for constitutional matters;

(b) Supreme Court – exercises jurisdiction throughout the country and, on account of the diversity of the areas it covers, is divided into chambers and further subdivided into sections;

(c) Provincial courts – 19 provincial courts, which have generic competency, exercise jurisdiction in their respective provinces, and are divided into chambers and further subdivided into sections;

(d) Municipal courts – 19 of these courts, with jurisdiction in their respective municipalities, are competent to deal with criminal matters in cases punishable with prison terms and equivalent fines. They also deal with civil matters with a value of up to 100,000 kwanzas;

(e) Military courts – that deal essentially with military crimes. The system consists of: the High Council of Military Justice; the Military Supreme Court; military courts at the regional, district.” [35a] (p4)

10.02 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, noted that:

“The Supreme Court heads the formal justice system and administers the 18 provincial courts as well as a limited number of municipal courts. The president appoints Supreme Court justices for life terms without confirmation by the parliament. The Supreme Court generally heard cases concerning alleged political and security crimes. The Ministry of Defense also tried civilians in military courts...in June 2008 the government created a seven-member constitutional court to provide judicial review of constitutional issues and supervise the electoral process. The president nominated three judges, parliament nominated three, and the Supreme Court nominated one, all to serve seven-year terms...informal courts remained the principal institutions through which citizens resolved conflicts in rural areas. Traditional leaders (sobas) also heard and decided local cases. These informal systems did not provide citizens with the same rights to a fair trial as the formal legal system; instead, each community in which they were located established local rules.

“As most municipalities did not have prosecutors or judges, local police often served as investigator, prosecutor, and judge. Both the National Police and the FAA have internal court systems that generally remained closed to outside scrutiny. Although members of these organizations can be tried under their internal regulations, cases that include violations of criminal or civil laws can also fall under the jurisdiction of provincial courts.” [2a] (Section 1e)

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INDEPENDENCE

10.03 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, noted that “the constitution provides for an independent judiciary; however, the judiciary remained understaffed, inefficient, corrupt, and subject to executive and political influence.” [2a] (Section 1e)

10.04 The *Freedom in the World 2010* report, published by Freedom House on 3 May 2010, noted that:

“The judiciary is subject to extensive executive influence, though courts occasionally rule against the government. Supreme Court judges are appointed to life terms by the president without legislative input or approval. The courts in general are hampered by a lack of training and infrastructure, a large backlog of cases, and corruption.” [13]

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FAIR TRIAL

10.05 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, noted that:

“The law provides for the right to a fair trial; however, the government did not always respect this right. Suspects must be in the presence of a judge and defense attorney when charged. Defendants are presumed innocent until convicted. By law trials are usually public, although each court has the right to close proceedings. Juries are not used. Defendants have the right to be present and to consult with an attorney in a timely manner. The law requires that an attorney be provided at public expense if an indigent defendant faces serious criminal charges. Outside Luanda, the public defender was generally not a trained attorney due to shortages in qualified personnel. Defendants do not have the right to confront their accusers. They may question witnesses against them and present witnesses and evidence on their own behalf. The government did not always respect these rights in practice.

“Defendants and their attorneys have the right to access government-held evidence relevant to their cases. In addition, defendants have the right to appeal. Lawyers and prosecutors can appeal if the sentence is unsatisfactory, but only a higher court can modify the sentence. However, the government did not always respect these rights in practice.” [2a] (Section 1e)

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11. ARREST AND DETENTION – LEGAL RIGHTS

- 11.01 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, published on 11 March 2010, noted that:

“Prior to an arrest, the law requires a judge or magistrate to issue a warrant, although a person caught committing a crime may be arrested immediately without a warrant; however, security forces did not always procure arrest warrants before detaining persons. The constitution provides the right to prompt judicial determination of the detention's legality, but authorities often did not respect this right in practice.

“The law mandates that detainees be informed of charges against them within five days, or the prosecutor may permit the suspect to return home and provide a warrant of surveillance to local police. This generally occurred in practice.

“If the crime is a misdemeanor, the suspect may be detained for 30 days before trial. If the crime is a felony, the prosecutor may prolong pretrial detention up to 45 days. In practice authorities regularly exceeded these limits.

“A functioning but ineffective bail system, widely used for minor crimes, existed. Prisoners and their families reported that prison officials demanded bribes to release prisoners.” [2a] (Section 1d)

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12. PRISON CONDITIONS

- 12.01 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, published on 11 March 2010, noted that:

“Prison conditions were harsh and life threatening. NGOs reported that prison officials routinely beat and tortured detainees. In 2007 the UNWGAD interviewed prisoners who showed visible signs of torture, starvation, and abuse. A local human rights NGO reported similar conditions while visiting prisons during the year.

“Overcrowding and lack of medical care, sanitation, potable water, and food caused some prison deaths. It was customary for families to bring food to prisoners, but guards demanded bribes as a precondition for food delivery. Some prisoners died of disease, especially in provincial prisons. Prison conditions varied widely between urban and rural areas.

“In March 2008 the National Criminal Investigation Department (DNIC) building collapsed, killing 31 inmates. All police escaped from the building prior to its collapse; however, prisoners were not freed from their holding cells.

“Due to violent prison riots in 2007 that resulted in at least two prisoner deaths, the government worked to reduce overcrowding. However, the national prison system continued to hold more than five times the number of prisoners for which it was designed. Luanda's Central Prison, built to house 600 prisoners, held 3,300 before the riots. By the end of 2007, the prison

population there was reduced to approximately 1,000 prisoners. However, during a prison visit, a local human rights NGO noted the transfer of prisoners from Luanda to the provinces worsened overcrowding in the provincial prisons. A local human rights NGO reported an overcrowded prison in Lubango that held 690 prisoners in a facility built for 150. In addition, prisons in both Huambo and Viana were grossly overcrowded.

“Chronically underpaid prison officials supported themselves by stealing from prisoners and extorting money from their family members. Prison guards continued to demand that prisoners pay for weekend passes to which they were entitled. There were continued reports of prison officials operating an informal bail system, releasing prisoners until their trial dates for a fee.”
[2a] (Section 1c)

12.02 The Freedom House report, *Freedom in the World 2010*, covering events in 2009, released in May 2010, observed that “lengthy pretrial detention is common, and prisoners are subject to torture, severe overcrowding, sexual abuse, extortion, and a lack of basic services.” [13]

12.03 A December 2009 report, submitted by the Angolan government to the Working Group on the Universal Periodical Review of the United Nations Human Rights Council, stated:

“The Angolan prison system is being modernized and developed. Its main task is the social rehabilitation of detainees. Until December 2006, out of a total of 9,829 prison inmates, 5,083 were serving prison terms and the remainder were in pretrial detention. In September 2009, there were 16,183 prison inmates, of whom 711 had court proceedings under way...prisoners are classified and separated on the basis of sex, age, legal situation, nationality and pathology, in accordance with the principles of the United Nations ‘Standard Minimum Rules for the Treatment of Prisoners’, under the International Covenant on Civil and Political Rights and Angolan prison law. The latter also determines which facilities are suitable for detention and the enforcement of sentences, with priority going to the supervision of young detainees between the ages of 16 and 18 years and 18 and 21 in various activities and programmes of therapy, schooling, vocational technical training and community service. Pregnant female prisoners and women with infants receive special treatment allowing them to keep their young children with them until the age of 3...to effect genuine prison reform, the Angolan State is adopting a series of legislative, infrastructural and organizational measures, including the new Prison Act (No. 8/08 of 29 August), regulations for prison service careers (Decree No. 43/99 of 24 December), rules governing the organization of labour in prison facilities (Decree No. 64/04 of 1 October), and training courses for prison governors, social workers and wardens, financed by the European Union through the PIR-PALOP cooperation programme. Six new prisons have also been built. The two in Cabinda and Kaquila are already operational, while those in LundaNorte, Caxito, Nbanza Congo and Soyo have been completed and are being fitted out.” [35a] (p6-7)

For more information on Angolan prisons, refer to the Internet weblink:

http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_country.php?country=2

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13. DEATH PENALTY

- 13.01 The Amnesty International (AI) report, *Death Sentences and Executions 2009*, published in March 2010, stated that Angola's laws do not provide for the death penalty for any crime and comes under the "abolitionist for all crimes" category. [5b]. According to an Angola Press Agency report, dated 19 January 2010, Article 59 of the new 2010 constitution forbids the death penalty. [36]

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14. POLITICAL AFFILIATION

This section should be read in conjunction with [Human rights institutions, organisations and activists](#), and [Freedom of speech and media](#)

FREEDOM OF POLITICAL EXPRESSION

- 14.01 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, stated that "the law provides citizens with the right to change their government peacefully. Citizens were able to exercise the right to elect parliamentary representatives in 2008; however, the right to elect a head of state and local leaders remained restricted." [2a] (Section 3)
- 14.02 The Freedom House report, *Freedom in the World 2010*, covering events in 2009, released in May 2010, observed that:

"Angola is not an electoral democracy. Long-delayed legislative elections held in September 2008, while largely reflective of the people's will, were not free and fair. The 220-seat National Assembly, whose members serve four-year terms, has little power, and 90 percent of legislation originates in the executive branch. The president, who is supposed to serve five-year terms, directly appoints the prime minister, cabinet, and provincial governors. Presidential elections, repeatedly delayed since 1997, were postponed again in 2009.

"The 2008 legislative elections were contested by 14 parties, but the electoral framework was highly advantageous to the ruling MPLA; aside from UNITA, the main opposition party, just three smaller parties won seats. The National Electoral Commission (CNE), which was dominated by MPLA loyalists, denied opposition parties access to the voter registry and obstructed the accreditation of domestic monitors who were not aligned with the government. In addition, the government released state funding for opposition parties later than mandated, and the MPLA exploited additional state resources to support its own campaign. Voting in Luanda – home to between one-quarter and one-third of registered voters – was marred by serious irregularities, including late delivery of ballot papers, 320 polling stations that failed to open, and a breakdown in the use of voter rolls to check identities. While political violence rose in the run-up to the elections, it has decreased significantly since 2002, and the government provided security for opposition rallies around the country." [13]

See also [Political system](#) and [Freedom of speech and media](#)

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FREEDOM OF ASSOCIATION AND ASSEMBLY

- 14.03 The United States State Department *2009 Country Report on Human Rights Practices on Angola* stated that:

“The constitution and law provide for the right of assembly; however, the government at times restricted this right.

“The law requires written notification to the local administrator three days before public or private assemblies are to be held; however, the government at times prohibited events based on perceived or claimed security considerations. Participants potentially were liable for ‘offenses against the honor and consideration due to persons and to organs of sovereignty.’ Applications for progovernment gatherings routinely were granted without delay; however, applications for demonstrations, protests, or opposition party assemblies frequently were denied, usually based on government claims that the timing or venue requested was problematic. At other times the government did not respond to the applicants, which then enabled local authorities to threaten demonstrators with arrest for holding an event without authorization.

“...the constitution and law provide for the right of association, and the government generally respected this right in practice. The government legally may deny registration to private associations on security grounds. Extensive and unexplained delays in the NGO registration process continued to be a problem. For example, five civil society associations (the Association for Justice, Peace, and Democracy (AJPD); Human Rights Coordination Council; SOS-Habitat; Maos Livres; and Omunga) constituted between 2000 and 2006 remained without certificates to operate from the Ministry of Justice at year's end.

“The government sometimes arbitrarily restricted associations it considered subversive by refusing to grant permits for organized activities. During the year opposition parties generally were permitted to organize and hold meetings; however, opposition officials continued to report minor obstructions to their free exercise of their parties' right to meet.” [2a] (Section 2b)

- 14.04 The Freedom House report, *Freedom in the World 2010*, covering events in 2009, released in May 2010, noted:

“The constitution guarantees freedom of assembly and association. Increasingly, authorities are allowing opposition groups to hold demonstrations in Luanda, though crackdowns are common in the interior. The right to strike and form unions is provided by the constitution, but the MPLA dominates the labor movement and only a few independent unions exist. Hundreds of nongovernmental organizations (NGOs) operate in Angola, many of them demanding political reform, government accountability, and human rights protections. Churches in particular have grown more outspoken. However, the government has occasionally threatened organizations with closure. In 2008, the government ordered the local representatives of the UN High Commissioner for Human Rights to cease activities and leave the country. Ahead of that year's elections, the government accused the local Association

for Justice, Peace, and Democracy (AJPD) of having illegal statutes and threatened to close the organization. The Constitutional Court heard the case in September 2009, and a decision was pending at year's end." [13]

- 14.05 Amnesty International, in its submission to the United Nations Universal Periodic Review of Angola, dated September 2009, presented to the United Nations Human Rights Council, stated that:

"The suppression of freedom of expression and association has been most acutely evident in the province of Cabinda. In February 2005, a new Bishop for Cabinda was appointed from outside the province. This provoked violent protests from many who disapproved of the appointment of a bishop from outside the province. In August 2006, the government and the Cabindan Forum for Dialogue (Forum Cabindés para o Diálogo, FCD) signed a Memorandum of Understanding for Peace and Reconciliation in Cabinda to end the armed conflict in the province. However, the armed forces of the Front for the Liberation of the Cabinda Enclave (Frente de Libertação do Enclave de Cabinda - Forças Armadas, FLEC-FAC), the non-governmental group Mpalabanda and some members of the Catholic Church rejected the agreement on the grounds that it had been signed by a former President of the FCD who had been expelled from the organization and therefore no longer represented its views. It is within this context that suppression of freedom of expression has occurred in Cabinda." [5c]

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OPPOSITION GROUPS AND POLITICAL ACTIVISTS

- 14.06 The United States State Department *2009 Country Report on Human Rights Practices on Angola* stated that:

"There were 96 registered opposition parties, 11 of which received government subsidies based on their representation in parliament. Of the 96, only 10 parties and four coalitions fulfilled the legal requirements to participate in legislative elections. The DNIC informed all parties that it would investigate and prosecute political parties that used forged documents for its members during the electoral period.

"Opposition parties stated that their members were subject to harassment, intimidation, and assault by supporters of the ruling party. In May the FAA and National Police targeted UNITA party members during operations to deport foreign citizens from Lunda Norte province. On February 23, in Huambo, police detained two secretaries of the UNITA party youth wing, apparently based on MPLA accusations that they caused a public disturbance. UNITA officials claimed that police beat the two secretaries. One suffered a broken arm and both were jailed for more than 24 hours. UNITA officials secured their release and received assurances from the police commandant that the two officers would be disciplined. However, no investigation had taken place by year's end...the country has three dominant ethnolinguistic groups: the Ovimbundu, Mbundu, and the Bakongo, which together constitute approximately 77 percent of the population. Other groups also were represented in government. There were six members of smaller ethnic groups in the parliament and one minority member in the cabinet who is Chokwe. The

majority of political parties had limited national constituencies, but all parties were prohibited by law from limiting party membership based on ethnicity, race, or gender.” [2a] (Section 3)

(See [Annex B](#) for list of political organisations)

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15. FREEDOM OF SPEECH AND MEDIA

- 15.01 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, dated 11 March 2010, provided an overview of freedom of expression and media freedom:

“The constitution and law provide for freedom of speech and of the press; however, government regulations and minimal independent media outside of Luanda limited these rights in practice. For example, authorities cancelled live radio call-in shows in the weeks leading up to the September 2008 legislative elections. Human rights activists and journalists practiced self-censorship.

“Individual citizens reported practicing self-censorship but were generally able to criticize the government without fear of direct reprisals. The government engaged in subtle repression and economic coercion, often in the form of withdrawing business or job opportunities, to discourage criticism.” [2a] (Section 2a)

- 15.02 A similar overview was provided by the *Freedom in the World 2010* report, published by Freedom House on 3 May 2010:

“Media restrictions were eased somewhat after 2002, but despite constitutional guarantees of freedom of expression, journalists are driven to self-censorship by the threat of dismissal, detention, and legal sanction by authorities. Defamation of the president or his representatives and libel are criminal offenses, punishable by imprisonment or fines. The 2006 Press Law ended the state monopoly on television broadcasting, called for the creation of a public-service broadcaster, and allowed journalists to use truth as a defense in libel and defamation trials. However, the law includes onerous registration requirements as well as restrictive provisions concerning journalistic ‘duties’ and access to information. Moreover, almost none of the legislation required for the law’s implementation had been passed by the end of 2009.

“The state owns the only daily newspaper and national radio station, as well as the main television stations. In December 2008, however, the country’s first private television station, TV Zimbo, was launched. The state outlets favored the ruling party ahead of the 2008 elections, and private media are often denied access to official information and events. There are several independent weeklies and radio stations in Luanda that criticize the government, but they have reported funding problems, and the state dominates media elsewhere.” [13]

15.03 The BBC *Country Profile on Angola*, dated 11 May 2010, stated that the following newspapers are published in Angola: Jornal de Angola - state-run national daily, Angolense - private weekly, Semanario Angolense - private weekly, Luanda Folha 8 - private weekly, Luanda A Capital - private weekly, Luanda Actual - private weekly, Agora - private weekly, Luanda Cruzeiro do Sul - private weekly. The country's state-run Televisao Popular de Angola (TPA) operates the national Canal 1, and Canal 2 television channels. The state-run Radio Nacional de Angola (RNA), operates Canal A, sports network Radio 5, Radio Ngola Yetu, Radio FM Stereo and provincial station Radio Luanda. A number of independent radio stations also operate. [6b]

15.04 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, noted that:

"There were 12 privately owned weekly newspapers and four Luanda-based commercial radio stations. The government permits state-owned Radio Nacional to broadcast nationally, but all other radio stations can only broadcast within the province where they are located. Radio Mais, whose ownership includes individuals associated with the ruling party, also broadcasts in Luanda, Huambo, and Benguela. Authorities did not allow independent stations to use repeaters to expand their signal reach; they were required by law to open radio stations in every province they wished to reach.

"Independent radio and print media criticized the government openly and at times harshly. Unlike in previous years, local journalists were able to criticize government officials, particularly the president, without fear of arrest or harassment. However, the government restricted nationwide independent broadcasting through licensing laws.

"...the government continued to give preferential treatment and access to state media organizations, including Angola Public Television, Radio Nacional, and the only national daily newspaper, Jornal de Angola. Government-owned press minimally covered the statements, issues, or activities of independent journalists, opposition leaders, and civil society organizations.

"The 2006 press law ended the state monopoly on television, partially opened the FM bandwidth to independent broadcasters, and rescinded travel restrictions on journalists. Nonetheless, on March 26, a privately owned radio station began broadcasting in Huambo Province. A private television station, TV Zimbo, also began operating in 2008." [2a] (Section 2a)

15.05 The BBC *Country Profile on Angola* (11 May 2010 version), noted that:

"The state controls all media with nationwide reach, including radio, the most influential medium outside the capital.

"Television, the private press, and internet access are very limited outside Luanda. Angola's only daily newspaper, Jornal de Angola, and the terrestrial TV service TPA are state-owned and rarely criticise the government.

"State-run Radio Nacional de Angola (RNA) is the only outlet to offer programmes in indigenous languages such as Bantu. Private stations operate

in the main cities, including Catholic station Radio Ecclesia, but RNA is the only available broadcaster across much of the country.” [6b]

- 15.06 The Human Rights Watch *2010 World Report*, published on 20 January 2010, stated that:

“The media environment continues to be restricted, despite the emergence of a number of new media outlets since 2008. More than three years after a new press law was enacted in May 2006, the legislation required to implement crucial parts of the law, which would improve the legal protection of freedom of expression and access to information, has still not passed. Independent private radio stations cannot broadcast nationwide, while the government's licensing practices have favored new radio and television stations linked with the MPLA. The public media remain strongly biased in favor of the ruling party.” [12a]

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JOURNALISTS

- 15.07 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, noted that:

“During the year [2009] authorities arrested, harassed, and intimidated journalists.

“In May [2009] the DNIC investigated the publisher of the weekly newspaper *Folha 8*, William Tonet, for supposed crimes against the state; no trial was held by year's end. On May 9, authorities seized his passport when he attempted to visit Namibia. Police notified Tonet that he was on a list of persons forbidden to leave the country.

“On December 13 [2009], FAA soldiers detained a local correspondent of VOA in Cabinda, Jose Manuel Gimbi, and an international Dow Jones Newswires reporter, Benoit Faucon, for taking photographs of the new stadium built in Cabinda for the upcoming Africa Cup of Nations. Both were questioned but released after several hours. Gimbi claimed to have received several domestic intelligence calls following his arrest.

“In September 2008 the government accused former reporter Fernando Lelo of inciting treason and sentenced him to eight years' imprisonment for encouraging five soldiers to desert the FAA and join the FLEC guerrilla movement. On August 20, the Supreme Court rescinded his sentence and released him from prison.

“In 2007 security forces imprisoned Graca Campos, director of a private weekly newspaper that frequently criticized the government. Campos, who was charged with defamation, was sentenced to eight months in prison - two months more than the maximum legal sentence - and fined an unprecedented 18.75 million kwanzas (\$208,000). Campos was tried in absentia, after he repeatedly did not heed summaries to appear in court, which he stated he never received. He was released and awaiting trial at year's end. He was also convicted in another case, dating back to 2001. Media and civil society groups

strongly criticized the government's legal irregularities in the case; Campos appealed and the court declared a mistrial in 2007, granting him early release.

“There were reports that security forces interfered with journalists' attempts to take pictures or video during the year. On May 10 [2009], a photographer in Cabinda was detained for taking pictures of the president without previous authorization. In 2008 the government refused to issue visas to a number of Portuguese journalists seeking to cover the electoral process. In addition, authorities prevented a foreign news crew from filming railroad construction in 2008.” [2a] (Section 2a)

15.08 The Human Rights Watch *2010 World Report* stated that:

“Since 2007 government officials have increasingly pressed charges against private media editors and journalists for libel and related offenses. This trend continued in 2009. In July [2009] a court sentenced Eugénio Mateus, a journalist with the private weekly *O País*, to three months in prison for libel and ‘abuse of press freedom,’ suspended for two years, following a complaint by the Angolan Armed Forces chief of staff. The lawsuit was based on a 2007 article published in the weekly *A Capital* that criticized the FAA for allegedly renting out state property. Also in July the editor of *A Capital*, Tandala Francisco, was informed of a libel lawsuit for an opinion article critical of President Dos Santos. In October [2009], Welwitchia ‘Tchizé’ dos Santos, the president's daughter and ,until recently, a member of parliament, pressed charges against the secretary-general of the Angolan Journalist Union (SJA), Luísa Rogério, as well as Vítor Silva, director of the private weekly *Novo Jornal*, and Ana Margoso, a journalist of the same weekly, for libel. Luísa Rogério had criticized ‘Tchizé's appointment to the state television channel TPA's management commission as incompatible with her role as an MP, while *Novo Jornal* had reported about the controversy. At this writing the proceedings are ongoing.” [12a]

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16. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

Users should read this section in conjunction with [Political affiliation](#) and [Freedom of speech and media](#)

16.01 The United States State Department (USSD) 2009 *Country Report on Human Rights Practices on Angola*, noted that:

“A variety of domestic and international human rights groups operated throughout the country. Some of those investigating government corruption and human rights abuses alleged government interference in their activities throughout the year.

“More than 350 domestic NGOs operated in the country. An estimated 100 NGOs worked on human rights issues, although only a few were considered effective. Local NGOs actively promoted and defended human rights during the year by documenting prison conditions, protesting forced evictions, providing free legal counsel, lobbying government officials, and publishing investigative reports.

“The Law of Association requires NGOs to specify their mandate and areas of activity. The government used this provision to prevent or discourage established NGOs from engaging in certain activities, especially those that were politically sensitive or related to election issues. Six NGOs did not have a registry certificate. Government officials threatened to ban those NGOs it determined to be operating outside their mandate or not effectively working on the specific issues they were created to address; no NGOs were banned during the year.

“The government arrested and harassed NGO workers. In September the director of SOS Habitat reported continued harassment and intimidation by security forces in Luanda, allegedly over his vocal opposition to housing demolitions.

“The government also criticized domestic and international NGOs. In 2007 the director of the Humanitarian Assistance Technical Coordination Unit, the government agency that oversees NGOs, alleged that certain local NGOs and international NGOs such as Search for Common Ground, the National Democratic Institute, and the International Republican Institute had instigated public discontent and disobedience, operated outside of legal parameters, and illegally involved themselves in political activities. The director also accused the organizations of not being legally registered. However, the government took no action against these NGOs.

“...problems with governmental delays in processing registration applications for NGOs continued. The AJPD, which continued to operate under a clause in the registration law that automatically grants legal operating status if authorities do not reject a group's application within 80 days, remained unregistered, and its request to register remained with the Supreme Court at year's end. Despite the lack of certification, the AJPD continued to work closely with some ministries, including in the expansion of its human rights training program with the National Police.” **[2a] (Section 5)**

- 16.02 Regarding the presence of international NGOs in Angola, the United States State Department *2009 Country Report on Human Rights Practices on Angola*, stated that:

“More than 100 international NGOs operated in the country. The government did not refuse visas to international NGO observers or otherwise restrict their access to the country.

“Several international human rights organizations maintained a permanent presence in the country, including the ICRC. The government cooperated with international governmental organizations and permitted visits by UN representatives; however, in May 2008 the UNHRO closed its office following a government decision not to grant a full mandate to the office. The government had earlier requested a UNHRO presence in Luanda to contend with war-related human rights abuses, but the government claimed after six years of peace it had sufficient institutional capacity to address the issues independently. The decision to close the office directly contradicted government commitments to work more closely with the UNHRO, made when Angola won a three-year term on the UN Human Rights Council in 2007.” **[2a] (Section 5)**

16.03 The Human Rights Watch *2010 World Report* noted that:

“The environment for human rights defenders remains restricted. Threats by government officials in 2007 to ban several national and international civil society organizations have not materialized, and the government's long-announced review of the legislation concerning civil society organizations has remained pending. However, some of the most outspoken human rights organizations have continued to struggle with unresolved lawsuits against banning orders and threats. An appeal against the 2006 Cabinda provincial court ruling banning the civic association Mpalabanda is still pending in the Supreme Court. Legal proceedings to ban the Association Justice Peace and Democracy (AJPD), going back to a lawsuit initiated in 2003, have not seen any development since the Supreme Court took charge of the case in May 2009.

“In August [2009] the coordinator of the housing rights organization SOS Habitat, Luiz Araújo, claimed to have been subjected to intense surveillance and an assault attempt against his office premises and his life.” [12a]

16.04 Human Rights Watch reported in June 2010 that three human rights advocates had been arrested by the police following an attack on 8 January 2010 in Cabinda on Togolese footballers. FLEC claimed responsibility for the attack. They were named as Father Raúl Tati, a Catholic priest; Francisco Luemba, a lawyer; and Belchior Lanso Tati, a university professor. The report stated that the criminal court in Cabinda, under state security laws, would be prosecuting the three men. They were charged with unspecified “other crimes against the security of the state.” Their indictment is based on documents in their possession - including public documents and private notes - and their participation in an allegedly “illegal” meeting with FLEC officials last year. [12d]

See also [Recent developments](#)

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17. CORRUPTION

17.01 In its 2009 Corruption Perceptions Index (CPI), published in November 2009, Transparency International ranked Angola at 162 out of 180 countries, giving it a CPI score of 1.9. The CPI defines corruption as the abuse of public office for private gain, and measures the degree to which corruption is perceived to exist among a country's public officials and politicians. The CPI is a composite index that draws on multiple expert opinion surveys. The CPI scores range from 10 (low level of corruption) to 0 (high level of corruption). [14]

17.02 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, noted that:

“The law provides criminal penalties for official corruption; however, the government did not implement these laws effectively, and local and international NGOs and media sources reported that officials engaged in corrupt practices with impunity. The Tribunal de Contas was the government agency responsible for combating government corruption; however, the DNIC also investigated some cases.

“The World Bank's Worldwide Governance Indicators reflected that corruption was a severe problem.

“Government corruption was widespread, and accountability was limited due to a lack of checks and balances, lack of institutional capacity, and a culture of impunity. Despite the widespread perception that government corruption at all levels was endemic, public prosecutions were rare. However, at year's end, the former director of immigration and foreigners, along with six other senior Ministry of Interior officials, were on trial for corruption.

“...the business climate continued to favor those connected to the government. Government ministers and other high-level officials commonly and openly owned interests in companies regulated by or doing business with their respective ministries. There were no laws or regulations regarding conflict of interest. Petty corruption among police, teachers, and other government employees was widespread. There were credible reports of high-level officials receiving substantial kickbacks from private companies awarded government contracts.” [2a] (Section 4)

- 17.03 The *Freedom in the World 2010* report, published by Freedom House on 3 May 2010, noted that:

“Corruption and patronage are endemic in the government, and bribery often underpins business activity. Business regulations are reportedly outdated and poorly implemented, and state budget-making and spending processes have been criticized for extreme opacity and other weaknesses. In November 2009, President Jose Eduardo dos Santos called for a crackdown on corruption, alleging that MPLA members had squandered large portions of the country's oil revenues; the president himself is alleged to be one the country's richest men.” [13]

- 17.04 The Human Rights Watch *Transparency and Accountability in Angola* report, published in April 2010, noted that:

“The scale of corruption and mismanagement in Angola has been immense. Human Rights Watch and others have previously documented how, while Angola's development indicators remained among the worst in the world, billions of dollars in oil revenues illegally bypassed Angola's central bank and disappeared without explanation. For example, from 1997 to 2002, approximately US\$4.2 billion disappeared from government coffers, roughly equal to all foreign and domestic social and humanitarian spending in Angola over that same period. While millions of impoverished and war-ravaged Angolans went without access to hospitals or schools, billions of dollars were squandered that could have gone to providing necessary social services.

“...the government has taken some steps to reform since the civil war ended in 2002. It now publishes timely accounts of oil revenues; it has instituted a financial management system to track government expenditures; it has audited the powerful state-owned oil company; and the president has recently launched a forceful public condemnation of government corruption.

“But basic indicators of development, especially when contrasted with those on corruption, do not suggest improvements commensurate to a 1,000 percent increase in the country’s GDP in a little over a decade. There have been improvements in the country, such as rebuilt infrastructure, but its human development indicators have been dismal.” [12c]

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18. FREEDOM OF RELIGION

OVERVIEW

- 18.01 The United States State Department *2009 International Religious Freedom Report on Angola*, published on 26 October 2009, covering events between 1 July 2008 and 30 June 2009, stated:

“The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

“...the Government generally respected religious freedom in practice, although it made registration difficult for minority religious groups. There was no change in the status of respect for religious freedom by the Government during the reporting period...the Government requires religious groups to petition for legal status with the Ministries of Justice and Culture. Legal status gives religious groups the right to act as juridical persons in the court system, secures their standing as officially registered religious groups, and allows them to construct schools and churches. Groups must provide general background information and have at least 100,000 adult adherents to qualify for registration. This high membership threshold poses a barrier to registration and the accompanying benefits of legal status.

“...more than 800 other religious organizations, many of which are Congolese or Brazilian-based Christian evangelical groups, had registration applications pending with the [National Institute for Religious Affairs] INAR, which did not process them, as the groups failed to demonstrate that they had at least 100,000 members. Nonetheless, the Government did not bar the activities of these groups.” [2c]

- 18.02 A March 2008 report produced by the United Nations Special Rapporteur on freedom of religion and belief, submitted to the United Nations Human Rights Council, stated:

“Law no. 2/04 on freedom of religion, conscience and worship revoked executive decree 46/91. The law defines religious worship (article 2) and clarifies the notion of secularism and equality of treatment which involve a clear separation between the state and religious institutions. All religious institutions are to be treated equally (article 3). The law also provides that freedom of conscience includes the right to have a religion or none and to change religion (article 4). The law recognizes the principle of non-discrimination because of religious belief in employment (article 5). It provides that the exercise of religion is lawful and that there is no requirement for official authorization except when practicing a religion in places of worship which could disturb the public order and social peace (article 6 (2)). According

to the law, the Government Ministries in charge of the question of religion are the Ministries of Culture and Justice.

“Colonial-era legislation bans all non-Christian religious groups from Angola. Whilst this legislation has not been repealed, it is no longer enforced. However, in March 2004, the Minister of Justice warned that these laws could still be enforced against any radical groups advocating terrorism or public disturbances. [35c] (p5-6)

“...the process of formal recognition of religious institutions in Angola began with the publication of Executive Decree no. 9/87 which conferred legal personality on twelve churches. Pursuant to a subsequent legal amendment introduced by Executive Decree 46/91 religious institutions were required to submit a series of documents for their official recognition. The requirements were again amended by Article 9 of Law no. 2/04 on freedom of religion, conscience and worship which established strict criteria for registration of religious organizations.

“Legal status enables religious groups to act as juridical persons in the court system; it entitles religious communities to build places of worship, exempts religious communities from customs duties, entitles the community to open bank accounts, secures their standing as officially registered denominations and means that such communities can be fully fledged partners with the Government. The Special Rapporteur notes the existence of some confusion amongst elements of the authorities and media as to the legal consequences of not being registered. For example at a meeting held on 23 November 2007, the Police Commander of Cabinda asserted that unregistered religious associations were in effect illegal.” [35c] (p7-8)

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RELIGIOUS DEMOGRAPHY

- 18.03 Regarding the religious demography of Angola, the United States State Department *2009 International Religious Freedom Report on Angola* stated that:

“The majority of the population is Christian and Roman Catholics are the largest religious group. The Catholic Church estimates that 55 percent of the population is Catholic, while the Government estimates 70 percent; neither figure could be independently verified. Data from the National Institute for Religious Affairs (INAR) indicate that 25 percent of the population adheres to African Christian denominations; 10 percent follows Protestant traditions, including Methodist, Baptist, Adventist, Congregationalist (United Church of Christ), and Assemblies of God; and 5 percent belongs to Brazilian evangelical churches. A small portion of the rural population practices animism or indigenous religious beliefs. There is a small Muslim community, unofficially estimated at 80,000 to 90,000 adherents, perhaps one-half of whom are migrants from West Africa or of Lebanese origin.” [2c]

- 18.04 The March 2008 report produced by the United Nations Special Rapporteur on freedom of religion and belief, submitted to the United Nations Human Rights Council, stated:

“Precise figures for membership of the different religious faiths are not available due to the fact that the last census was held in 1970 and also the volatility of the population movements. The current population has been estimated as 15.5 million. Christianity is the religion of the vast majority of the population, with Roman Catholicism as the largest single denomination with approximately 55 per cent of the population. The major Protestant denominations are also present, along with a number of Brazilian and indigenous African Christian denominations. The largest Protestant denominations, which include Methodists, Baptists, Evangelicals, Anglicans and Pentecostals, claimed to be represented by approximately 30 per cent of the population. Syncretic religious groups exist, the largest of which was the Kimbanguist Church, whose followers believe that mid-twentieth century Congolese pastor Joseph Kimbangu was a prophet. There are no precise figures of the number of Muslims in Angola although one estimate reports that 2.5 per cent of the population are Muslims. The Ministry of Justice currently recognizes 85 religious denominations.” [35c] (p6-7)

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DISCRIMINATION AND SOCIETAL ABUSES

- 18.05 The United States State Department *2009 International Religious Freedom Report on Angola* stated that:

“There were isolated reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

“Public attitudes toward Islam were generally negative. Cultural differences between native Angolans and Muslim West African immigrants were cited as a basis for negative views toward Islam, as was the perceived link between Islam and illegal immigration.

“Governmental agencies, church groups, and civil society organizations continued campaigns against indigenous religious practices that involve shamans, animal sacrifices, or ‘witchcraft.’ The stated goal of these campaigns was to discourage abusive practices, in particular exorcism rituals, which included willful neglect or physical abuse. In October 2008 police closed two African Christian churches in Luanda and Cabinda following allegations that the churches’ spiritual leaders detained and mistreated approximately 40 children.” [2c]

- 18.06 The March 2008 report produced by the United Nations Special Rapporteur on freedom of religion and belief, submitted to the United Nations Human Rights Council, stated:

“A number of Christian groups as well as the Muslim community in Angola have not been granted recognition to date, despite having submitted several applications for registration. The Muslim community which has still not been legally recognized submitted a second request for legal status in March 2006,

since the first application submitted in 2004 was according to the authorities improperly prepared. The Special Rapporteur was informed that efforts were made by the Ministry of Culture and the Ministry of Justice in early 2007 to try to unify the Muslim community in order to assist the latter with its application for registration, although no decision on the application was reported to have been received by the end of 2007. Other religious minorities have no chance of recognition according to current registration requirements.” [35c] (p7)

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19. ETHNIC GROUPS

- 19.01 The United States State Department *Background Note on Angola* (22 March 2010 version) states that:

“Estimates of Angola's population vary, as there has been no census since 1970, but it is generally estimated at 17 million. Angola has three main ethnic groups, each speaking a Bantu language: Umbundu 37%, Kimbundu 25%, and Kikongo 13%. Other groups include Chokwe, Lunda, Ganguela, Nhaneca-Humbe, Ambo, Herero, and Xindunga. In addition, mixed racial (European and African) people amount to about 2%, with a small (1%) population of whites, mainly ethnic Portuguese. Portuguese make up the largest non-Angolan population, with at least 30,000 (though many native-born Angolans can claim Portuguese nationality under Portuguese law). Portuguese is both the official and predominant language.” [2b]

- 19.02 According to a Minorities at Risk Project study entitled *Assessment for Cabinda in Angola*, undertaken in 2000:

“The Cabinda people are concentrated in the Cabinda province, which is separated from the rest of Angola by a strip of land belonging to the Democratic Republic of Congo. It is bordered to the North by Congo and to the West by the Atlantic Ocean. The Cabinda people are thus physically isolated from other people in Angola. The Bakongo ethnic group makes up the majority in Cabinda and is also found in the rest of Angola. The Mayombe ethnic group lives in the mountain forests of Eastern Cabinda and is a small minority in the province. The Bakongo speak Kikongo and the Mayombe speak a closely related dialect of Kikongo. Unlike the majority of Angolans, people in Cabinda are predominately Roman Catholic.” [31]

See also [Cabinda province](#) and [Human rights abuses committed in Cabinda](#)

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20. LESBIAN, GAY, BISEXUAL AND TRANSGENDER (LGBT) PERSONS

Users are advised to read section on Women in considering the position of lesbians, bi-sexual women and transgender persons

LEGAL STATUS

20.01 The International Lesbian and Gay Association (ILGA) publication, *State-sponsored Homophobia: A world survey of laws prohibiting same sex activity between consenting adults* (updated May 2010 version), noted that same-sex male and same-sex female sexual relationships are illegal in Angola. [15]. A report, dated 7 June 2010, published by the “Behind the Mask” gay rights NGO, stated that “homosexual acts are criminalised in Angola as ‘an offense against public morality’”, and that the “penalty for ‘repeat offenders’ is to be sentenced to a labour camp.” [45]. In contrast, the United States State Department *2009 Country Report on Human Rights Practices on Angola*, dated 11 March 2010, stated that “the law does not criminalize homosexuality or sodomy although discussing homosexuality in society was highly taboo.” [2a] (section 6)

20.02 Further information on the subject was provided in a November 2009 report by the United Nations Human Rights Council, containing information submitted by NGOs and regional intergovernmental bodies:

“A joint submission by five organizations (JS2) [association of gay rights NGOs] reported that Angola maintains criminal sanctions against homosexual activity between consenting adults, imposing security measures against people who habitually practice acts ‘against the order of nature’, and stating that such people shall be sent to labour camps. JS2 recommended that Angola bring its legislation into conformity with its international human rights obligations by repealing all provisions which criminalize sexual activity between consenting adults of the same sex.” [35b] (p5)

SOCIETAL ATTITUDES

20.03 United Nations IRIN published a report on 19 June 2008 about an unofficial gay wedding ceremony, which indicated that there is widespread societal hostility towards gay men:

“It was a wedding that pulled out all the stops, including a party at the Marine Club on the island of Luanda and a five-star nuptial night at the Hotel Presidente Meridien.

“The ceremony didn’t go unnoticed by Angola’s newspapers. ‘Shameless,’ screamed the cover of one of the country’s weekly news magazines. ‘Abominable,’ read the headline of another.

“Angolan couple, Bruna and Chano paid a high price for making their homosexual relationship public.

“The two young men met when they were both living in the Luanda neighbourhood of Bês. After seeing each other for three and a half years, they decided to hold a ceremony to make their relationship feel official, although doing so legally was not an option.

“On May 6, 2005, 21-year-old Aleksander Gregório (Chano), and 23-year-old Bruno, better known as Bruna, signed a letter of commitment in the presence of a retired notary.

“All aspects of the ceremony were discussed in minute detail in newspapers and café conversation: the fact that Bruna wore a wedding dress, the party’s guest list and, above all, the couple’s sexuality.

“According to Américo Kwanonoka, an anthropologist, ‘Angolan society is not yet prepared to accept homosexuals.’

“The local culture, which is influenced by Christianity, calls for the perpetuation and expansion of the family. Homosexuality is therefore viewed as an affront to the laws of nature, said Kwanonoka.

“Jane Dias, 35, who was born João Dias, has personally felt the effects of such intolerance. ‘I’ve had rocks thrown at me in the street. I used to think I was the only transvestite in Viana [a neighborhood of Luanda],’...not surprisingly, few individuals in Angola are prepared to risk being open about their homosexuality. ‘Many of those who cuss and throw stones at us on the street are the same ones who come knocking at our door at night,’ revealed Dias...social psychologist Carlinhos Zassala explained that many Angolan gays use marriage as a way of avoiding stigma, but once married, continue to have occasional sex with other men...because they are an invisible population, gays are ignored in government AIDS policies, such as the 2007-2010 National Strategic Plan for the Control of Sexually Transmitted Infections, HIV and AIDS.

“A 2007 study carried out by the International Gay and Lesbian Human Rights Commission called ‘Off the Map: How HIV/AIDS Programming is Failing Same-Sex Practicing People in Africa,’ found that gays throughout the continent were excluded from HIV/AIDS programmes.” [29a]

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21. DISABILITY

21.01 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, stated that:

“The law prohibits discrimination against persons with disabilities in employment, education, and access to health care or other state services, but the government did not effectively enforce these prohibitions. Persons with disabilities included more than 80,000 landmine victims. Persons with albinism were common victims of discrimination, although church groups worked to eliminate the abuse. The NGO Handicap International estimated that persons with disabilities constituted 10 percent of the population. There is no legislation mandating accessibility for persons with disabilities to public or private facilities, and it was difficult for such persons to find employment or participate in the education system. MINARS [Ministry of Assistance and Social Reinsertion] maintained an office to address problems facing persons with disabilities, including veterans with disabilities, and several government entities supported programs to assist individuals disabled by landmine

incidents. During the September 2008 election, the government provided voting assistance to persons with disabilities.” [2a] (Section 6)

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22. WOMEN

OVERVIEW

- 22.01 The Social Institutions and Gender Index, undated (accessed on 5 July 2010), noted that:

“The Constitution of Angola provides for equal rights for men and women. In addition, the government created a Secretariat of State for the Promotion and Development of Women in 1991. This secretariat was reinstated as the Ministry of Family and Promotion of Women in 1997 and remains the primary government agency responsible for implementing policies to support equal rights for women.

“The actual situation of Angolan women is difficult due to general poverty, displacement and patriarchal norms. The civil war, which lasted 27 years before ending in 2002, left many women widowed and the sole providers of income for themselves and their families. As a result, women have been forced to take on greater responsibilities in all areas of society, including those traditionally dominated by men. Some customary laws still hinder women in their efforts to gain economic independence.

“From a legal or institutional perspective, women in Angola have a high degree of civil liberty. There are no restrictions on freedom of movement, but their ability to move freely is hampered considerably by security concerns. Angolan women have freedom of dress.” [20]

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LEGAL RIGHTS

- 22.02 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, noted that:

“Under the constitution and law, women enjoy the same rights as men; however, societal discrimination against women remained a serious problem, particularly in rural areas. There were no effective mechanisms to enforce child support laws, and women generally bore the major responsibility for raising children. In addition the ministries of labor and health published an executive decree that listed the types of jobs prohibited to women.

“The law provides for equal pay for equal work; however, women generally held low-level positions in state-run industries and in the private sector, or worked in the informal sector. The government, in an interministerial effort spearheaded by the MINFAMU [The Ministry of Family and Promotion of Women], undertook multiple information campaigns on women's rights and

domestic abuse and hosted national, provincial, and municipal workshops and training sessions during the year.” [2a] (Section 6)

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POLITICAL RIGHTS

22.03 According to the Inter-Parliamentary Union, Angolan women were given the right to vote in political elections in 1975. [21b]. The Electoral Institute for the Sustainability of Democracy in Africa noted that, as of March 2009, a total of 82 of the 220 seats in the National Assembly were held by women, following the September 2008 elections. [25]

22.04 An Inter Press Service report, published on 18 June 2010, noted that women were represented in the government and ruling party, but were under-represented in the opposition political parties:

“Araújo [first female independent presidential candidate], is the first Angolan woman to set her sights on the country's top job, held for the last 30 years by the same man, Jose Eduardo dos Santos.

“While the ruling Popular Movement for the Liberation of Angola (MPLA) has more than 70 women among its 191 members of parliament, and several female ministers in government, there are few high profile women in opposition.

“The second biggest party the National Union for the Total Independence of Angola (UNITA) has 16 seats in the National Assembly, of which four are held by women. The remaining three opposition parties, sharing 12 seats between them, have no women in parliament.

“...despite the large presence of women in parliament, the mass membership of the women's wing of the MPLA, Organisation of Angolan Women (OMA) and the work of the ministry of women and family, Araújo does not believe enough is being done to help women.” [23b]

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SOCIAL AND ECONOMIC RIGHTS

22.05 The Social Institutions and Gender Index [undated], (accessed on 5 July 2010), noted that:

“Women in Angola have a relatively low level of legal protection in relation to family matters. The legal age of marriage in Angola is 18 years for both sexes, however early marriage is relatively common. With parental consent – and only if considered to be in the best interest of the minor – girls can be married at the age of 15 and boys at the age of 16. A 2004 United Nations report estimated 36 per cent of girls between 15 and 19 years were married, divorced or widowed.

“The Family Code establishes equality between men and women within the family: both spouses have the same rights and are subject to the same duties. These principles extend to matters of parental authority. In reality, it appears that in his traditional role as head of the household, a father has more rights whereas a mother has more duties. Laws on child support are poorly enforced in Angola.

“The International Fund for Agricultural Development (IFAD) reports that, according to inheritance law, Angolan women are entitled to 50 per cent of a deceased husband’s estate. However, the division of property usually benefits male relatives of the deceased, leaving widows in a particularly vulnerable position.

“...Angolan women have very little formal support in regards to obtaining a degree of financial independence. The law gives women and men equal access to land. However, land distribution follows traditional rules that treat men more favourably. In addition, women’s rights to use land are often overlooked when previously displaced people are re-settled in rural areas.

“Access to property other than land depends, to a large extent, on whether a woman is married, and under which regime the marriage is recognised. The ‘acquired (estates) community regime’ deems goods and financial resources acquired during the marriage as common property, and gives each spouse a limited right to independently administer his or her assets. Under the ‘estates separation regime’, each spouse can freely administer his or her own assets.

“According to the Commercial Code, married women must have the authorization of their husband in order to run businesses. The Committee on the Elimination of Discrimination against Women (CEDAW) reports that it appears the more recent Constitution effectively revokes this provision and gives women the legal right to engage in various kinds of contracts, to own and manage property, and to open bank accounts. At the time of publication, no data were available on women’s access to bank loans.” [20]

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VIOLENCE AGAINST WOMEN

22.06 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, noted that:

“Domestic violence against women, including spousal abuse, was common and pervasive, particularly in urban areas. Domestic violence is not illegal; however, the government occasionally prosecuted it under rape, assault, and battery laws. A 2007 preliminary study on domestic violence in Luanda indicated that 78 percent of women had experienced some form of violence since the age of 15. Twenty-seven percent of women reported abuse in the 12 months preceding the study; among women living in the poor outskirts of Luanda, 62 percent reported abuse in the same time period. During the year police recorded 831 cases of domestic violence. The Ministry of Family and Promotion of Women (MINFAMU) registered 283 cases of domestic violence for 2008. Common-law husbands or boyfriends perpetrated the majority of

violence. The MINFAMU maintained a program with the Angolan Bar Association to give free legal assistance to abused women; the ministry maintained counseling centers to help families cope with domestic abuse. Statistics on prosecutions for violence against women under these laws during the year were not available.” [2a] (Section 6)

- 22.07 The Social Institutions and Gender Index [undated], (accessed on 5 July 2010), noted that:

“Protection of Angolan women’s physical integrity is weak. The prevalence of violence against women is high, and can be attributed to several factors. Customary law gives men certain rights to exercise authority over their wives and daughters. To date, the Angolan government has not enacted specific legislation to protect women from domestic and sexual violence. Many women remain unaware of their rights and victims of violence are socially stigmatised. For example, victims of sexual abuse may have difficulties regaining respect and finding someone willing to marry them. As a result, women rarely report assaults or rapes to the authorities.” [20]

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Rape

- 22.08 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, noted that:

“Rape, including spousal rape, is illegal and punishable by up to eight years’ imprisonment; however, limited investigative resources, poor forensic capabilities, and an ineffective judicial system prevented prosecution of most cases. The Organization of Angolan Women operated a shelter in Luanda that offered special services for rape victims. From January to June, the police commissioner in Luanda estimated that 10 cases of rape occurred daily nationwide, 40 percent in Luanda. In 2007 reports indicated that 350 rapes occurred in the capital. The Ministry of Justice worked with the Ministry of Interior to increase the number of female police officers and to improve police response to rape allegations. The government also instituted mass public campaigns against gender violence.” [2a] (Section 6)

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Female genital mutilation (FGM)

- 22.09 The Social Institutions and Gender Index [undated] (accessed on 5 July 2010), reports that “female genital mutilation is not a general practice in Angola, but rare occurrences in remote areas have been reported in recent years.” [20]. According to an Inter-Parliamentary Union report on FGM, “female genital mutilation is reportedly not practised in Angola. However, the IPU has no first-hand official information on this subject”, and regarding national legislation, “the IPU has no information on the existence of specific legislation.” [21a]

- 22.10 The *Afrol Gender Profile on Angola* (accessed on 23 August 2010) stated that “there has been very little evidence of FGM. There were rare occurrences in remote areas of Moxico province, bordering the Democratic Republic of Congo and Zambia in past years; however, information from local and international health workers, including midwives, indicated that indigenous groups do not practice FGM.” [44]

For more information on women’s issues, refer to the following Internet weblinks:

[http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/A.59.38\(SUPP\)paras.133-171.En?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/A.59.38(SUPP)paras.133-171.En?Opendocument)

http://www.afrol.com/Categories/Women/profiles/angola_women.htm

<http://www.afriquejet.com/news/africa-news/angolan-women-target-50%1050-representation-at-decision-making-levels-2010022544754.html>

<http://www.oikoumene.org/en/news/news-management/eng/a/browse/24/article/1634/angolan-women-still-face.html>

http://www.wageindicator.org/documents/dfi-country-reports/Decisions_for_life-Country_Report-Angola.pdf

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23. CHILDREN

OVERVIEW

- 23.01 A *Voice of America* news report, dated 17 June 2010, about Angolan children, stated:

“A national survey conducted jointly by the United Nations Children’s Fund and the government of Angola shows a mixed bag of progress in health and essential services for children since Angola’s long-running civil war ended in 2002.

“The survey shows Angola has made good progress in five of the eight Millennium Development Goals. UNICEF Angola Representative, Koen Vanormelingen, says malnutrition rates have gone down, more Angolan children are enrolled in primary school than ever before and almost as many girls as boys are going to school.

“He says child survival has improved by almost 20 percent and the proportion of child deaths due to malaria has gone down from 35 to 23 percent.

“ ‘There is emerging data now that thanks to consistent economic growth of more than seven percent per year since 2002 and to tremendous efforts and investments of the government in rehabilitation and revitalization, plus a consistent 30 percent of the budget for the social sector, there seems to be now the first data coming out that there is an improvement,’ he said.” [34]

- 23.02 According to a survey carried out by the Yale Law School (United States) in 2005, “Angola ratified the UN Convention on the Rights of the Child (CRC) in December 1990 (submitting its first report to the UN Committee on the Rights of the Child only in August 2004) and ratified the African Charter on the Rights and Welfare of the Child (ACC) in April 1992.” [18]

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Basic legal information

- 23.03 According to the 2010 Angolan Constitution, the legal age of majority in Angola is 18. [19]. The United States State Department *2009 Country Report on Human Rights Practices on Angola* noted that the “legal minimum age for apprenticeship is 14 years, and 18 for full employment. Children between the ages of 14 and 18 may not work at night, in dangerous conditions, or in occupations requiring great physical effort, and children younger than 16 are prohibited from factory work; however, these provisions rarely were enforced”. [2a] (Section 7). According to the Social Institutions and Gender Index (accessed on 5 July 2010), “the legal age of marriage in Angola is 18 years for both sexes, however early marriage is relatively common. With parental consent - and only if considered to be in the best interest of the minor - girls can be married at the age of 15 and boys at the age of 16.” [20]. According to the CIA *World Factbook*, the minimum voting age is 18. [3]. As regards recruitment into the armed forces, the Child Soldiers *Global Report 2008* stated that “Decree No. 40/96 of 13 December 1996, on the application of military service, established a minimum age of 18 for the voluntary recruitment of men.” [8]

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LEGAL RIGHTS

- 23.04 Article 35 (5)(6)(7) of the Angolan Constitution provides details of the legal rights of children but only in general terms:

“Children shall be equal before the law and any discrimination or the use of any discriminatory nomenclature with regard to filiation shall be prohibited.

“It shall be an absolute priority of the family, the state and society to protect the rights of the child, namely their full and balanced upbringing, health care, education and living conditions.

“The state, in collaboration with the family and society, shall promote the full and balanced development of young people and adolescents, and the creation of conditions for the fulfilment of their political, economic, social and cultural rights and shall foster youth organizations established for economic, cultural, artistic, recreational, sporting, environmental, scientific, educational, patriotic and international youth exchange purposes.” [19]

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VIOLENCE AGAINST CHILDREN

- 23.05 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, noted that:

“Child abuse was widespread. Reports of physical abuse within the family were commonplace, and local officials largely tolerated abuse. In November 2008, 40 children were rescued from religious rituals of torture. In 2007 the government created the National Children's Council, an interministerial commission designed to define priorities and coordinate the government's policies to combat all forms of violence against children, including unlawful child labor, trafficking, and sexual exploitation. In 2007 INAC [National Institute for Children] inaugurated a child protection network for Luanda Province.

“During the year [2009] abuse of children accused of witchcraft continued to be a problem. In October 2008 the government closed three Luanda churches when neighbors reported abuse of children accused of witchcraft. Children accused of witchcraft were subject to abuses such as isolation from their families, denial of food and water, or ritualistic cuttings and the placing of various caustic oils or peppers on their eyes or ears. Persons sometimes killed children during ‘exorcism’ rituals. Most cases of abuse relating to traditional beliefs occurred in Luanda, Uige, and Zaire provinces. Vulnerable children, such as orphans or those without access to health care or education, were more likely to be victims of practices involving witchcraft. Government and religious leaders called for an end to these practices, but the influence of these traditional beliefs remained strong.” [2a] (Section 6)

- 23.06 A March 2008 report produced by the United Nations Special Rapporteur on freedom of religion and belief, submitted to the United Nations Human Rights Council, stated:

“Whilst not a phenomenon reported throughout the country, children accused of witchcraft are a cause for concern, given the violent, sometimes lethal retribution meted out to them by the community. This preoccupation is fomented by the tendency for the accusations of witchcraft to fall on children who are already in a situation of need and vulnerability. After a child accused of witchcraft was stabbed to death in 2000, Government officials and Save the Children Fund rounded up 432 street children and reintegrated 380 of them with relatives. Eleven churches were reportedly shut down because of reports of child exploitation and abuse and eight Congolese pastors were expelled from Angola. Committees on the Protection of Children set up in 2002 in Zaire Province have been regarded as effective in sensitizing and educating pastors, ultimately converting them into defenders of the rights of the child, controlling violence against children and diminishing the need for sanctions against churches that use violence as part of treatments against witchcraft. It has been reported that the number of children who are mistreated or abandoned in the province has substantially reduced.

“The Special Rapporteur interviewed ten such children from Christian and Muslim backgrounds now living in a centre for street children in Luanda. All had been accused of being witches by their parents or relatives. The vast majority were taken to pastors, witchdoctors or traditional healers to be ‘cured’. Such treatment included being effectively detained, frequently for lengthy periods, in one case for two years. The treatment often included

having cooking oil poured into their eyes at night-time to prevent escape, and frequently being starved, sometimes for a week at a time. One of the children was subjected to death threats and reports were received that sometimes children are injected with poison. The Special Rapporteur subsequently visited a nearby house of worship in Luanda where children are sent to be 'treated'. While she was not able to meet the pastor there, she spoke with an elderly lady present who confirmed that the children observed there were witches and they had now been 'cured'." [35c] (p14-15)

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CHILD LABOUR

23.07 The United States State Department *2009 Country Report on Human Rights Practices on Angola*, noted that:

"Child labor in the formal sector was restricted under the law; however, child labor, especially in the informal sector, remained a problem. The legal minimum age for apprenticeship is 14 years, and 18 for full employment. Children between the ages of 14 and 18 may not work at night, in dangerous conditions, or in occupations requiring great physical effort, and children younger than 16 are prohibited from factory work; however, these provisions rarely were enforced. In 2007 in Kwanza Sul Province, independent newspaper journalists found children as young as age 10 working full-time on a plantation; they did not attend school and stated that they were often paid with food. The local manager was fired, but no charges were filed against the local or general managers.

"Most work done by children was in the informal sector. Children engaged in wage-earning activities such as agricultural labor on family farms and commercial plantations, charcoal production, domestic labor and street vending. Exploitive labor practices included forced prostitution, involvement in the sale or transport of illegal drugs, and the offloading and transport of goods in ports and across border posts. Children reportedly were used as couriers in the cross-border trade with Namibia.

"...in practice neither the Labor Code nor the judicial system was capable of ensuring protection of labor rights.

"Mechanisms were in place to investigate and prosecute, but the court system was overextended and resources for family or children's affairs courts were limited. The government lacked the capacity to oversee the much larger informal sector. There was no formal procedure for inspections and investigations of child labor abuses outside of the family law system, although private persons can file accusations of violations of child labor laws.

"The government, through INAC [National Institute for Children], worked to create, train, and strengthen child protection networks at the provincial and municipal level in all 18 provinces. The networks reported cases in which they successfully identified and removed children from exploitative work situations, but no mechanism existed to track cases or provide statistics. The government also dedicated resources to the expansion of educational opportunities for children." [2a] (Section 7d)

See also Children subsection: [Basic legal information](#) and the [Employment rights](#) and [Trafficking](#) sections

For more information on children's issues, refer to these Internet weblinks:

http://www.unicef.org/infobycountry/angola_502.html

<http://www.unicef.org/rightsite/sowc/>

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EDUCATION

- 23.08 The United States State Department *2009 Country Report on Human Rights Practices on Angola* noted that:

“Education is free and compulsory for documented children until the sixth grade, but students often had significant additional expenses. The Ministry of Education had insufficient resources, and educational infrastructure remained in disrepair. There were insufficient schools and teachers to provide universal primary education. The Ministry of Education estimated an 85-90 percent primary enrollment rate during the year. An estimated 30 percent of eligible children were enrolled at the secondary level.

“Children in rural areas generally lacked access to secondary education, and seats were often insufficient even in provincial capitals. There were also reports of families paying bribes to education officials to ensure their child had a seat. According to the UN Educational, Social, and Cultural Organization, enrollment rates were higher for boys than for girls, especially at the secondary level.” [2a] (Section 6)

- 23.09 A United Nations Children's Fund (UNICEF) report published in April 2010 stated that:

“Angola has made strides in education in recent years with more than two million children enrolled in primary school since 2002. But, some 1.2 million children still remain out of school...over the last few years, there has been some progress with more than two million Angolan children enrolled in primary level schooling since 2002. However, only 10 per cent of children receive some form of Early Childhood Education (ECD), prior to enrolling in primary school. Only 54 per cent of those enrolled complete the primary level and therefore, lack necessary work and life skills to be able to contribute to their country's development. Of even greater concern, is the quality of education in schools in Angola, with more than 75 per cent of teachers never having received any relevant training.

“The development of Angola depends heavily on investments in the education sector, including professional training for young generations. The fulfilment of child rights, development, economic diversification and poverty reduction, all depend on the Government of Angola's efforts to put an end to the exclusion of large numbers of children from the education system...despite gains to address these issues, mainly through construction of new classrooms and development of in-teacher training programmes to improve teaching skills,

improvements are still limited. The State Budget allocation to the education sector is only 6.4 per cent of the total budget.” [22]

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HEALTH AND WELFARE

23.10 The United States State Department *2009 Country Report on Human Rights Practices on Angola* noted that “the government provided free medical care for children with identity documents at pediatric hospitals and health posts throughout the country; however, in many areas, health care was limited or nonexistent. Where medical care was available, boys and girls had equal access.” [2a] (Section 6)

23.11 An Inter Press Service News Agency report, published on 29 September 2009, about child mortality noted that:

“Angola is ranked 16th in the world for child mortality. According to the United Nations Children’s Fund (UNICEF), one in six children here die before they reach their fifth birthday - the main causes of death being malaria, respiratory infections, diarrhoea and other infections.

“The ranking, although dire, is at least some improvement from the 2001 count of one in four - which had Angola ranked worst in the world - but there is still some way to go if the country is to reach the 2015 Millennium Development Goal (MDG) of reducing child mortality by two thirds.

“Angola’s high child mortality rates are a direct hangover from the country’s three-decade-long civil war, which ended in 2002...since the end of the war, government has undergone a programme of national reconstruction, literally rebuilding or building from scratch all public services.

“In addition to building new hospitals and clinics, there has been a focus on training community health workers to promote basic household health, such as hand-washing, water treatment and sleeping under a mosquito net.” [23a]

23.12 A United Nations News Service report, dated 15 June 2010, stated that:

“Angola has made considerable strides in achieving more than half of the Millennium Development Goals (MDGs), including those on malnutrition and child health, the United Nations Children’s Fund (UNICEF) announced today.

“The finding is based on preliminary data from the first nationwide survey to collect development indicators since the end of Angola’s long-running civil war.

“UNICEF and the country jointly conducted the first-ever Multiple Indicator Cluster Survey (MICS), which found that progress has been made in five of the eight MDGs: malnutrition; education; gender balance; child survival and malaria; and HIV/AIDS.

“Malnutrition has dropped from 35 to 23 per cent, while school enrolment has surged to 76 per cent.

“Gender parity is close to being achieved in schools, with 98 girls for every 100 boys attending classes.

“Meanwhile, child survival has been on the upswing, improving by nearly 20 per cent, while the proportion of child death due to malaria has fallen to 23 per cent.

“Koen Vanormelingen, UNICEF’s Representative in Angola, told reporters today in Geneva that these improvements are due to the consistent economic growth that the country has experienced since 2002. Also accelerating progress towards reaching the MDGs, which have a 2015 deadline, are the Government’s rehabilitation and revitalization efforts, with 30 per cent of the State budget being earmarked for the social sector.

“But he pointed to some setbacks, especially in maternal mortality, which has not seen the same level of improve[ment] as other areas, mainly because skilled attendance at birth continues to hover just below 48 per cent.

“Also, despite improvements in schools, only 35 per cent of Angolan children finish primary school on time, and there is still a backlog of people who had not been able to receive educations during the 27-year war, which ended in 2002.

“Mr. Vanormelingen also noted that the water and sanitation sector has experienced a step backward, with only 42 per cent of people having access to safe and drinkable water and 60 per cent to basic sanitation.” [24]

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DOCUMENTATION AND NATIONALITY

- 23.13 The United States State Department *2009 Country Report on Human Rights Practices on Angola* noted that:

“Citizenship is derived by birth within the country’s territory or from one’s parents. However, the government does not register all births immediately, and activists reported that many urban and rural children remained undocumented. The government did not permit undocumented children access to the educational system, and fees for birth certificates and identification cards remained prohibitive for impoverished families. Although the official registration drive ended in 2004, the government continued to partner with UNICEF [United Nations Children’s Fund] to identify and assist undocumented children and provided limited subsidies to cover fees for families with proven financial need. The government implemented a previous plan to provide birth certificates in health clinics and maternity wards during the year.” [2a] (Section 6)

- 23.14 According to a December 2009 report submitted by the Angolan government to the Working Group on the Universal Periodical Review of the United Nations Human Rights Council:

“Under article 1 of Act No. 10/85 of 19 October [1985], a citizen’s name is composed of a given name and family names. There is a procedure for birth registration and issuing of personal record books, which are needed to acquire identity cards and which help protect citizens’ identity. At one point, hundreds of thousands of children were deprived of this right and the Government launched two campaigns for the free registration of births covering 658,620

people in 1998 and 2.2 million in 2001. In order to monitor mortality and illness rates, the registration of deaths is free.

“Decree 31/07 of 14 May [2007] exempts children up to the age of 5 years from fee payments and issues identity cards to children from 8 to 11 years. It has enabled registration services to operate in hospitals, maternity clinics, maternal and child health centres and other locations where children are born, as well as municipal and district offices. The system is being extended to communities, so that all children might enjoy this right.

“A child whose father or mother has Angolan nationality, whether born in Angola or abroad, automatically acquires Angolan nationality. This can also be acquired by children who are underage or lack legal capacity with a father or mother who acquires Angolan nationality. Such children are then free to choose another nationality on attaining legal age. Children with no other nationality who are born in Angola, along with those born in Angola of unknown parents, or whose parents are of unknown nationality or stateless, are also entitled to Angolan nationality. There will be further developments for such cases when the new Nationality Act (No. 1/05 of 1 July [2005]), already drafted but awaiting approval by the National Assembly, is passed.” [35a]

For more information on nationality issues, see [Citizenship and nationality](#) section

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24. TRAFFICKING

OVERVIEW

24.01 The United States State Department *Trafficking in Persons Report 2010*, published on 14 June 2010, stated:

“Angola is a source and destination country for men, women, and children subjected to trafficking in persons, specifically conditions of forced prostitution and forced labor. Internally, trafficking victims are forced to labor in agriculture, construction, domestic servitude, and reportedly in artisanal diamond mines. Angolan women and children more often become victims of internal rather than transnational sex trafficking. Women and children are trafficked to South Africa, the Democratic Republic of the Congo (DRC), Namibia, and European nations, primarily Portugal. Traffickers take boys to Namibia for forced labor in cattle herding. Children are also forced to act as couriers in illegal cross-border trade between Namibia and Angola as part of a scheme to skirt import fees. Illegal migrants from the DRC voluntarily enter Angola’s diamond-mining districts, where some are later reportedly subjected to forced labor or prostitution in the mining camps.” [2d]

24.02 An Inter Press Service News Agency report, dated 20 March 2008, stated:

“There is little awareness on the problem of trafficking in persons, mainly women and children, in Angola, and no laws for cracking down on the growing phenomenon.

“Paulino Cunha da Silva, head of cooperation and exchange in the Angolan Interior Ministry, admitted at a workshop held in Luanda Tuesday and Wednesday [18,19 March 2008] that the country lacks laws to fight trafficking in human beings.

“The workshop was sponsored by the International Organisation for Migration (IOM).

“Cunha da Silva recognised that Angola needs to update its legislation and improve its operational actions to get results in the struggle against trafficking of persons, which affects nearly all African states.

“...according to the Angolan official, combating the traffic in human beings requires the full support of the public, as traffickers resort not only to air, sea and land transport routes, but also to the Internet.

“To combat trafficking and reduce the vulnerability of victims, Cunha da Silva said it is essential for states to fulfil the Millennium Development Goals (MDGs) adopted by the United Nations General Assembly, because they are focused on reducing poverty and achieving gender equality, as well as improving access to education, health care and employment.

“...Angola, which was ravaged by 13 years of war for independence against Portugal (1961-1974) and 37 years of civil war (1975-2002), has high proportions of young and extremely poor people in the population, is polarised by social inequality and has vast borders, all of which are contributing factors to the trafficking of persons.

“At the workshop it was concluded that, in many cases, women and children trafficked from Angola are taken to neighbouring Namibia, but that in the African continent overall, South Africa is the largest recipient country.

“The main strategy agreed at the workshop was the creation of new laws and other legal mechanisms, in the absence of which, as in Angola, human trafficking becomes an easy money-making business.

“...Katharina Schnoring, the IOM representative in Angola, told Portuguese correspondents of Lisbon newspapers in the southwestern African nation that the IOM and the Angolan Interior Ministry are working together on a study on trafficking of persons, the conclusions of which are to be released in six months' time.

“There are no precise data about the practice in Angola, but ‘there is evidence,’ and if effective mechanisms are created to combat the crime, there will soon be a clearer idea of its magnitude. ‘Today it is difficult to speak in terms of numbers of victims, because of the very nature of the crime,’ Schnoring said.

“The IOM official emphasised the need to ‘distinguish between victims of human trafficking and illegal immigrants, because a victim of trafficking has no

protection at all.’

“According to the United Nations children’s agency, UNICEF, there is evidence that many Angolan children have been taken to Namibia, where boys and sometimes girls become forced labourers. Many girls are enticed to emigrate with false promises of job opportunities, education or even marriage. “In 2006, the IOM launched a campaign in Angola and neighbouring countries to raise awareness among governments and the population in the region of southwest Africa, linked to an aid programme to combat human trafficking in South Africa, the Democratic Republic of the Congo (DRC), Mozambique, Namibia, Zambia and Zimbabwe.” [23c]

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GOVERNMENT EFFORTS TO TACKLE TRAFFICKING

24.03 The United States State Department *Trafficking in Persons Report 2010* stated:

“The Government of Angola does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government educated the public about the dangers of trafficking in Angola, amended its constitution to specifically prohibit human trafficking, and maintained its level of funding for anti-trafficking activities despite a significant drop in national revenue and subsequent cuts to its national budget. The government took some proactive steps to prevent human trafficking during an international soccer tournament, identified trafficking victims, trained more counter-trafficking investigators and agents, and increased enforcement at key trafficking border crossings. No trafficking offenders, however, were prosecuted, and services for victims remained minimal.

“...Angola does not have a law that specifically prohibits all forms of trafficking in persons, though the new constitution promulgated on February 5, 2010 prohibits the trafficking in humans and organs. The Penal Code has not yet been amended to reflect these provisions in a way which would allow officials to enforce them against trafficking offenders. Articles 390-395 of the Penal Code prohibit forced prostitution and forced or bonded labor, prescribing penalties of two to eight years’ imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses. The government did not report any investigations or prosecutions of trafficking or trafficking-related crimes under these statutes during the year. Statistics on investigations or criminal convictions were not made publicly available. The government strengthened its partnership with IOM, through which it provided for the training of 251 police officers, 359 law enforcement officials, 40 prosecutors, 26 NGOs, and 51 stakeholders in trafficking awareness and effective measures to counter trafficking. At the local level, police and military officials have been implicated in facilitating the illegal entry of foreigners into the diamond-mining provinces of Lunda North and Lunda South, some of whom reportedly become victims of forced labor or prostitution in the mining camps.

“...the Angolan government made modest efforts to prevent trafficking over the reporting period. High-ranking Ministry of Interior (MOI) and other officials

made public statements condemning trafficking and raised awareness of the issue throughout the rating period.” [2d]

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PROTECTION

24.04 The United States State Department *Trafficking in Persons Report 2010* stated:

“During the past year the government sustained modest efforts to ensure that victims of trafficking received access to assistance. The government continued to rely heavily upon religious, civil society, and international organizations to protect and assist victims of trafficking; authorities identified and referred 33 victims of labor trafficking to care providers in the last three months of 2009. NGOs credit this recent increase in the number of identified victims with more public awareness and better reporting, rather than an increase in the occurrence of trafficking in Angola. In partnership with UNICEF, the government’s National Children’s Council (INAC) continued to operate 18 Child Protection Networks (CPNs), which serve as crisis ‘SOS Centers’ for victims of trafficking and other crimes who are between the ages of 9 and 16. There were no apparent victim services available for child victims under the age of nine. The CPNs offered rescue services, health, legal and social assistance, and family reunification. Government personnel referred an unspecified number of suspected victims over the age of 16 to shelters and services provided by the Organization of Angolan Women (OMA), an NGO that receives government support. Law enforcement, immigration, and social services personnel do not have a formal system of proactively identifying victims of trafficking among high-risk persons with whom they come in contact. The government does not offer victims long-term assistance, nor does it offer temporary or permanent residency to foreign victims of trafficking. Draft anti-trafficking legislation currently includes provisions to provide foreign trafficking victims with the same kind of social assistance, residence, and legal protection provided to asylum seekers. Under Angolan law, victims of sex trafficking may bring criminal charges against their traffickers, but may not seek compensation. The law did, however, provide for compensation to victims of forced or bonded labor. Current laws did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution, or relief from prosecution for crimes committed as a direct result of being trafficked.” [2d]

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25. MEDICAL ISSUES

OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

25.01 According to information published in the everyculture.com website (accessed on 6 July 2010), “there are not enough doctors to care for the population. It is estimated that there is only one doctor per 10,000 people, a low ratio even for Africa. Private medical facilities exist, providing a higher standard of medical care.” [26]

25.02 The *Globe and Mail* (Canadian newspaper) published a report on 7 April 2010 about Angola’s poor health care services, and its dependence on foreign doctors, which stated:

“Its rooms are furnished with X-ray machines, gurneys, chairs and pharmacy shelves. The signboards are up. The parking lots are ready. The grounds are immaculately landscaped with flowers and plants.

“Yet the 125-bed hospital in the provincial town of Matala has sat idle since it was finished by Chinese construction workers late last year [2009]. It lacks an electricity connection. It lacks a road to the front door. And most importantly, it lacks staff. Of the 248 staff that the hospital needs, only 44 are available – and they would have to be pulled from existing health posts, leaving clinics elsewhere stretched even thinner than before.

“...this, in a nutshell, is Angola’s dilemma: plenty of money and not enough health care; magnificent new buildings, but no doctors to fill them. Like many other developing nations, it has discovered that oil wealth is not the solution to its problems.

“The figures are stark. Angola’s economy is booming, with annual growth of more than 7 per cent since 2004, and has almost the same proportion of its population in the middle class as China. The government’s annual budget of \$35-billion (U.S.) is one of the biggest in southern Africa. Yet this hasn’t translated into good health. The average Angolan can expect to live only to the age of 42, one of the worst life expectancies in the world.

“...the district around Matala has a population of 230,000, yet it has only a single doctor – a Russian physician named Aydar Nuretdinov who volunteered to serve in Angola because he had always dreamed of working in Africa.

“...in the main clinic in the provincial capital, Lubango, there are no Angolan doctors either. Instead the city is dependent on Cuban doctors who are assigned to Angola under a contract between the two countries.” [27]

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HIV/AIDS – ANTI-RETROVIRAL TREATMENT

25.03 An *Africa Review* report, published on 27 April 2010, stated:

“An estimated 500,000 people in Angola are living with the HIV/Aids virus, representing a prevalence rate of 2.4 per cent, a lobby official has said.

“The Angolan Network of Aids Services Organisations (Anaso) executive secretary António Coelho made the revelations during the National Seminar on Domestic Care to People Living with HIV/Aids.

“Dr Coelho said 28,000 out of the 500,000 infected individuals were receiving anti-retroviral therapy.

“ ‘Luanda, Cabinda and Cunene are the worst hit of the country's 18 provinces with 75 per cent of HIV/Aids cases,’ said Dr Coelho.

“Angola's Government programme for the 2009/2012 period focuses on restructuring the national health system and reducing the HIV/Aids prevalence by three per cent.” [28]

25.04 The United Nations IRIN *AIDS Programmes Country Profile on Angola*, [undated] (accessed on 7 July 2010) stated:

“Political leadership in the response to HIV in Angola is at the highest level. The National Commission to Fight AIDS and other Endemic Diseases (CNLCSGE) is coordinated by the President of the Republic and is composed of 14 line ministries.

“There is a network of nongovernmental organizations, Angola Network of AIDS Service Organizations (ANASO) that coordinates nongovernmental organizations involved in responding to AIDS. There are also other organizations such as Rede Esperança that represent all religious organizations.

“In November 2004, a law on HIV and AIDS was approved, constituting a legal landmark for the strengthening of the national response to the epidemic and clearly spelling out the responsibilities of the State and the different national institutions. Prior to that, in July 2004, the Council of Ministers had approved a Decree with Regulations on HIV/AIDS, Employment and Professional Training.

“Antiretroviral treatment, the designated responsibility of the government, was initiated into the health system in 2004. Coverage is still insufficient though it has gradually improved, as the basic conditions for its implementation are being created. Some support activities for orphans and other vulnerable children, such as placement in schools and providing food and medical assistance, have been implemented - mainly in Luanda - by civil society members with support from UNAIDS.” [29b]

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MENTAL HEALTH

25.05 According to the World Health Organisation Mental Health Atlas 2005:

“Mental health is not a part of [the Angolan] primary health care system. Actual treatment of severe mental disorders is not available at the primary level. There is no facility in the primary level due to the lack of a mental health policy. Regular training of primary care professionals is not carried out in the field of mental health. There are no community care facilities for patients with mental disorders. This inadequacy of community facility is due to lack of training of personnel.

“...the following therapeutic drugs are generally available at the primary health care level of the country: carbamazepine, phenobarbital, phenytoin sodium, amitriptyline, chlorpromazine, diazepam, fluphenazine, haloperidol, lithium. Prices keep on fluctuating depending on the availability of drugs.” [30]

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26. FREEDOM OF MOVEMENT

26.01 The United States State Department *2009 Country Report on Human Rights Practices on Angola* stated that:

“The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation; however, the government at times restricted these rights in practice. The government cooperated with the UN High Commissioner for Refugees (UNHCR), the International Organization for Migration, and other humanitarian organizations in providing protection and assistance to internally displaced persons (IDPs), returning refugees, asylum seekers, and other persons of concern.

“Extortion and harassment at government checkpoints in rural areas, and at provincial and international border checkpoints, interfered with the right to travel. Extortion by police was routine in cities on major commercial routes. The government and private security companies restricted access to designated diamond concessions. Citizens living near concession areas were regularly denied access for any purpose, including obtaining water.”
[2a] (Section 2d)

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27. FOREIGN REFUGEES

- 27.01 The United States State Department *2009 Country Report on Human Rights Practices on Angola* stated that:

“The government is a party to the 1951 UN Convention relating to the Status of Refugees, its 1967 protocol, and the 1969 African Union Convention Governing the Specific Aspects of the Refugee Problem in Africa. The country's laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

“The government provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened. In October [2009] the government and the UNHCR resumed joint efforts to repatriate more than 200,000 refugees remaining outside the country since the civil war.” [2a] (Section 2d)

- 27.02 A BBC News report, dated 13 October 2009, stated that:

“Angola and the Democratic Republic of Congo have agreed to stop deporting each other's citizens after a spate of expulsions left thousands homeless.

“Angolan authorities are struggling to cope with more than 20,000 people expelled from DR Congo in recent days.

“Many had been living there for decades after fleeing Angola's long civil war.

“DR Congo expelled them apparently in retaliation for Angola's regular deportation of thousands of illegal Congolese diamond miners.

“The BBC's Thomas Fessy in Kinshasa says some of the expelled Congolese have reported lootings and rape while they were being forced out of Angola.

“...Congo and Angola have agreed to suspend expulsions from both sides of the border,” DR Congo Information Minister Lambert Mende told the BBC.

“The announcement came after Angola sent a delegation to Kinshasa to try to put an end to the problem.

“Both countries say they have only taken action against illegal migrants.” [6d]

28. CITIZENSHIP AND NATIONALITY

- 28.01 The United States Office of Personnel Management's March 2001 *Citizenship Laws of the World* report, accessed on 5 July 2010, reported the following:

“CITIZENSHIP: Citizenship laws are based upon Law #13/91 dated May 13, 1991.

BY BIRTH: Birth within the Republic of Angola does not automatically confer citizenship. The only exception is a child born in Angola to unknown or stateless parents.

BY DESCENT: Child at least one of whose parents is a citizen of Angola, regardless of the country of birth.

MARRIAGE: A foreign national who marries a citizen of Angola may apply for citizenship after marriage. A foreign spouse who obtains Angolan citizenship upon marriage may keep the citizenship in the event of a divorce or annulment if the marriage was entered into in good faith.

BY NATURALIZATION: Angolan citizenship may be acquired upon fulfillment of the following conditions: Person is of legal age (18), has resided in Angola for at least 10 years collectively, has an established means of support or livelihood, and is capable of integrating into Angolan society.

DUAL CITIZENSHIP: NOT RECOGNIZED. Exception: Child born abroad of Angolan parents, who obtains the nationality of the country of birth, may retain dual citizenship until reaching the age of 18, when one citizenship must be chosen.

LOSS OF CITIZENSHIP:

VOLUNTARY: Voluntary renunciation of Angolan citizenship is permitted by law. Contact the Embassy for details and required paperwork. Proof of new citizenship is required.

INVOLUNTARY: The following are grounds for involuntary loss of Angolan citizenship: Person voluntarily acquires foreign citizenship. Naturalized citizen is convicted of crimes against the State. Naturalized citizen serves in the military of a foreign State. Naturalized citizenship was obtained by fraud or false statements.” [16]

See also [Children - Documentation and nationality](#)

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29. EMPLOYMENT RIGHTS

29.01 The United States State Department *2009 Country Report on Human Rights Practices* stated that:

“The constitution and law provide for the right of workers to form and join independent unions, and workers exercised this right in practice; however, government approval is required.”

“The law allows unions to conduct their activities without government interference, although the government did not protect this right. Labor unions independent of the government-run unions worked to increase their influence, but the ruling MPLA continued to dominate the labor movement due to historical connections between the party and labor.

“Workers have the right to strike, although strict bureaucratic procedures must be followed for a strike to be considered legal, and the government can deny the right to strike or obligate workers to return to work. Unlike in the previous year, there were no strikes in the country. However, in 2007 the government declared some strikes, including those by teachers in Luanda and nurses in

Benguela, illegal. Teachers in Luanda were ordered back to work and threatened with termination if they did not comply .

“...there are no legal restrictions on collective bargaining, but bargaining was restricted in practice. The government is the country's largest employer, and the Ministry of Public Administration, Employment, and Social Security (MAPESS) centrally mandated wages.

“The law prohibits antiunion discrimination and stipulates that worker complaints be adjudicated in labor court. Under the law, employers are required to reinstate workers who have been dismissed for union activities; however, the judicial system did not enforce these provisions.” [2a] (Section 7a)

See also [Children](#) - [Child labour](#)

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Annex A: Chronology of major events

- 1885** Cabinda becomes a protectorate under the Treaty of Simulanbuco. [29c] (United Nations IRIN *Cabinda chronology*, 12 January 2010)
- 1951** Angola's status changes from being a Portuguese colony to an overseas province. [1] (Foreign and Commonwealth Office *Country Profile on Angola*, 25 June 2010)
- 1956** Formation of the Popular Movement for the Liberation of Angola (MPLA). [1] (Foreign and Commonwealth Office *Country Profile on Angola*, 25 June 2010). The Portuguese government creates an administrative union between Cabinda and Angola. [29c] (United Nations IRIN *Cabinda chronology*, 12 January 2010)
- 1958** Formation of the National Front for the Liberation of Angola (FNLA). [1] (Foreign and Commonwealth Office *Country Profile on Angola*, 25 June 2010)
- 1960** Two groups, both seeking independence for Cabinda, are formed - the Movement for the Liberation of the Enclave of Cabinda, and the Alliance of Mayombe. [29c] (United Nations IRIN *Cabinda chronology*, 12 January 2010)
- 1963** The Front for the Liberation of the Enclave of Cabinda (FLEC) is formed, with the aim of achieving independence for the Cabinda province from Portugal. [2b] (United States State Department *Background Note on Angola*, 22 March 2010)
- 1966** Formation of the National Union for the Total Independence of Angola (UNITA). [1] (Foreign and Commonwealth Office *Country Profile on Angola*, 25 June 2010)
- 1967** FLEC creates a government in exile, based in the Democratic Republic of Congo. [29c] (United Nations IRIN *Cabinda chronology*, 12 January 2010)
- 1975** **January:** The Alvor Agreement, in which Cabinda is declared to be “an integral and inalienable part of Angola”, is signed by the Front National pour la Libération de l’Angola (FNLA); the MPLA; and the National Union for the Total Independence of Angola (UNITA). [29c] (United Nations IRIN *Cabinda chronology*, 12 January 2010)
- 11 November:** The Popular Movement for the Liberation of Angola (MPLA) declares Angola’s independence from Portugal. Agostinho Neto becomes Angola’s first president. UNITA Angola’s and the FNLA form a rival coalition government based in the interior city of Huambo. [2b] (United States State Department *Background Note on Angola*, 22 March 2010)
- 1977** FLEC splits. The Military Command for the Liberation of Cabinda claims the task of replacing FLEC and reorganising the movement on a new democratic foundation. [29c] (United Nations IRIN *Cabinda chronology*, 12 January 2010)
- 1979** Neto dies from cancer. José Eduardo dos Santos, Planning Minister, becomes the new president. [2b] (United States State Department *Background Note on Angola*, 22 March 2010)

- 1980-85** Further splits in FLEC with the formation of the Cabinda Enclave Liberation Front - Renewal (FLEC-Renovada), under the leadership of Antonio Bento-Bembe and FLEC-FAC (Armed Forces of Cabinda). [29c] (United Nations IRIN *Cabinda chronology*, 12 January 2010)
- 1981** **May:** Six men are sentenced to death on charges of belonging to FLEC and carrying out bomb attacks against strategic economic targets, schools and hospitals in mainland Angola. [29c] (United Nations IRIN *Cabinda chronology*, 12 January 2010)
- 1985** **February:** A ceasefire is agreed between the MPLA government and FLEC but a formal resolution is not reached. [29c] (United Nations IRIN *Cabinda chronology*, 12 January 2010)
- 1989** Dos Santos and Savimbi agree on a ceasefire which collapses within two months. [38a] (Reuters, *Timeline: Key events in Angola's recent history*, 7 September 2008)
- 1991** **May:** Dos Santos and Savimbi sign a peace deal in Lisbon which results in a new multi-party constitution. [6a] (BBC News *Timeline on Angola*, 11 May 2010). The peace deal was called the Bicesse Accord. [2b] (United States State Department *Background Note on Angola*, 22 March 2010)
- 1992** **September:** Presidential and parliamentary polls are held and are certified by United Nations monitors as being generally free and fair. Dos Santo gains more votes than Savimbi, who rejects results and resumes guerrilla war. [6a] (BBC News *Timeline on Angola*, 11 May 2010).
- 1993** **January:** Civil war resumes between the MPLA and UNITA. [29c] (United Nations IRIN *Cabinda chronology*, 12 January 2010)
- 1994** Lusaka Protocol is signed. [2b] (United States State Department *Background Note on Angola*, 22 March 2010)
- 1998** **March:** UNITA declares its effective demobilisation. The Angolan government legalises the organisation. [38a] (Reuters, *Timeline: Key events in Angola's recent history*, 7 September 2008)
December: Angolan government launches an offensive against UNITA. [38a] (Reuters, *Timeline: Key events in Angola's recent history*, 7 September 2008)
- 2002** **4 April:** The Angolan Government and UNITA sign the Luena Memorandum of Understanding (MOU), which formalized the de facto ceasefire that prevailed following Savimbi's death. In accordance with the MOU, UNITA recommitted to the peace framework in the 1994 Lusaka Protocol, returned all remaining territory to Angolan Government control, quartered all military personnel in predetermined locations, and relinquished all arms. [2b] (United States State Department *Background Note on Angola*, 22 March 2010)
August: UNITA scraps its armed wing. Angola's defence minister proclaims that the civil war has ended. [6a] (BBC News *Timeline on Angola*, 11 May 2010)
- 2003** **June:** UNITA - now a political party - elects Isaias Samakuva as its new leader. [6a] (BBC News *Timeline on Angola*, 11 May 2010)

- 2004** **September:** FLEC and FLEC-FAC merge to become FLEC in a bid to engage the Angolan government in dialogue over the future status of Cabinda. [29c] (United Nations IRIN *Cabinda chronology*, 12 January 2010)
- 2005** **July:** The FAA launches a major offensive against FLEC in Cabinda. [29c] (United Nations IRIN *Cabinda chronology*, 12 January 2010)
- 2006** **April:** The Angolan government and UNITA rebels sign a truce to end hostilities. [38a] (Reuters *Timeline: Key events in Angola's recent history*, 7 September 2008)
August: FLEC signed a ceasefire and general amnesty agreement with the government. Despite this, fighting continues. [37] (Global Security report on Cabinda, January 2010)
- 2007** **February:** President dos Santos states that parliamentary elections will be held in 2008 and presidential polls in 2009. [6a] (BBC News *Timeline on Angola*, 11 May 2010)
- 2008** **5 September:** Angola held legislative elections - the first since 1992. Due to technical difficulties on election day, voting was extended through 6 September in some constituencies. The MPLA won 81.6% of the electorate, giving it 191 out of 220 seats in parliament. The remaining 29 parliamentary seats were won by UNITA (16), the PRS (8), FNLA (3), and the New Democracy coalition (2). [2b] (United States State Department *Background Note on Angola*, 22 March 2010)
- 2010** **5 February:** A new constitution is enacted. After signing the new constitution, President dos Santos declared that national elections would take place in 2012. [2b] (US State Department *Background Note on Angola*, 22 March 2010)
8 February: President dos Santos swears in a new government. [2b] (United States State Department *Background Note on Angola*, 22 March 2010)

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Annex B: Political organisations

Angola Democratic-Coalition (AD)

Pres. Kengele Jorge (acting). [41] (*Europa World Online*)

Angolan Fraternal Forum Coalition

Founded in 1997. Leader Artur Quixona Finda. [41] (*Europa World Online*)

Democratic Party for Progress - Angolan National Alliance (PDP-ANA)

Founded in 1991. Pres. Sediangani Mbimbi. [41] (*Europa World Online*)

Democratic Party for Social Renewal

Founded in 2009. Leader: Lindo Bernardo Tito. [41] (*Europa World Online*)

Front for the Liberation of the Enclave of Cabinda (FLEC)

Separatist movement which advocates the independence of the Cabinda province. Formed in 1963. Factions of FLEC were formed in the 1980s with the creation of the Front for the Liberation of the Enclave of Cabinda - Armed Forces of Cabinda (FLEC-FAC) and FLEC-Renewed (FLEC-R), each pursuing different strategies for Cabindan independence. [33] (*Revolutionary and Dissident Movements of the World*, 4th edition, 2004)

National Front for the Liberation of Angola (FNLA)

Leadership: Holden Roberto (faction leader); Ngola Kabango (secretary-general of Roberto faction); Lucas Ngonda (faction leader); Francisco Mendes (secretary-general of Ngonda faction). Founded in March 1962 as a merger of the UPA and the PDA. [32] (*Political Parties of the World*, 6th edition, 2005)

National Union for the Total Independence of Angola (UNITA)

Leadership: Isaias Samakuva (president); Ernesto Mulato (vice-president); Mario Miguel Vatuva (secretary-general). UNITA was founded in March 1966 by a breakaway faction of the FNLA. [32] (*Political Parties of the World*, 6th edition, 2005)

Party of Democratic Renewal (PRD)

Leader: Luís da Silva dos Passos. [41] (*Europa World Online*)

Party for Social Renewal (PRS)

Pres. Eduardo Kwangana.

Sec.-Gen. João Baptista Ngandajina. [41] (*Europa World Online*)

Popular Movement for the Liberation of Angola (MPLA)

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Annex C: List of Abbreviations

| | |
|-----------------|---------------------------------------------------------------------------|
| AI | Amnesty International |
| CEDAW | Committee on the Elimination of All Forms of Discrimination Against Women |
| CPJ | Committee to Protect Journalists |
| CRC | Convention on the Rights of the Child |
| EU | European Union |
| FCO | Foreign and Commonwealth Office (UK government department) |
| FGM | Female Genital Mutilation |
| FH | Freedom House |
| GDP | Gross Domestic Product |
| HIV/AIDS | Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome |
| HRW | Human Rights Watch |
| ICG | International Crisis Group |
| ICRC | International Committee for Red Cross |
| IDP | Internally Displaced Person |
| NGO | Non-Governmental Organisation |
| STD | Sexually Transmitted Disease |
| TB | Tuberculosis |
| TI | Transparency International |
| UK | United Kingdom |
| UN | United Nations |
| UNAIDS | Joint United Nations Programme on HIV/AIDS |
| UNHCR | United Nations High Commissioner for Refugees |
| UNICEF | United Nations Children's Fund |
| USAID | United States Agency for International Development |
| USSD | United States State Department |
| WHO | World Health Organization |

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