

## Threat to ban human rights group raises serious concerns

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### INTERNATIONAL ORGANISATIONS MUST TAKE ACTION TO PROTECT HUMAN RIGHTS DEFENDERS

A threat to ban a prominent human rights group in Angola, Africa's top oil producer, is raising serious concerns in the wake of recent elections. Civil society in Angola and internationally is calling on the Angolan government, the EU and other international bodies to protect human rights defenders in the country.

The Association for **Justice Peace and Democracy** (AJPD) is the first Angolan human rights organization to be granted observer status by the African Commission on Human and People's Rights. Since 2000, it has played a key role in documenting and denouncing human rights violations, educating the public and the police on human rights, and lobbying for improvements in the legal framework.

On 4 September 2008, the day before Angola's landmark elections, AJPD was informed that a court ruling was pending on a case calling for its extinction and was given 15 days to respond. The organization had not been notified previously of the existence of the case - which dates from 2003 and was lodged by the former state Attorney General - alleging that elements of the organization's statutes were illegal.

AJPD has appealed against the proposed ban, on the grounds that the claims of illegality are unfounded and that the law on which the complaint is based is itself unconstitutional because it fundamentally restricts the freedom of civil society organizations to participate in political and civic life.<sup>[1]</sup> International and African civil society organizations, along with Angolan activists, regard the legal case as a move to silence AJPD. More globally, it constitutes an attack on basic rights of freedom of association, assembly and expression that the Angolan government has promised to uphold.<sup>[2]</sup>

Last week 22 organizations wrote to Angolan President José Eduardo dos Santos, Nicolas Sarkozy, President of the European Union, and to UN and African Union human rights bodies to raise their concerns. They called on the Angolan government to uphold commitments to promote and protect human rights defenders, and on international bodies like the EU to urge Angola to ensure that human rights groups can carry out their work without fear of intimidation. The EU should also support Angolan human rights defenders pro-actively.<sup>[3]</sup>

Recent years have seen a disturbing pattern of intimidation and harassment of human rights groups in

Angola, as documented by national and international organizations. Amnesty International recently stated that 'human rights activists in Angola have faced a hostile environment' where 'government officials often threaten to ban human rights organizations'.<sup>[4]</sup> Any further restrictions on the activities of Angolan rights groups - such as the closure of AJPD - would result in an increased risk of violations, for example of the right to access to land and housing, freedom of expression and the independence of the judiciary system.

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Notes

[1] . Article 8, n° 2 (c) of the Angolan Law of Association (14/91 of 11 May 1991). According to AJPD, firstly, Article 8 prohibits civil society organizations from participating in all activities of state organs, whereas the Angolan Constitution allows such participation, for instance through public discussions in

parliament. The law also prohibits civil society organizations from participating in electoral processes, whereas the Constitution allows civil society organizations to inform public opinion and also to support political parties during elections, as long as they do not present themselves as candidates. Finally, Article 8 prohibits civil society from influencing national policy through the government or parliament. However, under the Constitution, civil society enjoys this right, as Angola is constituted as a representative democracy.

[2] . As per the EU's Guidelines on Human Rights Defenders of June 2004/ Angola's international commitments include the African Charter on Human and Peoples' Rights (African Charter) and the International Covenant on Civil and Political Rights (ICCPR), as well as United Nations (UN) Declaration on Human Rights Defenders. The government should also implement its promises made in May 2007 to the UN General Assembly concerning the protection and promotion of human rights.

[3] . Letters of 26 September 2008 signed by ACAT - France, Associação Cristã da Mocidade Regional do Kuanza Sul – ACM-YMCA, ADUC Congo, Christian Aid, Centro de Integridade Publica Mozambique, Equatorial Guinea Justice, International Federation of Human Rights (FIDH), Global Witness, Human Rights Watch, ICCO, Mozambiquean League for Human Rights, Centro Nacional de Aconselhamento Angola, World Organization against Torture (OMCT), Omunga Angola, Open Society Institute Angola, Oxfam International, Secours Catholiques - Caritas France, SOS Habitat Angola, Webeto Sao Tome, Zimbabwe Human Rights NGO Forum, Zimbabwean Lawyers for Human Rights.

[4] . See Amnesty International Statement and Urgent Action of 5 September 2008 In 2007, four human rights organizations, including AJPD, were accused by a government official of using their human rights work as a cover for breaking the law and threatened with closure. In May 2008, the United Nations Office of the High Commissioner for Human Rights in Angola was closed after the Angolan authorities decided not to agree a comprehensive mandate for promotion and protection of human rights. Several international human rights organizations raised their concerns over these developments with the European Union and the EU Presidency stated in July 2007 that it was 'deeply concerned' over the situation of human rights defenders in Angola. However, no concrete measures were taken by the EU.

L'OMCT a son siège à Genève, en Suisse. Elle coordonne le réseau SOS-Torture composé de 282 organisations régionales et internationales dans 93 pays sur cinq continents.

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