



FREEDOM OF EXPRESSION AND ACCESS TO INFORMATION

UPDATE NO. 1 OF ARTICLE 19 ELECTIONS RECOMMENDATIONS FOR ANGOLA (Election planed for late 2006/Early 2007)

Press Law:

On Friday the 26th of May, the Angolan new Press Law (Lei de Imprensa 2006) was published in the State Gazette -Diário da República-. It was promulgated on the 28th of April after being adopted by the National Assembly in February 2006 with 125 votes in favour, 26 against and 10 abstentions.

The Law replaces legislation that had been in force for the past fifteen years. It has been reported that one of its most important features is that it opens television broadcasting to the private sector, ending the current state monopoly as well as the state monopoly on agency news. The new Law is also said to establish principles of prohibition of censorship, freedom of the press, and access to information sources. It defines the National Council of Social Communication as the competent agency in charge of ensuring the independence, objectivity, and pluralism of information in Angola.

The new Law also eliminates a provision that existed in the previous legislation that had prevented journalists from defending themselves in court when accused of defamation by the President of the Republic. With reference to journalists' liabilities, the new legislation stipulates the application of penal law to situations in which journalists violate the law in the exercise of their profession and favors the application of monetary penalties in lieu of jail time.

ARTICLE 19 is currently translating and analyzing the new law and more information will be available in the next update.

Voters' Registration:

A voters' registration process was presented by the Inter-Ministerial Commission for the Electoral Process (CIPE) to political parties at the end of May. The process will also be presented to Non-governmental organisations, youth and religious associations, etc. It relies on a technological registration system that will need 14,000 people to implement. The initiative has been welcomed by the MPLA and the UNITA.

ARTICLE 19 Recommendations to the Angolan Government

- Widely publish and inform media, journalists, officials as well as the population of the new Press Law adopted in 2006.
- Launch as soon as possible the voters' registration process and a voters' educational programme for the upcoming elections. Organise training for election's assessors.

- Make a special effort to investigate all acts, or threatened acts, of violence, intimidation or harassment directed against media personnel, or any act of destruction of the property or premises of a media outlet, particularly where there is any reason to believe that the act was motivated by an intent to interfere with media freedom, and to bring those responsible to justice.
- Issue a clear statement to the public and private media that the media are encouraged to broadcast election-related programmes, and that the media will not be penalized in any way for broadcasting programmes merely because they are critical of the government, its policies or the ruling party.
- Introduce regulation to entrust the CNE during the election period with deciding complaints concerning media coverage, including those covering defamation and incitement to hatred or violence. This body should be empowered to order a right of reply, correction or retraction, and its decisions should be subject to review by the courts.
- Revoke any laws limiting freedom of expression in breach of international law and standards, especially any criminalisation of media offences remaining in the Angolan Press Law (Lei de Imprensa, 2006).
- Implement and promote the Access to Administrative Documents Act 2002 to allow access to government information. Administrative measures should be put in place to enhance the transparency of public administration and minimize official secrecy.
- Establish an independent regulatory body to oversee a fair and open process for the allocation of radio and television broadcasting frequencies and the granting of licenses.
- Extend an invitation to the African Commission on Human and Peoples' Rights Special Rapporteur for Freedom of Expression to visit Angola to examine freedoms of expression and assist the Commission to discharge its mandate during such visit.