

BRIEFING PAPER

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THE SITUATION OF HUMAN RIGHTS DEFENDERS IN ANGOLA

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In its November 2019 Universal Periodic Review (UPR), Angola accepted 259 out of the 270 recommendations¹. While Angola accepted all recommendations pertaining to civil and political rights, and non-discrimination,² there remains concerns over the lack of implementation. Attacks against LGBTQI+ persons and restrictions to the activities of civil society and human rights defenders continue to rise.

A. RISKS FACING HUMAN RIGHTS DEFENDERS

1. In Angola, threats to civic space and fundamental freedoms are increasing, and this has particularly been on the rise since the 2022 election. Protestors, journalists and even trade unionists are being arrested, receive death threats, and fall victim of police brutality.³
2. In April 2023, the house of the Secretary General of the National Union of Higher Education Teachers (SINPES) was vandalised by unidentified people. Further, his daughter was threatened and later physically attacked in the streets.⁴
3. In November 2020, human rights defender Alberto Matos was killed during a national demonstration protesting the high cost of living in Luanda.⁵ To date, the perpetrators of the shooting have not been held accountable.
4. On 5 August 2023, a trade union, at the diamond company Sociedade Mineira do Cuango organised a strike which was interrupted by the police.⁶ During the strike, three workers were shot, seven were arrested and four others escaped and were beaten, arrested and later held at the Cuango police station.⁷
5. In October 2020, eight journalists, six working for TV Zimbo and two freelancers associated with AFP were arrested in Luanda while covering a demonstration by civil society activists demanding better living conditions and jobs.⁸
6. On 9 October 2022, the police in Luanda detained three journalists covering the Angolan student movement protests.⁹

B. OFFICIAL RESTRICTIONS ON THE SPACE FOR HUMAN RIGHTS DEFENDERS

7. In Angola, several restrictions, legal and financial, are currently in place and impede on the work of defenders, which contributes to forging a more restrictive working environment.
8. Indeed, in Angola, freedom of the media is restricted by a number of legal measures. In 2016, Angola adopted a set of legislations, known as the Social Communication Legislative Package which has a direct impact on media freedom¹⁰. Its article 35 imposes excessive fees to establish a radio or TV station. Furthermore, article 29 gives the Ministry of Social Communication the authority to oversee how media organisations carry out editorial guidelines and to punish violators with suspension of activities or fines.¹¹
9. According to the Impact of Cybercrime and Cybersecurity Laws on Media Freedom and Digital Rights Report (2023)¹² Angola is the only country in Southern Africa that does not have community radio stations. This is partly due to the high costs of setting them up and the bureaucratic processes involved. Furthermore, the Angolan Media Regulatory Authority (ERCA) is under government control.¹³ This lack of independence makes it difficult to set up alternative media houses to operate independently. Subsequently, it stifles the freedom of expression and a broader reach for issues pertaining to human rights defenders within their communities.
10. The dwindling functionality of the Local Human Rights Committees continues to threaten

human rights.¹⁴ Despite the fundamental role Committees play, the meetings are irregular and the mechanism is becoming defunct. It is through these committees that civil society organisations report on human rights violations at the provincial level. Increasingly, some civil society organisations have not been invited to meetings. In fact, in the province of Cuando Cubango, cases are diverted to the provincial government.¹⁵

11. In addition, those Committees are affected by interferences from political parties. This further depreciates the functionality of the Committees and causes conflict of interest.¹⁶ For example, in Luanda, the agenda for the provincial Human Rights Committee meetings is set by the deputy governor despite the existence of the committee coordinator.
12. The government of Angola is unfairly targeting civil society with a proposed draft NGO statute passed on 25 May 2023. The law promotes an environment of reduced or limited freedom of association and assembly.¹⁷ It not only increases the threats against human rights defenders and civil society, but also reduces the effectiveness of their work, thereby compromising social development and democracy in Angola. For instance, the law proposes that NGOs can only implement projects that have been approved at the provincial level.

C. HUMAN RIGHTS DEFENDERS FACING PARTICULAR RISKS

13. In Angola, the Press Law also provides that the right of expression, and the right to teach and learn can be exercised in all forms: by written and spoken means, and through intellectual, scientific, and cultural discourse.¹⁸ However, journalists are facing threats including in their own homes. Radio journalist, Claudio Pinto's home was raided by two unidentified men. He was absent and his wife was physically attacked, kicked and punched in the stomach while threatening to kill their one-year-old son.¹⁹
14. There were acts of robbery at the National Union of Angolan journalists headquarters in

2022 and 2023. Physical and psychological attacks on journalists were also reported.²⁰

15. Since 2020, there has been a decriminalisation of same-sex relations with the adoption of the new Penal Code (Law no 38/20)²¹. However, LGBTQI+ activists are facing continuous intimidation and threats including death. Carlos Fernandes, a prominent activist of LGBTQI+ rights, was found dead in his home and it is suspected that he was strangled.²²
16. On 30 January 2021, in the mining town of Cafunfo, demonstrators who were protesting based on low wages and the rising cost of living were shot by police. At least 10 were confirmed dead and others reported missing.²³ On 9 February 2021, lawyers Hermenegildo Teotónio and Godinho Cristóvão and the activist and Mother of the Catholic Church Joana Janja who travelled to Cafunfo to express solidarity and legal assistance to the victims of the massacre were illegally detained by police.²⁴
17. Article 60 of the Angolan constitution prohibits acts of torture and degrading treatment yet, human rights defenders are constantly battling police and torturous conditions. In January 2022, Tanaice Neutro, an artist who uses music to speak on social issues in the country was arrested in connection to a video that he posted criticising Angolan state authorities. He was tried in October 2022 and sentenced for 15 months, for causing outrage against state symbols. This act by the state sent chills to other activists and limited protests due to fear.²⁵

D. THE RESPONSE OF THE STATE REGARDING THE PROTECTION OF HUMAN RIGHTS DEFENDERS

18. For the protection and promotion of human rights, the government has incorporated several concepts of discrimination within the legal framework. This also includes that of sexual orientation to further protect LGBTQI+ persons.²⁶

RECOMMENDATIONS TO THE GOVERNMENT OF ANGOLA:

- Ensure that Local Human Rights Committees are able to protect defenders effectively by being completely independent from any political influence.
- Refrain from adopting legislations that restrict the rights of defenders such as the NGO Bill.
- Legal assistance should be improved and accelerated and there should be reduced bureaucracy in accessing the justice system to ensure that defenders can report human right abuses promptly and justice is served in a timely manner.
- Put an end to acts of reprisals, death threats, malicious damage to private property, intimidation, harassment, psychological and physical torture against defenders.
- Put an end to the disproportionate use of force against demonstrators and refrain from use of torturous means to intimidate and silence them.
- Investigate the perpetrators of the Cafunfo massacre and ensure they are held accountable for the illegal detention of defenders.
- Alleviate the process of setting up media companies and community radio stations to ensure the right to freedom of expression can be fully implemented
- Put an end to the harassment and intimidation of journalists and ensure the perpetrators are held accountable.

ABOUT THIS BRIEFING PAPER

ISHR, encourage States to consult UPR submissions by local activists and make recommendations to Angola regarding the protection of HRDs. This paper is a result of compiling public information and direct contact and experience in the protection of HRDs. Readers should consult the sources provided for additional information.

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