

UNIVERSAL PERIODIC REVIEW OF THE UN HUMAN RIGHTS COUNCIL

**- ANGOLA -**

INFORMATION SUBMITTED BY ANGOLAN CIVIL SOCIETY  
ORGANIZATIONS

**PART 1 – Introduction**

This document was written by 10 Angolan Human Rights Organizations based in different Provinces of the Country

1. **“Associação Construindo Comunidades” – ACC (Community Building Association)** – Founded in 2003, carries out a set of projects related to the issue of access to land and land possession in the Southern Province of Huila specifically in the region of Gambos. It also provides legal assistance to victims of torture and private detentions in that region. This organization has an observer status before the African Commission for Human and People’s Rights. [acchuila@gmail.com](mailto:acchuila@gmail.com)
2. **“Centro Cultural Mosaiko” (Mosaiko Cultural Centre)** – Is an Organization of the Catholic Church founded in 1995 by Dominican Priests. It is a human Rights and research Centre having a broad experience in Community capacity building on human rights issues. [mosaiko@mosaiko.op.org](mailto:mosaiko@mosaiko.op.org)
3. **“Associação Omunga” (Omunga Association)** – This Organization works on promotion and protection of the Rights of children and the youth through actions that facilitate their active participation in political, social and cultural affairs. It is a member of the World Campaign to Prevent Child Abuse and has an Observer status before the African Commission on Human and People’s Rights. [omunga.coordenador@gmail.com](mailto:omunga.coordenador@gmail.com)
4. **“Acção Angolana Para o Melhoramento e Apoio ao Meio Rural” – AMMAR (Angolan Action for the Support and Advancement of Rural Area)** – Founded in 1998 and based in Benguela Province, it develops projects in the area of conflict prevention, social and economical integration of adolescents and the youth, as well as the strengthening of community leaderships. [ammr2898@yahoo.com.br](mailto:ammr2898@yahoo.com.br)
5. **“Kitomavo Comunidades” (Kitomavo Communities)** – This Organization is based in Luanda and was founded in 2002. Its main objective is the protection of vulnerable women and children in rural areas. [kitomacomunid@yahoo.fr](mailto:kitomacomunid@yahoo.fr)
6. **“Conselho de Coordenação dos Direitos Humanos” – CCDH (The Human Rights Coordination Council)** – Was established in 2005 and it coordinates 25 human rights organizations working all over the country. [conselhodh@yahoo.com.br](mailto:conselhodh@yahoo.com.br)
7. **“Organização de Ajuda ao Desenvolvimento Comunitário” – OADEC (Organization for Community Assistance and Development)** – Was established in 1994 and implements projects in the Eastern part of the Country in the areas of economic, social and cultural rights, as well as conflict resolution in rural communities. [oadorg2004@yahoo.com.br](mailto:oadorg2004@yahoo.com.br)

8. **“Visão Angolana Para Protecção e Assistência Popular” – VAPA** – Was founded in 1999. Its objective is the protection, promotion and social assistance to unprotected population. Its main areas of intervention include: Education, leadership, good governance, and social development. [vapa05@hotmail.com](mailto:vapa05@hotmail.com)
9. **“Associação para o Desenvolvimento da Saúde em Angola” – ADSA ( The Association for Health Development in Angola)** – Was established in 2001 its social object is the promotion of the biological, psychological, and social welfare of the Communities. Its main activity is advocacy for the right to free and qualitative public education for the Angolan youth. It is the current executive secretary of the Angolan network for education for all. <http://ong-adsa.blogspot.com/> **PBWIKI:** <http://fme-angola.pbwik.com>
10. **“Centro Nacional de Aconselhamento” – NCC (The National Counselling Centre)**– This organization was established in 2000, and works in the area of strengthening democracy and human rights and it has an observer status before the African Commission on Human and People’s Rights. [nccangolaong@yahoo.com.br](mailto:nccangolaong@yahoo.com.br)

## **PART 2 – Executive summary and methodology**

The Angolan organizations subscribing this document aim to contribute and ensure that Angola’s passage in the Universal Periodical Review Mechanism provides a diagnosis of the application of human rights in the Country, and also bring about recommendations that will promote improvements on the field.

**Six topics** on human rights have been identified and for each one of the topics the organizations presented their growing concerns and identified alternatives for upholding the respective human rights and freedoms. As a reference, there is an allusion to the information on the human rights situation recently submitted by the Angolan State to the regional and international human rights systems<sup>1</sup>

**Key-words:** *Angola, right to habitation, right to education, right to health, right to land, right to association, and the right to participation and demonstration.*

## **PART 3 – Thematic analysys**

### **A) RIGHT TO HOUSING**

- Information in recent Angolan official reports to the international and regional systems

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<sup>1</sup> African Commission on Human and People’s Rights and the UN Committee on Economical, Social and Cultural Rights, respectively (both sent in April 2008). The last one is available in <p://daccessdds.un.org/doc/UNDOC/GEN/G08/415/48/PDF/G0841548.pdf?OpenElement> .

1. There is no reference whatsoever on the forced evictions and payment of compensations.

- Recommendations and observations already made by the regional and international systems

2. Lack of data in general (namely the census of the population), and in particular on housing and forced evictions (E/C.12/AGO/CO/3/CRP.1, par.30 e 31);
3. Also the lack of guidelines related to these evictions, adequate alternatives to housing, compensations, and access to legal resources. (E/C.12/AGO/CO/3/CRP.1, par.30 e 31).

- Growing concerns of the Angolan civil society organizations

4. From 2001 to 2007, over 30.000 people were removed from their houses (according to data by national and international organizations). Many cases that were taken to court are pending until now. In July 2009 alone, 4000 houses were destroyed in the outskirts of Luanda. Since February 2009, the Lobito and Benguela local Administrations, two neighbouring cities with high touristic potential on the coast, announced the clearance of 6 slums, with about 1000 to 35.000 people, in order to build hotels, and luxurious residential compounds. The majority of the people affected were displaced by the war and relocated in these areas by the Administration itself, without ever having access to legal documents, but now they have become victims of the peace dividends.
5. The Organizations fear an increase in the number of forced evictions and even stronger slum clearances in the coming years, because, amongst other things, the following factors: Current definition of land reserves in the whole country which will be the only areas where building will be considered as legal; A new mining law which in case of approval will establish restricted areas for all mineral resources in the whole country, including those for building; many other huge investments and “development” projects; and
6. The Government has been announcing since the 2008 electoral campaign, the building of one million houses in 4 years, but so far the access conditions are not clear. There were promised kits for self construction but they will be bought for \$22.000. There was the launching of a special building and credit programs for the youth, but they have to have a formal employment in order to have access to it, while the majority of the population lives from the informal economy.

- Necessary explanation to improve the situation

7. What mechanisms were set up for a fair compensation of the families whose houses were demolished? And what mechanisms were established for negotiations between the State and the victims of demolition?
8. Why is the Government refusing to provide title deeds to the displaced or evicted families, in the new areas where they are relocated?

9. What mechanisms are established by the new mining law, bilateral and multilateral agreements, and negotiations of big projects, to protect local communities against enforced removals and land expropriations?
10. What are the mechanisms set up to inform the public about land reserves?
11. Information on the 1 million houses program and the process to access them.
12. What are the mechanisms established to ensure access to an adequate housing for the most vulnerable people?

- Alternatives to improve the situation

13. The creation of a master plan of habitation with a component dedicated to the most disadvantaged people (pro-poor policies);
14. Building of adequate houses for the families victims of demolitions;
15. Establishment of a mechanism of definitive conveyance of land in the areas where evicted people are relocated;
16. Utilization of the right to housing as the base for its policies, programs and housing, urbanism and land utilization budgets, which must have a systematically pro-poor component, in order to start reverting the social inequalities in our country;
17. Integration of the right to an adequate housing for all in the new Constitution of the country;
18. Respect for the right to housing and all other human rights in the statutes and bilateral and multilateral agreements; and
19. The creation of a master plan on habitation with a component dedicated to the most disadvantaged people (pro-poor-policies) and disseminates clear public information on the conditions for having access to habitation.

**B) RIGHT TO EDUCATION**

- Recent Information in the Angolan official reports to the regional and international systems

20. It mentions the approval of the law on the education system and adult literacy strategy for the recovery of school retardation, complemented to the “*sim eu posso*” (yes I can) program;
21. There is a reference to the establishment, by order of the Ministry of Education, of a commission to coordinate the integration of human rights in the primary and secondary school systems.

- Recommendations and observations already made by the regional and international systems

22. The education indicators are very low; the illiteracy rate of those above 15 years old and the children of the poorest is very high; disabled school girls and boys including the victims of landmine accidents leaving in remote rural and urban areas have a

very limited access to education including the mother tongue and they drop out of school very early in life. (E/C.12/AGO/CO/3/CRP.1, par. 38 e 39); and

23. Lack of State Investment in human rights education for the citizens, with special emphasis for the professionals who play a direct role in promoting and protecting human rights (E/C.12/AGO/CO/3/CRP.1, par. 38 e 39).

- Growing concerns of the Angolan civil society organizations

24. The School and literacy rates in Angola are increasing, but the efforts are not yet enough and education is not a greater priority today, if compared to the end of the war period. 7.14% of the State Annual Budget was allocated to education in 2004, 3.82% in 2005, 5,61% in 2006, and it is about 5% this year.
25. Although the basic education system provides for a free of charge primary education, it is not however put into effect due to the lack of classrooms, lack of conditions in schools and corruption. Therefore, the majority of learners pay monthly fees, besides the payment for the tests.
26. Of the general budget for education, 0,01%(2004); 0,03%(2005) 0,28%(2006) and 1,15% (2007) was allocated to the adult literacy. This is sensitive but not enough to curb the continuing high adult illiteracy rates;
27. So far, the Coordinating Commission for the Integration of Human Rights in the Education Subsystems has not yet presented a national human rights education plan.

-Necessary explanations to improve the situation

28. What are the supporting and supervising mechanisms to ensure that primary education is really free of charge, as provided by law?
29. Considering that corruption affects education in Angola what measures are taken to enable the participation of civil society in monitoring the resources allocated to the budget for the education sector?
30. Is there a specific budget for funding the teaching activities of literacy teachers?
31. What are the measures taken to allow the different social stakeholders to contribute in the drafting of a National Human Rights Education Plan?

- Alternatives to improve the situation

32. Establishment of mechanisms for monitoring the fees charged by the schools and support to the most underprivileged children and adults to ensure their access to education;
33. The setting up of a department for education of young people and adults in the Ministry of Education in order to solve specific issues of youth and adult education;
34. Te creation of mechanisms that will enable a greater interaction with civil society and the public organs in the field of youth and adult education;
35. Ensure the creation of mechanisms to organize the specific remuneration of literacy teachers;

36. Incorporate in the academic syllabus of each school grade the Human Rights Subject, and establish specializations in Human Rights in the Universities.

### **C) RIGHT TO HEALTH**

- Information in recent Angolan official reports to the regional and international systems.

37. It is admitted that there are inefficiencies in the National Health System

- Recommendations and observations already made by the regional and the international systems

38. High mother/children mortality rates, especially children under 5 years of age, and a high cholera and HIV/AIDS incidence (E/C.12/AGO/CO/3/CRP.1, par. 35 e 36); e

39. Insufficient investment in health (E/C.12/AGO/CO/3/CRP.1, par. 35 e 36).

- Growing concerns of the Angolan civil society organizations

40. Although the net amounts increased the budget allocated to health decrease from about 5% in 2004 to less than 4% in 2006. So far, health is not considered as a priority. Notice that the budgets allocated to both education and health put together is still inferior to that of the police and the army alone;

41. Insufficient infrastructure, equipments, medicines, and qualified health personnel; and

42. Lack of qualified people to work with the people with disabilities.

- Necessary explanations to improve the situation

43. What is the plan of the Angolan Government for reforming the National Health System?

- Alternatives to improve the situation.

44. A greater investment in health, taking into account the community needs in health services delivery; and

45. Reopen the National Institute for the Rehabilitation of people with disabilities.

### **D) RIGHT TO LAND FOR THE FARMERS AND CATLE BREEDING NATIVE COMMUNITIES: ACCESS TO LAND AND TO THE RESOURCES**

- Information in recent Angolan official reports to the regional and international systems

46. There is not reference to the existence of a program of encouragement to the development of family agriculture and cattle breeding, the protection and promotion of native communities, and a especial program to protect and promote the cattle belonging to traditional cattle breeders.

- Recommendations and observations already made by the regional and international systems

47. The ECOSOC committee observed with a great concern the mass migration of communities and ethnic groups from rural areas to urban ones and there was a concern about respecting and preserving their cultural heritage. (E/C.12/AGO/CO/3/CRP.1, par. 39).

- Growing concerns of the Angolan civil society organizations

48. Although the land act has meaningful advances, it is not explicit in regard to the existence of a traditional sector, as is the case of the farmers and cattle breeders whose survival and development depends on an explicit acknowledgement and protection by the State;
49. There has been an increase of conflict situations brought about by the illegal occupation of land belonging to the farmers and cattle raising communities by business men, and this is a threat to food security, social stability, and the survival of the communities;
50. The farmers and cattle breeders, especially those from the South of Angola have no possibility to have access to bank credit as a group, especially from the Development Bank.

- Necessary explanation to improve the situation

51. What mechanisms will the Angolan Government use to protect the ecosystem, the culture and equality of rights for native people ( ex.: The San, the Vatuva, and farmers and cattle raising communities of the Southwest of Angola)?
52. How will the Angolan State facilitate access to bank credits and other facilities in order to develop and promote Agriculture and cattle breeding in the traditional sector?
53. What practical measures have the Angolan Government to stop the destruction of the environment in the natives' territory?
54. With the growing conflicts between the peasant and cattle breeding communities, what is position of the Angolan State in the protection of community land and families?
55. What mechanisms do the granite mining companies have in the farmers and cattle breeders' territory, in order to respect the human rights and contribute for the development of local communities, especially for the creation infrastructures of health, education, potable water and basic sanitation?

- Alternatives to improve the situation

56. Drafting of a especial legislation that acknowledges the existence of native territories of the peasant and cattle breeding communities, and establish especial mechanism for the State protection of the right to land and territory for the farmers and cattle breeding communities;
57. Urgent implementation of the population census, because it would facilitate the recognition and updating of data about the different ethnic groups;
58. Explicit recognition of the land belonging to the farmers and cattle breeding communities of Southern Angola and establishment of concrete mechanisms to safeguard and promote their cattle and agriculture based economy;
59. Creation of a especial food basket for the poorest families and underprivileged in the farmers and cattle breeding communities, in order to alleviate the endemic hunger worsened by the shortage of rain and the scarcity of food;
60. Create measures that help to protect the environment with the involvement of local communities; and
61. Creation of a system that demands the mining companies to fulfill their corporative responsibilities in areas of native communities, with regard to respect for human rights and the environment, and also enables the community to have a free access to legal resources.

## **E) RIGHT TO ASSOCIATION**

### - Information in recent Angolan official reports to the regional and international systems

62. Recognition that the current legal instruments regulating the process to constitute associations are inadequate and too slow.

### - Recognition and observations made by the regional and the international systems

63. Submission of non-Governmental organizations to a rigorous supervision, coordination, evaluation and inspection by the Humanitarian Assistance Technical Coordination Unit (E/C.12/AGO/CO/3/CRP.1, par. 13).

### - Growing concerns of the Angolan civil society organizations

64. The “*Unidade Técnica de Coordenação de Ajudas Humanitárias*” (UTCAH) (Technical Coordination Unit for Humanitarian Assistance) was founded in a war context and therefore, its mandate was to coordinate the action of humanitarian assistance. Its role has not been redefined ever since the end of the war; and
65. There is not a standard implementation of the law on the associations and the process is hard for organizations from certain provinces. Some have to go to Luanda to legalize them.

### - Necessary explanations to improve the situation



66. Why are the procedures and administrative costs related to the process of constitution and recognition of (human rights organizations) associations in Angola no standardized in all provinces, above all if compared to the capital - Luanda?

67. The process of revision to the current law on associations and the statute of the Technical Coordination Unit for Humanitarian Assistance (UTCAH) is underway. At what stage is the process and what is the civil society's role in it?

- Alternatives to improve the situation.

68. Promote a broader participation of civil society organizations in the process of revision of the associations act and the drafting of the respective regulations;

69. The standardization of the administrative procedures for the constitution and recognition of (human rights) associations including the necessary costs.

## **F) THE RIGHT TO PARTICIPATION AND DEMONSTRATION**

- Information in recent Angolan official reports to regional and international systems

70. Relate the exercise of citizenship to the ownership of the identity card (ID);

71. Speaks about the massive participation of the citizens in political parties, in social organizations, in the elections, and in cultural and sports events.

- Recommendations and observations already made by the regional and international systems

72. Low membership in trade unions (E/C.12/AGO/CO/3/CRP.1, par. 22).

- Growing concerns of the Angolan civil society organizations

73. The delay and the costs for obtaining the identity card (ID) are the reasons why at least half of the population does not have it yet. Notice that it was not compulsory to have an ID to vote in the 2008 legislative elections, but it is compulsory to have it in order to have access to formal employment or open a bank account;

74. People from many social organizations defending human rights have been harassed, and in case of activism in the areas of clearance and enforced removal they are abused and in certain cases even detained;

75. In regard to the enforced removals, the people are only informed sometimes but never consulted. During the enforced removals in previous years, there were some examples of compensation, but with the systematic increase of demolitions even affecting entire neighborhoods, there is no more any process of negotiation or participation, except in those instances in which the community and civil society resist in pressurizing despite the harassment. In Lobito only a community was informed and it is strongly harassed whenever they try to claim for their rights. Another community of the 6 threatened quarters was not yet officially informed, but it was already forbidden to use the graveyard without any explanation. Still in Lobito, some open spaces and public infrastructure (pediatric hospital, maternity

hospital, playgrounds) are being privatized without the participation of the population in taking decisions related to their city;

76. A new mining law has been drafted after consultation between the companies and the central authorities only. Neither the provincial and municipal administrations of the mining areas, nor the civil society and the communities were consulted. This act is expected to be approved by the Council of Ministers as law, meaning that it is not expected to be discussed in the National Assembly.

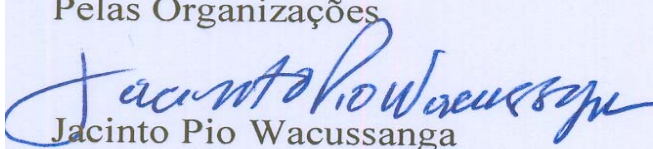
- Necessary explanations to improve the situation

77. What is the mechanism established to facilitate the acquisition of identity cards (ID)?
78. What are the mechanisms set up to protect the human rights of activists?
79. What are the existing mechanisms to ensure the previous information, of people about to be removed and facilitate their participation in the process?
80. Which mechanisms allow citizens to participate in decision making processes at local level of city planning in particular and other public affairs in general?
81. Some steps of public consultation (direct or through the parliament) are necessary before the approval of the new Mining law, considering that it binds the whole country and its mineral resources, and therefore have a potentially high impact on the lives of the local communities.

- Alternatives to improve the situation

82. Establishment of mechanisms that facilitate the acquisition of identity cards (ID) by all citizens (the example is the system that was used for the electoral registration); and
83. Setting up commissions in each Municipality, with full participation of civil society and representatives of each area and community, to discuss previously all plans related to the building of houses, requalification, and the utilization of public spaces, slum clearances and removals, relocations in the area, all this in order to facilitate the consultations and negotiations case by case.

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