

## Introduction

1. The situation of human rights defenders in Angola remains fragile and these individuals continue to operate at significant personal risk in an atmosphere of tension, hostility, surveillance, judicial harassment, death threats, and in some cases abduction and killing. On various occasions, Angolans, particularly human rights activists working on civil and political rights and journalists criticizing the government, have been denied the rights to freedom of expression, association and assembly.

2. As a consequence of carrying out activities such as investigating and exposing human rights

violations, denouncing extra-judicial executions and abuses by law enforcement agents, many human rights defenders have been openly targeted. With very few exceptions, serious investigations of attacks against defenders have not been conducted by the Angolan authorities, even in the most serious cases including murder and torture. The government has taken no concrete action to support and promote the work of human rights organisations, or to protect organisations or individual activists from attacks.

## Arbitrary detention of HRDs and attacks on freedom of association and peaceful assembly

3. In 2010, the National Assembly of Angola approved a Constitution which guarantees freedom of assembly and peaceful demonstration. Nevertheless, since 2009, the Angolan government has taken action to ban or prevent the majority of peaceful demonstrations from taking place. Since 2011, activists have organised peaceful demonstrations against government policies throughout the country many of which were met with excessive use of force and intimidatory actions such as detaining and threatening participants and chasing down protesters after the demonstrations were dispersed. In a number of cases, detained protesters were reportedly beaten and tortured while in police custody.

4. On 30 March 2013, several human rights defenders, protest organisers and peaceful demonstrators were arrested by police, and many others were dispersed, shortly before the scheduled start of a demonstration in the capital Luanda. The demonstration was organised by several Angolan human rights defenders and civil society activists who had been calling for a government response to the 2012 disappearance of two human rights defenders. The plan for a demonstration received great public support on social media platforms and protesters were expected to meet on 30 March 2013 at 10.00 am at the Cemetery of Saint Ana in Luanda.

5. On 30 March 2013, at approximately 8.00 am, one of the organisers, Mr **Manuel Nito Alves**, was arrested near the supermarket *Alimenta Angola*, while talking about the demonstration to ten other individuals. Around the same time, human rights defenders Messrs **Luaty Beirão**, **Adolfo Campos** and **Mauro Smith** were arrested when they inquired about the heavy police presence at the Cemetery of Saint Ana. At the same time, other protesters who had started to gather were dispersed by police and encouraged to leave the area. At approximately 9.00 am, another human rights defender and one of the demonstration organisers, Mr **Mbanza Hamza**, was reportedly beaten by police.

6. The Provincial Police of Luanda issued a statement confirming the arrest of 12 individuals but Front Line Defenders received confirmation of a total of 18 arrests. All individuals arrested were released without charge on the same day.

7. The demonstration was intended to call for a government response to the disappearance of two human rights defenders, **António Alves Kamulungue** and **Isaiás Cassule**. They were last seen on 29 May 2012, two days after a protest that they had organised on 27 May 2012 in Luanda and which was joined by war veterans. In December 2012, the Angolan government, following a meeting with family members, announced an investigation, but no progress has this far been made public. On 22 December 2012, police dispersed a protest in Luanda calling for an official explanation on the whereabouts of the human rights defenders. They arrested five protesters and three bystanders.

8. On 27 May 2013, at least nine human rights defenders were arrested including Messrs Manuel Nito Alves, Albano Bingo, Nicola, Domingos Cipriano "Aristocrata", Adolfo Miguel Campos André, Graciano, Ferber, Emiliano Catumbela "Ticreme", and Raul Lino "Mandela" while they were taking part in a vigil at Largo da Independência in Luanda to mark one year since the disappearance of human rights defenders António Alves Kamulungue and Isaiás Cassule. All nine human rights defenders are members of the youth group called *Movimento Revolucionário* (Revolutionary Movement), which peacefully advocates for human rights, democracy and accountability in Angola.

9. At around 4pm on 27 May 2013, demonstrators started to gather and were reportedly met with heavy police presence, including helicopters. During the vigil, **Manuel Nito Alves, Albano Bingo** and **Nicola** were arrested by officers of the National Police and detained for a few hours before being released without charges. **Domingos Cipriano "Aristocrata"** was held by police, but released without charges shortly after.

10. At approximately 8pm, **Adolfo Miguel Campos André, Graciano** and **Ferber** were arrested and kept in police custody for approximately three hours. The three human rights defenders were detained in a police vehicle and driven to the outskirts of Luanda. The police officers attempted to release the human rights defenders in a remote area, but after they refused to be left there, they were taken back to the city and released without charge.

11. **Raul Lino**, known as Mandela, was reportedly arrested by police officers at approximately 9pm and was later found unconscious between 10 and 11pm on a roadside outside Luanda. He was immediately taken to a private clinic in Luanda. However, several private clinics reportedly refused to provide treatment fearing government reprisal. The next day, on 28 May, the human rights defender received medical care at the Hospital Geral do Capalanga.

12. **Emiliano Catumbela** remained in detention for almost a month, until 25 June 2013, and was released following a request by the General Attorney's Office. Catumbela was charged with assault for allegedly throwing stones at the police, which has been denied by witnesses. The human rights defender was initially held incommunicado and was refused access to his lawyer for several days. He later faced new charges of attempted murder for allegedly attacking a police officer during his arrest.

13. Eventually, in 9 November 2013, a confidential Interior Ministry report leaked to the media revealed how human rights defenders António Alves Kamulungue and Isaiás Cassule who had been disappeared since May 2012 were abducted, tortured and killed by state security authorities. On November 23 a peaceful protest was organised to call for justice for the murdered HRDs. Despite the Angolan authorities banning the protest citing security reasons, peaceful activists still came out to demonstrate against the government. This led to a dispersal with teargas and mass arrest of protesters by the police. The next day, on November 24, one activist had been shot and almost 300 people across the country were arrested and released, many claiming to have been violently treated by security forces.

### **Prosecution and intimidation of journalists**

14. Journalists and editors face several restrictions that hinder freedom of expression in Angola and these professionals continue to be particularly exposed to intimidation, attacks and arbitrary arrest. Many attempts have been made by public officials to silence and prevent the publication of anti-government articles by journalists. The National Directorate of Criminal Investigation has entered newspapers offices, confiscated computers and questioned journalists. Bloggers have

been accused of defamation for publishing articles that denounced corrupt government workers. Moreover, a strict law affirming that “crimes of outrage” against the President threaten the security of the state further hinders freedom of expression and assembly.

15. Human rights defender and journalist **Mr António Capalandanda** was physically assaulted in addition to being subjected to threats and acts of surveillance and intimidation. António Capalandanda is a journalist at online news and radio site Voz da América (Voice of America). His work has focused on human rights and political violence in the country, as well as investigation of corruption cases involving public officials.

16. On 16 May 2012, Capalandanda was approached by a man who introduced himself as a colonel and an agent of the state security services. He told António Capalandanda that his work did not please the Government and the state secret services would not hesitate to end the lives of individuals who carried out such work. On 5 December 2012, the journalist was approached by a man who identified himself as an agent of the state security services, and issued death threats against the journalist.

17. On 7 December 2012, two unidentified men on a motorbike assaulted the journalist and stole his camera, a voice recorder and two notepads. On the same day, António Capalandanda filed a complaint at Huambo Provincial Police Directorate for Criminal Investigation. The officer who registered the case stated that this type of assault was unusual in the region and added that it seemed the human rights defender was being subjected to surveillance.

18. Additionally, on various occasions in early January 2013, António Capalandanda was repeatedly followed by unidentified men in a vehicle, who parked close to his residence and followed him as soon as he left for work. The men, who appeared to monitor what the human rights defender was doing and who he met with, did not approach him. During the same period that the above-mentioned incidents took place, the email of António Capalandanda was hacked by unknown individuals according to his email service provider.

19. The journalist **Mr Coque Mukuta** has also been the subject of several threats and intimidation. He works for Radio Despertar and covered the anti-government demonstrations in Angola. Additionally, he co-authored the recently published book “Os Meandros das Manifestações em Angola – I Volume” (The Troubled Ways of Demonstration in Angola – Volume I), which describes the anti-government demonstrations organised in Angola in 2011 and 2012 and how security forces violently disrupted the demonstrations and harassed those taking part in them.

20. On 21 March 2012, a group known as Jovens Organizados para Defesa da Paz (Organized Youth for the Defence of Peace) delivered a letter to Coque Mukuta’s house threatening the journalist. It read in Portuguese “Coque Mukuta, you better move to another neighbourhood, you thief” and “You are not scared, watch out”.

21. On the nights of 27 April, 1 and 29 May 2012, unidentified individuals broke into Coque Mukuta’s home. On the first occasion, individuals entered his home in the evening and reportedly stayed there for four hours. On the following morning, the journalist went to the Cazenga Police Station to submit a formal complaint. On 29 April, a similar situation occurred when individuals entered his house at approximately 11:55pm and this time the police quickly arrived and patrolled the area until the following morning. On 1 May, intruders entered Coque Mukuta’s home for the

third time, at approximately 11:50pm and reportedly stayed for more than an hour. Nothing was stolen during these three incidents.

### **Judicial harassment against HRDs exposing abuses**

22. Human rights defenders campaigning against state and police corruption remain at particular risk and face prosecution, often on the basis of charges of offending state authorities. Judicial harassment has become a common method to target and harass HRDs and is used both by the authorities and non-state actors including companies and individuals. Journalists and activists were targeted and forced to pay sums of money as a result of judicial harassment and many have been defamed and tried for libel.

23. **Rafael Marques de Morais** is a prominent Angolan journalist and human rights defender whose work focuses on government corruption and abuses in the diamond industry. He is the founder and director of Maka Angola, an initiative dedicated to the struggle against corruption and the promotion of democracy in Angola. In 2013, he won the Transparency International Integrity Award. Morais is due to appear for questioning before Angolan prosecutors in connection with eleven cases brought against him following the publication of his book “Diamantes de Sangue: Tortura e Corrupção em Angola” (Blood Diamonds: Torture and Corruption in Angola) in 2011.

24. His book details dozens of cases of killing, hundreds of cases of torture, forced displacement and intimidation against villagers and diamond diggers. In 2012, nine high-ranking Angolan generals who were named in Blood Diamonds in connection with serious violations of human rights filed a criminal complaint against the human rights defender in Portugal.

25. On 17 July 2013, Rafael Marques was summoned for questioning in connection with a total of eleven charges brought against him simultaneously. However, Rafael Marques did not receive official details of the case until January 2014, a year after the charges were filed. Despite Portugal's Public Prosecutor asking for closure of the case as “the publication of the book fell within the legitimate exercise of the basic rights of freedom of information and expression”, Angolan courts have decided to continue with the defamation charges against the human rights defender.

### **Civil Society Organisations in Cabinda Province**

26. Self-determination and secessionist movements continue to rage on in the oil-rich exclave province of Cabinda. Crimes against civilians are committed by both the Angolan army and the separatist guerilla groups and authorities often use the conflict to justify human rights violations. Under the pretext of security, military officials have arbitrarily arrested supporters of the separatist movement and lawyers who witness and document such abuses.

27. Civil society organizations experience a particularly difficult process to register and work in the province. In 2006, *Mpalabanda – Associação Cívica de Cabinda* was banned by the Provincial Court of Cabinda. Mpalabanda was one of very few local human rights organisations active in Cabinda and worked documenting human rights violations committed by both the Angolan government and the guerilla group Front for the Liberation of the Enclave of Cabinda. The

organisation had been operational for over 2 years when it was banned based on unsubstantiated accusations of “inciting violence.” In February, March and April 2011, a number of anti-government protests were banned or dispersed, and participants were arrested. In July 2011, nine civil society activists who intended to present a letter to a visiting delegation of European Union representatives were arrested by police and charged, before being eventually acquitted the following month.

23. On November 2011, former members of Mpalabanda along with other human rights defenders and civil society representatives signed a petition and submitted it to the Supreme Court. The petition demands that the Supreme Court considers the appeal lodged by Mpalabanda in 2006 and points out that the appeal filed by Mpalabanda has remained pending for more than double the average waiting period for similar cases. International jurisprudence has widely acknowledged that excessive delay constitutes a denial of justice.

24. On 14 March 2012 human rights organizations from Angola and abroad including Front Line Defenders submitted a joint letter to Angolan authorities supporting the petition, to which the government did not take any action. Since then there has been no reply from the Angolan state and Mpalabanda is still banned from operating. More recently, on 2013 more than 30 citizens in Cabinda were detained under unfounded allegations of crime against the State.

**25. Front Line Defenders calls upon the member states of the UN Human Rights Council to urge Angola's authorities to prioritise the protection of human rights defenders and in doing so to:**

- (a) Promptly provide human rights defenders at risk with adequate protective measures tailored to their individual security needs with the aim of preventing future attacks and ensure that all human rights defenders in Angola are free to carry out their human rights activities free from persecution;
- (b) Make public and frequent statements on the important role played by human rights defenders and journalists in Angola, recognising the level of risk of attack that they face in carrying out their legitimate and peaceful activities, and the responsibility of the federal government to protect both groups through an effective protection mechanism;
- (c) Drop the charges currently pending against human rights defenders, as it appears that their prosecution is solely related to their peaceful and legitimate human rights work and the exercise of their fundamental freedoms.
- (d) Ensure that an immediate, thorough and impartial investigations into all reported cases of attacks against human rights defenders is carried out, with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
- (e) Fully investigate the allegations of torture made by many of the human rights defenders mentioned in this report, and take urgent measures to prevent the re-occurrence of instances of torture
- (f) Take measures to strengthen and broaden State institutions working in the protection of human rights defenders;
- (g) Take urgent measures to end extra-judicial killings and enforced disappearances of human

rights defenders;- I think we should specifically mention the need for those responsible for the killings of António Alves Kamuningue and Isaiás Cassule

- (h) Fully implement the adopted UPR recommendations on human rights defenders in a transparent and participatory manner with full involvement of human rights defenders at all levels.