

In its last Universal Periodic Review in 2010, the Republic of Angola (Angola) accepted three recommendations with respect to human rights defenders (HRDs), committing to guarantee their legitimacy and protection, as well as to pursue dialogue with civil society. Angola also committed to decriminalise press offences and to work to protect journalists. Regrettably, the State has failed to take concrete steps to implement these recommendations. Moreover, there have been a range of new attacks and restrictions against HRDs since the last UPR.

## 1. Risks facing human rights defenders

- Human Rights Watch's 2013 Report on Angola states that 'defenders, and in particular defenders of economic, social and cultural rights continued to be subject to arbitrary arrests and judicial harassment. The judicial system remains used by the authorities as a tool of retaliation against human rights defenders' activities.<sup>1</sup>
- As highlighted in a number of sources, in order to silence and intimidate journalists and activists, the Government has filed many lawsuits against them for defamation, and resorts to 'police abuse, arbitrary arrests, and intimidation to prevent peaceful anti-government protests, strikes, and other gatherings from taking place.'<sup>2</sup>
- Whilst the Angolan constitution guarantees freedom of expression and the press, according to Freedom House 'media in Angola operate in a restrictive environment, and conditions deteriorated during 2012. State-run media continued to be the principal source of information, as the government maintained tight control over private media outlets through legal, political, and security-related means.'<sup>3</sup> Amnesty International confirmed that suppression of freedom of expression continued in 2013.<sup>4</sup>
- Last year the UN Human Rights Committee expressed concern at 'legal restrictions to freedom of association, which have resulted in difficulties for non-governmental organisations to be registered and also at reports of intimidation and harassment, which some non-governmental organisations face, preventing them from effectively carrying out their activities.'<sup>5</sup>
- The very existence of numerous human rights organizations is under threat, mainly because of lack of funding sources.<sup>6</sup> Moreover, the registration process for civil society organizations is long and complex.<sup>7</sup>
- In its 2012 concluding observations, the African Commission on Human and Peoples' Rights (ACHPR) raised concern about allegations of harassment of HRDs and about the mistreatment by Government of some human rights NGOs.<sup>8</sup>

## 2. Official restrictions on the space for human rights defenders

- According to Human Rights Watch 'despite constitutional protection for freedom of assembly, since 2011 the authorities have responded to peaceful anti-government protests organised by youth groups and others in Luanda and elsewhere with excessive force, arbitrary arrests, unfair trials, harassment, and intimidation of participants, journalists, and observers.'<sup>9</sup>
- Amnesty International expressed concern at provisions of the Draft Criminal Code which are incompatible with Angola's human rights obligations and appear to reveal the Angolan government's intention to further suppress the activity of human rights groups.<sup>10</sup>
- According to Human Rights Watch's World Report 2014 'the authorities use criminal defamation laws to silence and intimidate journalists and bloggers.'<sup>11</sup>
- Judicial actions against journalists<sup>12</sup>, disappeared HRDs<sup>13</sup>, charges of 'abuse of press freedom' and defamation against bloggers<sup>14</sup>, refusal of access to lawyers and keeping HRDs incommunicado<sup>15</sup> were reported.
- Angola ranks 101 out of 109 States assessed in the 2013 CIVICUS Enabling Environment index, a study of how open and safe a country is for civil society activism.<sup>16</sup>

## 3. Intimidation and reprisals against defenders accessing international human rights mechanisms

- Angolan defenders who attended and made statements at the 51st ACHPR session, during which the human rights situation in Angola was reviewed, were afraid to go back home following threatening remarks from some members of the state delegation.<sup>17</sup>

#### 4. Human rights defenders facing particular risks

- The 2013 Report of the Observatory for the Protection of Human Rights Defenders documented that human rights activists denouncing corruption are particularly vulnerable to reprisals and abuses.<sup>18</sup>

#### 5. The lack of response of the State regarding the protection of human rights defenders

- The ACHPR Concluding Observations on the Periodic Report for Angola, adopted in 2012, recommended that 'Angola take measures to decriminalise press offenses and guarantee freedom of expression and access to information.' However, to date the laws have not been changed. Furthermore the Commission called on Angola to adopt legislative measures to guarantee freedom of association and ensure protection of HRDs.<sup>19</sup>
- The International Federation of Journalists and the Federation of African Journalists have called upon the Angolan State to stop its security forces from intimidating journalists whilst carrying out their work.<sup>20</sup>

#### 6. Recommendations to the Government of Angola

- Angolan authorities should make public statements recognising the legitimate and important role of HRDs, particularly those working on issues of corruption and of economic, social and cultural rights.
- The state should amend its legislation in order to remove bureaucratic obstacles to the establishment and registration of NGOs and restrictions on their operations, as well as taking steps to support their activities and strengthen cooperation with them.
- Any cases of violence and use of force against human rights defenders, protesters, and journalists should be investigated and prosecuted. Moreover, the victims should be provided with adequate compensation.
- Defamation laws should be repealed, whilst the State should ensure that public officials using State apparatus or the justice system to restrict and criminalise human rights and journalistic activities are sanctioned.
- The State should develop laws and protocols to facilitate protests and regulate the use of force.
- The draft Criminal Code should be thoroughly revised, with civil society participation, to ensure its compliance with international law.
- The State should establish a national human rights institution, in accordance with the Paris Principles as recommended by the African Commission on Human and People's Right in its 2012 concluding observations. Such an institution should include a focal point for human rights defenders.
- The State, together with civil society, should conduct a full review of public policy, based upon the CIVICUS Enabling Environment index, and legislate the necessary improvements.
- The State should put into place specific laws and protective measures to safeguard human rights defenders against reprisals when interacting with regional and international human rights mechanisms.

**In Angola, human rights defenders are often accused of being opponents of the government, when they ought to be seen as crucial actors in efforts to ensure a post-conflict Angola with greater equality, opportunity, rights and development. Steps must be taken to increase civil society and human rights defender space if those efforts are to advance.**

<sup>1</sup> World Report 2013, Human Rights Watch, <http://www.hrw.org/world-report/2013>

<sup>2</sup> World Report 2013, Human Rights Watch, <http://www.hrw.org/world-report/2013>

<sup>3</sup> <http://www.freedomhouse.org/report/freedom-press/2013/angola#.Uw22PfdXT0>

<sup>4</sup> Amnesty International Report 2013, <http://www.amnesty.org/en/library/asset/POL10/001/2013/en/b093912e-8d30-4480-9ad1-acbb82be7f29/pol100012013en.pdf>, p 24.

<sup>5</sup> Concluding observations on the initial report of Angola, adopted by the Committee at its 107th session (11 – 28 March 2013)

<sup>6</sup> <http://www.hurisa.org.za/wp-content/uploads/2013/05/FINAL-REPORT-ON-THE-ANGOLAN-CIVIL-SOCIETY-SIDE-EVENT-IN-BANJUL-with-pictures-1.pdf>, p.3

<sup>7</sup> [http://www.usaid.gov/sites/default/files/documents/1860/CSOSI\\_AFR\\_2012.pdf#page=19](http://www.usaid.gov/sites/default/files/documents/1860/CSOSI_AFR_2012.pdf#page=19), p.14

<sup>8</sup> [http://www.achpr.org/files/sessions/12th-eo/conc-obs/2nd-1999-2010/concluding\\_observations\\_angola\\_eng.pdf](http://www.achpr.org/files/sessions/12th-eo/conc-obs/2nd-1999-2010/concluding_observations_angola_eng.pdf)

<sup>9</sup> World Report 2013, Human Rights Watch, <http://www.hrw.org/world-report/2013>, see also

<http://www.frontlinedefenders.org/node/22230#sthash.bakdwOUB.dpuf>

<sup>10</sup> Amnesty International, "Angola: Provisions of the 'Draft Criminal Code' are Incompatible with Angola's Human Rights Obligations", January 2013, <http://www.amnesty.org/en/library/asset/AFR12/001/2013/en/56902fc1-3a39-4b2b-9cad-d759a82d8edc/af120012013en.pdf>

<sup>11</sup> <http://www.hrw.org/world-report/2014>

<sup>12</sup> [http://www.transparency.org/getinvolved/awardwinner/rafael\\_marques\\_de\\_morais](http://www.transparency.org/getinvolved/awardwinner/rafael_marques_de_morais)

<http://www.frontlinedefenders.org/node/22901>

<sup>14</sup> World Report 2014, Human Rights Watch, <http://www.hrw.org/world-report/2014>

<http://www.frontlinedefenders.org/node/23159>

<sup>16</sup> <https://civicus.org/media-centre-129/press-releases/1887-govts-fail-to-create-favourable-conditions-for-civil-society-says-new-report>

<sup>17</sup> Personal testimonies by human rights defenders to ISHR.

[http://www.omct.org/files/2011/10/21443/obs\\_2011\\_uk\\_complet.pdf](http://www.omct.org/files/2011/10/21443/obs_2011_uk_complet.pdf), p. 24

<sup>19</sup> [http://www.achpr.org/files/sessions/12th-eo/conc-obs/2nd-1999-2010/concluding\\_observations\\_angola\\_eng.pdf](http://www.achpr.org/files/sessions/12th-eo/conc-obs/2nd-1999-2010/concluding_observations_angola_eng.pdf)

<sup>20</sup> <http://allafrica.com/stories/201402130635.html>