

**Statement on the UPR Pre-session on the ANGOLA
of Rights of Ethnic Minorities of the San Peoples
21st November 2024, Geneva**

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This statement is delivered on behalf of Mission of Beneficence Agriculture of Kubango Inclusive Technologies and Environment (MBAKITA), non-government organizations in Angola that seeks to uphold the San people's right to safe, and human rights.

There was no national consultation. We draw this statement on the base of field working experience with the San peoples.

The submission focuses on addressing access to education and land for San peoples

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ISSUE 1: ACCESS TO EDUCATION

146. 180. Afghanistan recommended for the Angolan government to *“Intensify its efforts to improve equal access to education for all, especially for vulnerable groups such as women, minorities, children with special needs, and those living in rural areas”*.

This recommendation is not yet fulfilled. We still have the minorities children out of school¹ in a total of 8569 peoples, only 20 have access. While 8549 have never known a classroom due to the lack of birth registration. There have not been any programs for integrate this minority San peoples.

The situation is stationary². They are not on the priority agenda, nor are there public policies adapted to the San people's way of life since the last cycle.

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ISSUE 2: Access to Land

146. 260. Ukraine recommended for the Angolan government to *“Adopt legislation and measures to recognize the status of indigenous peoples”*.

No legislation has been produced regarding ethnic minority groups/San peoples. Civil society organizations call on the State to produce laws that guarantee the protection of these communities and to assign the title of nature reserves to the places where they are located.

The government approved Presidential Decree No. 14/2018, of February 19, which creates the Interministerial Commission and the Minha Terra program to promote the

¹ MBAKITA Report of the Historical and Cultural Heritage of the San Community of Angola and its Socio-Political and Economic Exclusion.

² Article 79 (Constitution of the Republic of Angola) 1. The State promotes access for all to literacy, education, culture and sport, encouraging the participation of the various private agents in its implementation, in accordance with the law.

recognition of communities' lands through land titling. So far, indigenous lands have not been recognized. It is recommended that the lands of Angola's Sans communities be protected based on the Nature Reserves Law.

Land tenure rights for indigenous peoples are not clarified in the Constitution of the Republic of Angola of 2010, as well as Law 09/2004³, of 9 November, Land Law of the Republic of Angola.

146. 262 Peru recommended for the Angolan government to “*Strengthen initiatives to recognize the ownership and use of land by minority communities and indigenous peoples, including the San people and the south-western pastoral communities*”.

There is no political instrument, even administrative measures that recognize the land owned by minority communities. Only San peoples of Hoke-Cacula community had been assigned ownership by the Government for the purposes of cultivation, hunting, collection of wild fruits and settlement of the village.

The attribution of land rights is verified, without observing the rights of the autochthonous privileges by the legislation in force. Aggravating hunger, poverty, misery and disease. Destroying the socio-cultural heritage of the San people from the customs, habits and ancestral knowledge. Making them loss of freedoms and fundamental rights (housing, health and food). It is recommended that a policy instrument be created to assess compliance with the recommendation on the recognition and use of land by minority San peoples.

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Therefore, we recommended that the Angolan government:

- a. Ratify the ILO Convention 169.
- b. Ratify the Declaration on the Rights of Indigenous Peoples of September 13, 2007.
- c. Ratify the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities of December 18, 1992.
- d. That the social inclusion policies adapted to the San's way of life be applied and implemented.
- e. Establish conservation limits for indigenous lands inhabited by the San people.

We hope the mentioned recommendations will be adopted and implemented in accordance with the Angolan Government's mandate to uphold the rights of the San people.

Thank you for your attention.

³ Paragraph e) of article 4 of Law 09/2004, of November 9, Land Law of the Republic of Angola, as a set of fundamental principles for the transmission, constitution and exercise of land rights on lands controlled by the State. The "principle of respect for rural communities' customary right to land as established in Article 9(1) states that the State respects and protects the rights of rural communities to use, including those that are based on customs and customs.