



MOVIMENTO CÍVICO - MUDEI

EM DEFESA DO ESTADO DEMOCRÁTICO E DE DIREITO EM ANGOLA



DECLARATION

**Pre-session of the Periodic Review of Angola,
Switzerland-Geneva, November 21, 2024
Presentation: Civic Movement MUDEI**

1. Presentation

This statement is made on behalf of the Civic Movement MUDEI, a national network of individuals and organizations, represented here by the Lusophone Platform for Human Rights (PLUDH), which in their joint action intend to defend the civic and democratic space.

2. Consultation for the preparation of the submitted report.

This presentation is the result of both organizations collecting information and consulting with their members and partners, networks and members to prepare the report submitted under the UPR and participating in the consultations held by various platforms and events to assess the human rights situation in Angola. In order to prepare and submit the report, we received subsidies from PLUDH.

3. Declaration plan

This declaration addresses the following issues: Right of Association, Human Rights Defenders, Assembly and Peaceful Demonstration.

DECLARATION

I. Rights of Association

a. Recommendations addressed during the last periodic review.

Several countries made recommendations on the right of association. The government undertook to *“guarantee the protection and respect of civic space by ensuring the timely and effective legal registration of non-governmental organizations”* and to *“amend or repeal all laws that unduly restrict the rights to freedom of expression, association and peaceful assembly”*.

b. New developments since the first assessment

The Angolan government has submitted to parliament a Draft Law on the Statute of Non-Governmental Organizations, submitted by the President of the Republic that argues *“considers that it has encountered constraints and difficulties in ensuring compliance with international obligations assumed by the Angolan government on money laundering and terrorist financing”*. The NGOs submitted a petition to the National Assembly and to date the Angolan Parliament has not debated the approval of the draft law and has not responded to the petition submitted by the GTMDH.

Presidential Decree N^o 214/24 was approved on 18 October this year - it creates the Institute for the Supervision of Community Activities, which has the mandate and powers to *“supervise, monitor, authorize and terminate”* NGOs, in particular its powers violate Article 22 of the ICCPR. With the implementation of this all laws the government will control the ONG.

c. Recommendations

- i. We call on the Angolan government to remove undue restrictions on freedom of association and to ensure that domestic legislation complies with Articles 21 and 22 of the ICCPR.
- ii. Implement the Commentary issued by the UN Special Rapporteurs on the Draft Law on the Status of Non-Governmental Organizations (Ref.: OL AGO 2/2023, on 29 August 2023).

II. Harassment, intimidation and attacks against human rights defenders, civil society activists and journalists

a. Recommendations addressed during the last periodic evaluation.

The Angolan government accepted all eight recommendations to *“guarantee the protection of human rights defenders”*. The Angolan government has not implemented any of the recommendations.

b. New developments since the first evaluation

Human rights defenders and civil society activists in Angola are regularly subjected to intimidation and harassment, including death threats. The MUDEI Movement published its first report on human rights violations in Angola for the months of April, May and June 2024 in the provinces of Luanda, Bie and Lunda Sul. Arbitrary arrests of civic activists and summary executions of citizens and more than 200 activists detained for more than eight months in the province of Lunda Sul are being tortured and coerced into signing documents. They have also been denied the right to medical care.

c. Recommendations

- i. We call on the Angolan government to repeal or amend all legislation that unjustifiably restricts the legitimate work of human rights defenders, in accordance with the United Nations Declaration on Human Rights Defenders.
- ii. Amend Article 333 of the Penal Code and Law N° 23/10 of December 3, 2010 on Crimes against State Security to bring them into line with the ICCPR and the UN Declaration on Human Rights Defenders.
- iii. Implement the Opinion of the Working Group on Arbitrary Detentions Ref: AL AGO 2/2024, of July 22, 2024 on the arrest, detention, prosecution and sentencing to prison.

III. Freedom of peaceful assembly and demonstration

a. Recommendations addressed during the last periodic evaluation.

The Angolan government received five recommendations and undertook to “Continue legislative reforms to increase media freedom and strengthen the protection of the rights to freedom of expression and peaceful assembly, and end the arbitrary detention of journalists and peaceful demonstrators”.

b. New developments since the first assessment

On January 30, 2021, violence against demonstrators in Cafunfo Village, Cuango Municipality, Lunda-Norte Province, by the Angolan State Defense and Security Forces resulted in 55 deaths recorded by NGOs. The strikes and demonstrations held in March, April and May this year, organized by the three trade union federations CGSILA, UNTA-CS and FS-CS, resulted in arrests and summary proceedings against demonstrators. The MUDEI Movement published its first report on human rights violations in Angola for the first quarter of 2024. The report highlights a series of human rights violations that took place in April, May and June 2024 in Luanda, Bie and Lunda Sul. The arbitrary detentions of civic activists and the summary executions of citizens are worrying and require urgent intervention to prevent them from being repeated and their perpetrators from going unpunished. More than 200 activists who have been detained for more than eight months in the province of Luanda Sul are being tortured and coerced into signing documents. They have also been denied the right to medical care.

c. Recommendations

- i. Review the Penal Code, the draft National Security Law and the provisions on the minimum share capital required for the creation of media entities in Law 4/17, of January 23, 2017, on the Exercise of Broadcasting Activities, to bring them into line with international best practices and standards on freedom of expression.
- ii. Reform the legislation on defamation and the Law on Crimes of Vandalism of Public Property and Services in accordance with Article 19 of the ICCPR.
- iii. Adopt best practices on freedom of peaceful assembly, as presented by the 2012 report of the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, which calls for simple processes for notifying assemblies rather than requiring authorization, and by General Comment No. 37 on the right to peaceful assembly, adopted by the UN Human Rights Committee in 2020.

Thank you for your attention.

Geneva November 21, 2024

Yours sincerely