



# ANGOLA

CAPITAL: Luanda

POPULATION: 16.3 million

GNI PER CAPITA: \$1,980

SCORES	2005	2007
ACCOUNTABILITY AND PUBLIC VOICE:	1.79	2.46
CIVIL LIBERTIES:	2.81	2.83
RULE OF LAW:	2.22	2.62
ANTICORRUPTION AND TRANSPARENCY:	2.10	2.10

(scores are based on a scale of 0 to 7, with 0 representing weakest and 7 representing strongest performance)

*Imogen Parsons*

## INTRODUCTION

Angola's twenty-seven-year civil war, which began with the country's independence from Portugal in 1975, ended in 2002 when Jonas Savimbi, leader of the armed rebel movement National Union for the Total Independence of Angola (UNITA), was killed by government forces. In 2006, peace also spread to Angola's oil-rich Cabinda province thanks to a peace agreement with the Front for the Liberation of the Enclave of Cabinda (FLEC), a separatist rebel group.

Peace has created an opportunity for the government to complete its transition to multiparty democracy and a free-market economy, which began in the late 1980s and led to the signature of the Bicesse Accord, an abortive peace deal, in 1991. The process had stalled after the first—and last—multiparty elections the following year. UNITA rejected the Popular Movement for the Liberation of Angola (MPLA) victory in

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## 2 COUNTRIES AT THE CROSSROADS

the parliamentary elections, claimed fraud, and returned the country to civil war. Although economic reforms were executed, including liberalization and privatization, in practice the main beneficiaries were the existing political elites, and the power of the president and ruling party were consolidated as a result. Space for alternative political actors or civil society groups to emerge was heavily restricted and remained so throughout the war.

The government's reliance on the international community's assistance has further decreased due to rising oil prices, the discovery of new and substantial oil reserves, and the willingness of donors such as China to make large loans free of political conditions. However, the Angolan government has also shown a desire for international legitimacy, which has translated into a willingness to work with international institutions to improve transparency and accountability. Notable progress has been made since a low point in 2003, when an International Monetary Fund (IMF) document suggesting that billions of dollars had gone missing from government coffers was leaked to the international media.

Substantial revenues have yet to bring widespread economic and social development. Angola's ranking in the 2006 UN Development Programme Human Development Index, although improved since 2004, stands at 161 out of 177.<sup>1</sup> The government still fails to provide even basic services to the majority of the Angolan people. Profits from the oil industry are concentrated in the oil sector, which is largely offshore, employs a small proportion of the population (some 10,000 people), and offers only limited benefits to the country as a whole.

Finally, political accountability remains limited. Instead of disintegrating or losing power, as some predicted, the ruling MPLA has further consolidated its power, while UNITA has failed to reconstitute itself as an effective political opposition. Elections have been repeatedly delayed despite increasing domestic pressure, and although voter registration is under way, a firm date has yet to be set. That said, there have also been positive developments: greater official accountability has emerged through the work of civil society and independent media, and the government has become increasingly willing to consult with, and listen to, outside voices.

## ACCOUNTABILITY AND PUBLIC VOICE

FREE AND FAIR ELECTORAL LAWS AND ELECTIONS:	1.75
EFFECTIVE AND ACCOUNTABLE GOVERNMENT:	1.75
CIVIC ENGAGEMENT AND CIVIC MONITORING:	3.33
MEDIA INDEPENDENCE AND FREEDOM OF EXPRESSION:	3.00
<b>CATEGORY AVERAGE:</b>	<b>2.46</b>

Angola continues to await repeatedly deferred presidential and parliamentary elections, the first and last of which were held in 1992 when the MPLA was returned to power—a position it had held since independence from Portugal in 1975. The international community considered the elections generally free and fair, although UNITA protested supposed electoral fraud and returned the country to civil war as a result. Elections have, since the end of the war in 2002, been repeatedly promised “in two years.” Although an electoral timetable approved in 2004 anticipated elections in 2006, the government stated in early 2007 that legislative elections will be held in 2008, with presidential elections following in 2009.<sup>2</sup>

Progress is slowly being made toward new elections. A new package of electoral laws was passed in 2006 following consultation with opposition parties, and, although slowed by technical difficulties, voter registration began in late 2006. Following the recommendation of the National Electoral Commission, opposition parties are taking part in and monitoring the process, and have been promised equal access to media coverage for campaigning purposes, including in state-operated media. Political tensions have been relatively minor so far. UNITA has complained of an increase in political interference and violence since the start of the registration process, even including an alleged assassination attempt against party leader Isaias Samakuva; although troubling, these reports do not yet represent a picture of widespread or systematic abuses.<sup>3</sup>

Centralization of power around the president during the 1990s, led many to believe that MPLA member power was a weakened force. However, MPLA membership has increased since the end of the war, particularly in the central highlands and former UNITA-supporting areas, as

people have been encouraged to join by financial and material inducements. At the end of 2004, membership stood around 2 million, more than double the number in 1992. Party membership is viewed by some as enhancing—if not as a prerequisite for—educational progress and promotion to senior levels of the state sector,<sup>4</sup> and MPLA youth organizations have historically played an important role in providing opportunities for young people by effectively integrating them into patronage networks. Nonetheless, the MPLA has made moves to become more open by introducing competition into the selection process for members of parliament (MPs), insisting that more than one candidate be put forward for each post.

Government and parliamentary posts are allocated according to the terms of the Government of National Unity (GURN), which was formed in 1997 and based on the 1992 election results. As a result, both are MPLA dominated, and while UNITA and smaller parties are represented in both, they have little power. Although UNITA holds a number of ministerial posts and provincial governorships, even in these cases the MPLA deputy is frequently the more powerful official. This form of power sharing was almost certainly a positive factor in bringing peace, but observers have asked whether—five years on from the end of the war—this does not diminish UNITA's status as an opposition that represents a real alternative.

Certainly one result of this system is a feeble and MPLA-dominated parliament, with a weak mandate and powers frequently limited to “consultation” on matters such as government appointments and legislation. Indeed, around 90 percent of legislation is estimated to originate from the executive,<sup>5</sup> while parliament is relegated to a rubber-stamp role. The MPLA holds 200 seats and UNITA 70, while the 10 smaller parties, with 20 seats between them, are even less well represented. MPs are prohibited from also holding cabinet and other positions in government, meaning there is no overlap but also little consultation. Moreover, MPs and committees frequently lack the technical capacity to exercise oversight functions effectively, and the civil service is highly politicized.

Government accountability is further limited by the lack of directly elected representatives: parliamentary elections take place on a closed party list basis, provincial governors are centrally appointed, and there are no local elections. The government reportedly intends to launch a limited decentralization trial after the elections,<sup>6</sup> but there seems to be

little appetite for comprehensive structural reform of the overall system. The draft new constitution—repeatedly delayed and now likely to be approved only after parliamentary, and possibly presidential, elections have taken place—does not envisage any substantial changes.

UNITA has failed to reorganize as an effective opposition, exhibiting few policy differences from the MPLA.<sup>7</sup> Despite the fact that there are some 128 registered political parties, only the MPLA and UNITA enjoy national representation and support. To compensate for this, opposition parties have formed coalitions and have been active both in campaigning for new elections and in promoting other issues, but they have not effectively exerted pressure. Political parties are entitled to state funding, but this is proportional to the size of their representation, meaning the myriad of small parties receive relatively little support. Few observers believe that anybody except the MPLA will win the next elections.

The constitution provides for the separation of powers, but the judiciary and parliament are weak and unable to hold the executive accountable. Power remains heavily centralized, concentrated in the presidential office and the MPLA, which is headed by President Dos Santos. The president is effectively head of government as well as state; he presides over the council of ministers, can appoint and dismiss the prime minister and other ministers and vice ministers, and also appoints the attorney general and some members of the judiciary, including Supreme Court judges. Provincial governors are also directly appointed by the president. In addition, Dos Santos enjoys a considerable personal power base, including a range of charitable activities administered by his personal foundation. He continues to marginalize rivals, as seen in early 2006, when Fernando Miala, head of the external intelligence services, was dismissed. Miala apparently enjoyed a significant support base, including a private charity foundation, and was believed to harbor political ambitions.<sup>8</sup>

The government retains the ability to exercise some control over civil society. All groups are required to undertake potentially onerous registration processes and those engaging in political activities can be denied registration; the government seldom uses this power outside of Cabinda. Mpalabanda, a Cabinda-based human rights organization created in July 2003, was banned by the authorities in July 2006 for its involvement in politics. Nonetheless, the postwar period has seen a growing government willingness to consult with nongovernmental organizations (NGOs) and civic groups on policy and legislation. Although changes made as a result

of public consultation processes have to date been somewhat underwhelming, examples such as the 2004 Land Law and the media and electoral laws in 2006 represent progress.

Independent media continue to provide an effective outlet for criticism of government policy, albeit still generally only in the capital, Luanda, where a number of independent newspapers regularly publish articles critical of the government. Self-censorship is said to be common, but reports of actual harassment and arbitrary detention have declined since 2004; one journalist was held in 2005, but there were no reported detentions in 2006. No new cases of defamation have been brought, and although a number of accusations are still outstanding, the accused journalists have not been prosecuted and continue to work. Additionally, the defamation conviction obtained against the editor of independent newspaper *Angolense* was overturned in early 2005.

Access to independent media remains rare outside the capital, and state media continue to be heavily influenced by the MPLA. Independent newspapers are rarely seen outside Luanda; only a small number of independent radio stations operate, and in any case these are rarely expressly critical of the government. The often critical Catholic radio station *Radio Ecclesia* continues to broadcast in Luanda, but—despite having been officially given permission to operate nationwide and having invested (with international donor support) in provincial infrastructure—its attempts to broadcast outside the capital have been blocked by the government. Although internet access is not restricted, lack of infrastructure, low literacy rates and high cost mean that in practice it is only accessible to a small proportion of the population.

A new media law passed on February 2, 2006, represents an improvement on previous legislation. It brings an end to the state monopoly on broadcasting, creates public TV and radio that will be governed by the principles of public interest, and removes provisions allowing prosecution of journalists for defamation of the president even where the facts reported are true. Opposition groups were consulted in the drafting of this law, although a UNITA proposal that a new body be created as a guarantor of press freedom was not included in the final version. Concerns remain, however: licensing procedures for private broadcasters are still under government control, and the potential exists for excessive penalization of poorly defined criminal conduct.<sup>9</sup> It is thus

likely that the state will retain some ability to influence the media, and that many media outlets will remain politicized.

Broader freedom of expression is not prohibited but in practice is limited; this is partly a legacy of the war, but cases such as the car washer killed by members of the presidential guard for singing lyrics from an antigovernment rap song may weigh heavily on the minds of Angolan citizens.

### *Recommendations*

- Elections should be held as soon as possible, with equal campaigning time given to parties in state-run media. NGOs and civil society organizations should be engaged to ensure appropriate civic education is undertaken early and on a nationwide basis.
- Decentralization pilot programs should be initiated at the earliest opportunity, with a view toward instituting locally elected government as anticipated in the new draft constitution.
- Independent media, including Radio Ecclesia, should be allowed to broadcast nationwide, and public broadcasters must be allowed to operate without political interference, particularly in the run-up to elections.
- Parliament should be fully consulted by the executive, including during the development of legislation and the selection of high-ranking officials. Adequate resources and training must be available to MPs and national assembly staff to enable them to carry out their role effectively.

## CIVIL LIBERTIES

PROTECTION FROM STATE TERROR, UNJUSTIFIED IMPRISONMENT, AND TORTURE:	2.14
GENDER EQUITY:	3.25
RIGHTS OF ETHNIC, RELIGIOUS, AND OTHER DISTINCT GROUPS:	2.75
FREEDOM OF CONSCIENCE AND BELIEF:	3.00
FREEDOM OF ASSOCIATION AND ASSEMBLY:	3.00
<b>CATEGORY AVERAGE:</b>	<b>2.83</b>

The Angolan constitution provides comprehensive guarantees of social and economic rights, although they are not necessarily codified into national law and are not always respected in practice.

State security services—the army and police—have been accused of a number of human rights abuses in recent years, including torture, extrajudicial killings of members of criminal gangs (see Rule of Law), and beatings and shootings during forced evictions. Violence has also been directed at foreign diamond miners and other illegal workers, who have been forcibly repatriated in a series of operations. In 2003, a thirty-page report accused the Angolan army of a catalogue of disappearances and deaths in Cabinda.<sup>10</sup> Further alleged abuses occurred in 2004 and 2005, although the human rights situation has improved as military operations have decreased. Rebel group FLEC has also been accused of atrocities, including attacks on people suspected of collaborating with the Angolan army, although, again, to a lesser extent since 2004 as FLEC capacity and activity levels have decreased. The army has taken some steps to address these issues, including transferring units away from Cabinda. In at least one case military legal proceedings have been initiated against members of the armed forces, although many cases remain unsatisfactorily investigated.<sup>11</sup>

Sporadic accusations of harassment of former UNITA combatants and party members by the MPLA and members of the Civil Defense Force (ODC) also persisted into 2005 and 2006. For instance, in March 2005, UNITA's thirty-ninth birthday, clashes between UNITA and MPLA members in Cuando Cubango resulted in twenty-eight injuries. In April 2005, UNITA accused the MPLA of destroying its Moxico Headquarters, apparently in response to the discovery of a land mine on a local airstrip. The government has also been accused of denying identity papers and pensions to demobilized UNITA soldiers.<sup>12</sup> Overall tensions have decreased since 2004, and cases of actual violence are rare; nevertheless, the start of election campaigning could result in renewed hostilities.

The state's ability to protect citizens from abuse and crime is hampered by the lack of capacity in the justice system, as is the ability of citizens to seek redress should their rights be violated by the state. Progress has been made, however, through the recent appointment of an ombudsman, a new post provided for under the constitution but unfilled until now, whose role is to defend citizens' rights and provide a means of seeking redress from the state. Paulo Tjipilica, the appointee, is a trained lawyer, former minister of justice, and former senior member of

UNITA. His power extends only to the ability to make recommendations, however, so the change should not be overstated.

Lengthy periods of pretrial detention are common, and conditions in Angolan prisons remain basic, with chronic overcrowding and reports of sexual abuse of female prisoners and juveniles. However, although illegal detentions continue to take place, in recent years NGOs have reported better access to judicial information. Furthermore, local and international human rights observers have been allowed to visit prison facilities and work is under way on a new prison facility for women. One local NGO, the Association for Justice, Peace, and Democracy (AJPD) has been allowed access to prisoners and has succeeded in securing the release of some.

Women enjoy relatively high status compared with those in many other postconflict and developing countries; they are at least somewhat represented in government (comprising 16 percent of the national assembly, although numbers in local government are lower) and are well protected under the constitution. However, lack of access to formal justice means their rights are often unprotected in practice, and societal attitudes, particularly in rural areas, are often retrograde. Domestic violence—which is not in itself a crime as no specific legislation criminalizing it exists—is common, and women still face discrimination in the workplace.

Trafficking in women is not believed to be common. Although Angola is one of the few Southern African countries not to have acceded to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, the government has, since 2004, steadily increased its efforts to prevent trafficking in children. No specific antitrafficking laws exist, but laws prohibiting forced labor and kidnapping may be applied, and a new statute requires documentation for international travel by unaccompanied minors. The National Commission to Combat Child Labor and Trafficking in Minors has met monthly, there have been national awareness campaigns, and in 2005 and 2006 police officers and border officials received training in how to deal with child trafficking.

Individual ethnic groups are not specifically discriminated against, though tensions do occasionally exist due to political affiliations that correspond to ethnicity; for instance, UNITA remains primarily Ovimbundu-based. Various NGOs and other interested parties have devoted considerable effort since 2002 to working with the San (bushmen) people, whose traditional way of life was under threat as a result of the war.<sup>13</sup>

The San have also benefited from new land legislation that enables communities to register land ownership (see Rule of Law). Of greater concern is the increasing tide of xenophobia, which government officials and security services may be exacerbating through the stigmatization and forced removal of illegal diamond workers, most of whom migrate from the Democratic Republic of Congo. This campaign is particularly dangerous as it revives memories of violence directed at Bakongo returnees from the Congo in 1992, when little more than having the wrong accent could result in beatings or even death.

Angola's social service provision is weak, and people with disabilities—of whom there are many due to the long history of war and the high number of land mines—are largely reliant on family members and, where it is available, on charity. Disabled people and their interests have no apparent representation in government, which has not made their protection a high priority, although relevant government bodies do exist. Another group of concern is HIV/AIDS sufferers, who are frequently socially ostracized and for whom little protection exists. This group, currently believed to make up around 3-4% of the population, is believed to have grown rapidly since the end of the war due to the opening up of internal and regional transport and, in particular, the high rate of returning refugees.

Religious freedom is generally respected, although public and government attitudes toward the small number of Muslims in Angola have become considerably more negative since 2004. The colonial law banning non-Christian churches is still in force, but it has not been brought to bear against Muslims or other non-Christian groups. However, three mosques were closed in early 2006 for disrupting public order by impeding traffic flows, and only one has since been reopened.

Christian churches continue to play a strong role in society, often providing services such as health and education, as well as social safety nets for groups such as widows and disabled people. Since the colonial period, churches have taken an active role in mobilizing civil society and even in criticizing government policy, a stance that continues to be tolerated. The Angolan government even co-hosted a conference on peace and reconciliation with the Inter-Church Committee for Peace in Angola (COIEPA) in mid-2005. In Cabinda, however, efforts have been made—including by the Vatican—to depoliticize the church and break the links between religious and insurgent groups.

Apart from Cabinda, where freedom of expression remains limited, political parties, civil society groups, and others have been relatively free

to organize and protest in recent years, this represents an improvement over the 2002–2004 period. Notification and authorization are still required for demonstrations and in most cases have been granted. Where unauthorized demonstrations have occurred, human rights organizations have reported detentions of protesters. For example, some twenty-seven members of the opposition party Party for Democratic Support and Progress of Angola (PADEPA) were detained on their way to protest against corruption in November 2006 and held for a week.<sup>14</sup> An unauthorized PADEPA demonstration in 2005 also resulted in detention of a senior party member. Trade unions are active, although those not linked to the MPLA are weak.

### *Recommendations*

- The government must refrain from detaining opposition party members, civil society activists, and antigovernment protesters arbitrarily and for excessive periods of time.
- The government should make clear to both MPLA and opposition party supporters that violence directed at opposition party members is unacceptable, take clear steps to investigate allegations, and, where appropriate, prosecute perpetrators.
- The new ombudsman must be given the resources necessary to accomplish his job, and the government must ensure that his recommendations are transmitted to the highest levels of government and subsequently acted upon.
- The government should step up efforts to strengthen civil liberties within the judicial system by improving conditions within prisons and reducing the length of pretrial detention.

## RULE OF LAW

INDEPENDENT JUDICIARY:	2.20
PRIMACY OF RULE OF LAW IN CIVIL AND CRIMINAL MATTERS:	2.50
ACCOUNTABILITY OF SECURITY FORCES AND MILITARY TO CIVILIAN AUTHORITIES:	2.75
PROTECTION OF PROPERTY RIGHTS:	2.00
EQUAL TREATMENT UNDER THE LAW:	3.67
<b>CATEGORY AVERAGE:</b>	<b>2.62</b>

Overall, the judiciary in Angola does not act as an effective check on executive power. The president retains the authority to appoint and dismiss many members of the judiciary, including the power to appoint Supreme Court justices without National Assembly approval. Senior members of the judiciary are often MPLA members, and the party has been accused of seeking to influence both judges and prosecutors. However, no specific cases have been proven, and in the past courts have ruled against the Angolan government on issues related to media freedom and political freedom of expression.<sup>15</sup> A constitutional court, although provided for in the constitution, has still not been created; its functions are currently exercised by the Supreme Court instead.

The majority of the Angolan people do not have access to formal justice systems, blocked by lack of physical infrastructure and personnel, financial constraints, and corruption, as well as illiteracy and an inadequate awareness of rights. In 2003, only 23 of 168 municipal courts were functioning, and there is a serious shortage of trained lawyers and judges. Free legal aid exists in principle, but in practice it is largely limited to the capital due to the scarcity of lawyers outside Luanda. Access is further restricted by bureaucratic hurdles that poor and illiterate Angolans struggle to overcome. Although Angolans are technically innocent until proven guilty, lengthy pretrial delays are common. Corruption is widespread, encouraged by the fact that judges and court officials are poorly paid. It is often necessary to hand over a significant amount of money even to bring a case to court, let alone to have it acted upon.<sup>16</sup>

Attempts are under way to address these problems. A plan of action developed in 2005 encompasses structural and legislative reforms aimed at strengthening the justice system nationwide. The government has made efforts to rebuild courts and train new magistrates and prosecutors, including at the municipal level. Radio and television have been used to spread knowledge of citizens' and human rights, including the right to free legal aid, and innovations such as a new court filing system are helping to combat corruption. In addition, some prosecutions of corrupt officials for drug trafficking and human rights abuses have taken place in recent years, although not on the scale common in 2003 and 2004 (see Anticorruption and Transparency). Illiteracy and poverty will remain barriers to justice, however, and it is likely that traditional sys-

tems will continue to be relied on, with corresponding disadvantages for women in particular.

Civilian control over the police, military, and internal security forces is effective, although the presidential guard and intelligence services report directly to the president rather than through a ministerial hierarchy. The previous climate of impunity has been increasingly challenged in both the armed forces and police. Allegations of abuses by the Angolan armed forces in Cabinda have resulted in disciplinary actions and the initiation of legal proceedings, although reports of abuses persist elsewhere (see Civil Liberties). Both police and military have received human rights training in recent years, and some police officers have been expelled from the force for beatings and misuse of firearms. In August 2006, a police officer was sentenced to seventeen years' imprisonment for unlawfully killing a homeless sixteen-year-old boy, an unprecedented judgment that human rights organizations welcomed.<sup>17</sup>

Property rights in Angola remains highly problematic. New land laws passed in late 2004 have met with a mixed reception. Provisions endowing individuals and communities with the right to legally register ownership of previously informally occupied land have often been positively received in rural areas.<sup>18</sup> NGOs and civil society groups, however, have expressed concern that the supporting regulations and bylaws are not entirely clear and that the three-year time limits placed on the registration process may undermine security of tenure, particularly in urban and periurban areas where evictions are already common.

Many civil society groups were concerned by the imprisonment of the director of the NGO SOS Habitat following protests against the uncompensated eviction of thousands of residents of Luanda's informal urban settlements. These evictions, which have been ongoing since 2003 and frequently accompanied by reports of beatings and abuses by security forces, have attracted considerable international criticism, including from the UN Special Rapporteur on adequate housing, to little avail.<sup>19</sup> There are also fears that farmers will be subject to land expropriation, particularly in fertile areas where large-scale plantations are being created. A number of NGOs are supporting individuals, families, and communities in registering their land, and as a result of one NGO-supported project in Luanda and Huambo, 500 land titles had already been presented by mid-2006.

*Recommendations*

- All Angolans must be made aware of their right to free legal aid and educated in how to gain access to it. Access to legal aid must be extended throughout the entire country.
- The Angolan National Army and Police must ensure that allegations of human rights abuses are investigated, with transparent legal proceedings instituted when appropriate. Human rights training of security forces must be continued.
- In order to address the current climate of impunity, allegations of corruption among government officials and security forces at all levels, particularly among medium- to high-ranking officials, should be investigated and punished.
- The government should ensure that individuals and communities are provided with sufficient information and support to enable them to register land deeds in line with the new land law.
- Forced and uncompensated evictions of residents of informal settlements must cease. Where resettlement does take place, or has already taken place, the government should provide adequate compensation.

**ANTICORRUPTION AND TRANSPARENCY**

ENVIRONMENT TO PROTECT AGAINST CORRUPTION:	1.60
EXISTENCE OF LAWS AND ETHICAL STANDARDS BETWEEN PRIVATE AND PUBLIC SECTORS:	2.25
ENFORCEMENT OF ANTICORRUPTION LAWS:	2.25
GOVERNMENTAL TRANSPARENCY:	2.29
<b>CATEGORY AVERAGE:</b>	<b>2.10</b>

Corruption in Angola remains an impediment to good governance at all levels. As in previous years, the major focus of increased transparency efforts has been on oil, which contributes between 40 percent and 50 percent of GDP and almost 90 percent of government revenues. High oil prices and new finds have swelled government coffers, pushing economic growth above 20 percent in recent years. Substantial progress has been made since 2003–2004, when accusations of graft and financial

predation were rife and international organizations alleged that billions had disappeared from government accounts.<sup>20</sup> However, Angola still scored just 2.2 out of 10 in Transparency International's 2006 Corruption Perceptions Index (an improvement on previous years, as it scored 2.0 in 2004 and 1.7 in 2002), ranking 142 out of 163 countries surveyed.<sup>21</sup>

Government officials commonly maintain private business interests alongside, and even overlapping with, their official posts. Some legal provisions exist to prevent such conflicts of interest—for instance, National Assembly members cannot be employed by foreign or international businesses—but these are insufficient and ineffective. High-ranking officials are drawn in by lucrative opportunities, while civil servants outside Luanda may feel obligated to conduct private business activities due to the low government salaries, which are frequently paid months in arrears.

Low-level corruption remains endemic, partly due to the low salaries paid to public servants and a weak institutional and regulatory framework. Bribes are frequently required even for basic services, including education and justice, while small payments are often demanded by police at checkpoints. Officials boost their incomes by levying additional charges for administrative services such as identity card applications, registration of businesses, or release of imported goods. The situation is worsened by the many layers of bureaucracy businesses must negotiate; according to World Bank data, Angola is ranked last out of 155 countries surveyed regarding ease of doing business.<sup>22</sup>

Institutional mechanisms to monitor government activities exist in the form of the Tribunal de Contas (the Accounts Court) and the attorney general, although the latter's degree of political independence is questionable. Following a number of high-profile prosecutions in 2003 and 2004, including those of a UNITA member of parliament and the Angolan ambassador to South Africa, little activity has been evident over the past several years.

Independent media and civil society organizations frequently highlight and criticize corruption and lack of transparency. For instance, the Coalition for Reconciliation, Transparency, and Citizenship launched an anticorruption campaign in March 2005, while opposition party PADEPA has organized a number of demonstrations on this issue, not without personal risk. Many cases of detention and prosecution of journalists and activists have been related to corruption accusations,

particularly when directed at high-ranking government individuals, who still benefit from considerable legal advantage derived from the status of their office. State media are highly unlikely to report upon such stories. The recent filling of the ombudsman post may help to address this persecution. Discouragingly, however, an anti-corruption researcher and campaigner was arrested in early 2007 in Cabinda and now faces charges relating to crimes against state security

Access to government information has improved but is still poor, partly due to lack of popular access to information more widely within Angola (communications infrastructure is lacking and literacy is low), but also due to a general climate of secrecy, dating from the colonial period and consolidated throughout the war, which still prevails. The internet is used by the government to disseminate official documentation and information, but the majority of the population does not have internet access.

Although still not formally participating in the Extractive Industries Transparency Initiative (EITI), Angola has, since 2004, taken a number of steps in line with EITI and attends its conferences as an observer. In 2004, the government took the unprecedented step of publishing details of an oil signature bonus, a one-off payment to the state normally worth around \$1 billion that is made on the award of exploration rights and previously would have been highly secret. The government now publishes company payments by month and by block on the Ministry of Finance website (albeit with around a six-month time lag), and in 2005–2006 state oil company Sonangol made public details of an oil licensing competition for several blocks. International audits of Sonangol have taken place, although the results have not been published at time of writing. The government has also accepted a package of World Bank technical assistance to improve transparency and reduce off-budget expenditures, including through implementation of a new integrated financial management system.

Angola has also signed on to a number of regional and international initiatives, including the African Union's Peer Review Mechanism in mid-2004. Since then, the government has ratified the United Nations Convention Against Corruption (UNCAC) and approved accession to African Union Convention Against Corruption.

The IMF has, however, warned that a number of the issues identified in the KPMG "Oil Diagnostic Report" published in May 2004 have

yet to be addressed, including the elimination of conflicts of interest through separation of Sonangol's regulatory functions from its commercial interests.<sup>23</sup> Furthermore, attention has so far been focused on the oil sector; similar efforts to reform the diamond sector and to prevent conflicts of interest within the state diamond company, Endiama, are also needed.<sup>24</sup> Access to high oil revenues and commercial loans—particularly from China, which lent \$2 billion in 2004—mean the international community lacks leverage to push the Angolan government to carry out such reforms, and progress toward an agreement with the IMF has largely stalled. The relatively low proportion of government revenue generated by internal taxation also reduces the scope for internal accountability pressure.

Transparency is also weak in budgetary processes and in the allocation of concessions and contracts, which are highly centralized and frequently dependent on informal patronage networks. Foreign humanitarian assistance and support to vulnerable populations has at times been used to garner political support, and transparency in the allocation of subcontracts is limited. In some cases mechanisms have been created to address this, including a financial management and procurement unit established to oversee disbursement of World Bank support focused on reintegration of ex-combatants.

### *Recommendations*

- Institutional reform should be carried out to address potential conflicts of interest caused by Sonangol's and Endiama's dual roles as regulator and commercial business.
- The government should adhere to EITI and continue to publish full details of oil revenue, as well as reduce the time lag between payments and publishing.
- Government officials' private business affairs should be registered, with details made public. Moreover, provisions prohibiting conflicts of interest among public officials should be strengthened and more resources devoted to enforcement.
- The government should take clear steps to promote greater transparency in policy and decision making, committing to disseminate information by means of the internet, media, and other publicly accessible sources.

## NOTES

- <sup>1</sup> *Human Development Report 2006* (New York: United Nations Development Programme, 2006).
- <sup>2</sup> “Angola: Elections continue to elude hopeful Angolans,” IRIN, 14 February 2007; “ANGOLA: Organising the opposition,” IRIN, 27 March 2007.
- <sup>3</sup> Ibid.; “‘Difficult’ to hold Angolan vote in 2007: President,” AFP, 20 December 2006; “Angola: Political climate heats up in countdown to elections,” IRIN, 8 March 2007.
- <sup>4</sup> *Angola: Drivers of Change, Position Paper 2: Politics* (London: Chatham House, April 2005).
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- <sup>9</sup> See “Still Not Fully Protected: Rights to Expression and Information under Angola’s New Press Law” (New York: Human Rights Watch [HRW], Vol. 18, No. 11 (A), November 2006).
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