



Republic of Angola

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**Submission by CIVICUS: World Alliance for Citizen Participation,
NGO in General Consultative Status with ECOSOC**

And

Plataforma Lusófona dos Direitos Humanos (PLUDH)

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1. Introduction

- 1.1** CIVICUS is a global alliance of civil society organisations (CSOs) and activists dedicated to strengthening citizen action and civil society around the world. Founded in 1993, CIVICUS has members in more than 180 countries throughout the world.
- 1.2** Plataforma Lusófona dos Direitos Humanos (PLUDH – Lusophone Human Rights Platform) is a space for collective action in African Portuguese-speaking countries (PALOP). PLUDH aims to promote the defence of human rights, their defenders and civic space in PALOP, through the human rights mechanisms and systems of the African Union.
- 1.3** In this submission, the two organisations examine the Government of Angola’s compliance with its international human rights obligations to create and maintain a safe and enabling environment for civil society. Specifically, we analyse Angola’s fulfilment of the rights to freedoms of association, expression and peaceful assembly and unwarranted restrictions on human rights defenders (HRDs) since its previous UPR examination in November 2019. To this end, we assess Angola’s implementation of recommendations received during the 3rd UPR cycle relating to these issues and provide follow-up recommendations.
- 1.4** During the 3rd UPR cycle, the Government of Angola received 14 recommendations relating to the space for civil society (civic space). It accepted all 14 recommendations. However, an evaluation of a range of legal sources and human rights documentation addressed in this submission demonstrates that the Government of Angola did not implement 10 recommendations and partly implemented four. The government has persistently failed to address unwarranted restrictions on civic space since its last UPR examination, with acute implementation gaps found with regard to freedoms of association, expression and peaceful assembly.
- 1.5** We are deeply concerned by the introduction of additional legal restrictions in the draft law on the Statute of Non-Governmental Organisations and the draft National Security Law, which if adopted, would seriously erode freedoms of association and expression.
- 1.6** We are further alarmed by the arbitrary arrest and prosecution of HRDs, journalists and protesters, the use of excessive force during peaceful protests and the arrest of protesters.

1.7 As a result of these issues, civic space in Angola is currently classified as ‘repressed’ by the CIVICUS Monitor, indicating the existence of serious civic space restrictions.¹

- Section 2 of this submission examines Angola’s implementation of UPR recommendations and compliance with international human rights standards concerning freedom of association.
- Section 3 examines Angola’s implementation of UPR recommendations and compliance with international human rights standards related to the protection of HRDs, civil society activists and journalists.
- Section 4 examines Angola’s implementation of UPR recommendations and compliance with international human rights standards concerning freedom of expression and media freedom.
- Section 5 examines Angola’s implementation of UPR recommendations and compliance with international human rights standards related to freedom of peaceful assembly.
- Section 6 contains recommendations to address the concerns raised and advance implementation of recommendations under the 3rd cycle.
- Section 7 is an annex on the implementation of 3rd cycle UPR recommendations related to civic space.

2. Freedom of association

2.1 During Angola’s examination under the 3rd UPR cycle, the government received four recommendations on the right to freedom of association and creating an enabling environment for CSOs. Among other recommendations, the government committed to ‘guarantee the protection and respect of civic space by ensuring the timely and effective legal registration of non-governmental organisations’ and to ‘amend or repeal all laws that unduly restrict the rights to freedom of expression, association and peaceful assembly’. The government accepted all these recommendations, but as evidenced below, has failed to take adequate measures to realise them.

2.2 Article 48 of the 2010 Constitution of the Republic of Angola guarantees the right to freedom of association.² Article 22 of the International Covenant on Civil and Political Rights (ICCPR), to which Angola is a state party, also guarantees freedom of association. However, despite these commitments, in law and practice, administrative and legal barriers have been used to suppress the work of human rights organisations.

2.3 Under the pretext of combating money laundering and terrorist financing, the government introduced a draft law on the Statute of Non-Governmental

¹ CIVICUS Monitor: Angola, <https://monitor.civicus.org/country/angola>.

² The following associations or groupings are prohibited in article 48(4): those whose activities and purpose are against constitutional order, incite and practise violence, or promote tribalism, racism dictatorship, fascism and xenophobia, in addition to military, paramilitary or militarised associations.

Organisations,³ which passed its first stage of approval by the National Assembly on 25 May 2023.⁴ It contains many freedom of association restrictions. The draft law gives the power of ‘supervision and monitoring’ of NGOs, including the power to suspend NGO activities without judicial recourse,⁵ to a state body, appointed by the President of the Republic. Moreover, article 19 of the draft law forbids NGOs ‘from the practice of subversive actions or actions likely to be confused with these’, without defining what ‘subversive actions’ are.⁶ Ahead of a final vote in the National Assembly, in April 2024 a group of CSOs in Angola submitted a counter draft law on NGOs to parliament and the executive, following consultations in all 18 provinces.⁷

- 2.4** The draft law is the latest piece of restrictive legislation on associations in Angola, preceded by Presidential Decrees 74/15 of 23 March 2015 and 84/02 of 31 December 2002.
- 2.5** Freedom of association is regulated through Law 6/12 of 8 January 2012 on Private Associations.⁸ Some of the law’s provisions are vague and open to broad interpretation. For example, article 12 allows the registry and notary services to deny the registration of associations whose constitution or statuses are not in line with this law, without reference to an appeal process.⁹ Article 13 gives magistrates of the Public Ministry the power to dictate the legality of associations, which can result in the deregistration of an association when its statuses are found to not conform with the law or public morality.
- 2.6** Presidential Decree 74/15 of 23 March 2015 on the Regulation of Non-Governmental Organisations¹⁰ placed additional restrictions on freedom of association of national and international CSOs, including the need to register with several ministries, burdensome registration requirements, excessive discretion and oversight by the authorities, restrictions on receiving funding and vague grounds to suspend CSOs. Despite a 2017 Constitutional Court ruling that the Decree is unconstitutional, on the grounds that such a regulation needs to be approved by the

³ Lei do Estatuto das Organizações Não-Governamentais (ONG).

⁴ ‘Assembleia Nacional aprova proposta de Lei do Estatuto das ONG’, Agência Angola Press, 25 May 2023, <https://www.angop.ao/noticias/politica/an-aprova-proposta-de-lei-do-estatuto-das-ong>. After the first passing, the draft law is to be reviewed by a special parliamentary committee before being reapproved by the National Assembly. See ‘Subverting the Constitution and Curtailing Civil Society. Angola’s New Law on NGOs’, Chr. Michelsen Institute, 2023, <https://www.cmi.no/publications/8939-subverting-the-constitution-and-curtailing-civil-society-angolas-new-law-on-ngos>.

⁵ Article 32 (1) of the draft law.

⁶ Chr. Michelsen Institute, 2023, op.cit.

⁷ ‘Angola: ONG resistem a nova lei restritiva’, Deutsche Welle, 25 April 2024, <https://www.dw.com/pt-002/governo-angolano-enfrenta-resist%C3%A2ncia-ao-tentar-controlar-ong/a-68916928>.

⁸ Lei das associações privadas, lei nº 6/12, de 18 de janeiro.

⁹ See also: ‘Angola. “They want to keep us vulnerable” - Human rights defenders under pressure’, The Observatory for the Protection of Human Rights Defenders, March 2015, <https://www.fidh.org/en/region/Africa/angola/angola-they-want-to-keep-us-vulnerable-human-rights-defenders-under>.

¹⁰ Decreto Presidencial nº 74/15 de 23 março - Regulamento das organizações não governamentais.

National Assembly as opposed to the executive, the Court ruled that a 2002 Presidential Decree 84/02 would remain in effect until specific legislation on NGOs was passed.¹¹ Article 6 of Decree 84/02 assigned a state body – the Technical Unit for the Coordination of Humanitarian Aid (Unidade Técnica de Coordenação da Ajuda Humanitária) – the competence to monitor, control and supervise the activities of NGOs.

- 2.7** Authorities have prevented civil society meetings from taking place. On 21 May 2022, police blocked the entrance of a hotel in Cabinda, an oil-rich enclave where civic space is severely restricted. A peacebuilding conference had been due to take place there, organised by human rights organisations Associação OMUNGA and Associação para Desenvolvimento da Cultura e Direitos Humanos (ADCDH). The police prevented the conference being held, even though it was a private event at a private venue.¹² Police officers reportedly said they were following orders from their superiors.¹³
- 2.8** The registration process in Angola ends with the issuance of a registration certificate by the Ministry of Justice and Human Rights, which is in practice a lengthy process. Some organisations such as Associação OMUNGA and SOS Habitat waited 15 years for their registration certificates to be granted.

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

- 3.1** Under Angola's previous UPR examination, the government received eight recommendations on the protection of civil society representatives, HRDs and journalists. The government committed to several recommendations including to 'ensure the protection of human rights defenders against acts of intimidation and harassment' and to 'abolish or amend all laws and policies which limit the activities carried out by civil society and human rights defenders and adopt a national law for the promotion and protection of human rights defenders'. The government accepted all eight recommendations. However, as examined in this section, it has not implemented them.
- 3.2** Article 12 of the UN Declaration on Human Rights Defenders mandates states to take the necessary measures to ensure the protection of HRDs. The ICCPR further guarantees freedoms of association, expression and peaceful assembly. In spite of

¹¹ 'Tribunal Constitucional de Angola chumba decreto presidencial', RFI, 17 July 2017,

<https://www.rfi.fr/pt/angola/20170717-angola-tribunal-constitucional-chumba-decreto-presidencial>.

¹² 'Cabinda: "Estamos a viver num país autoritário"', Deutsche Welle, 21 May 2022, <https://www.dw.com/pt-002/confer%C3%A2ncia-impedida-em-cabinda-estamos-a-viver-num-pa%C3%ADs-autorit%C3%A1rio/a-61889240>; 'Angola: Authorities repress civil society organisations ahead of election', Amnesty International, 24 May 2022, <https://www.amnesty.org/en/latest/news/2022/05/angola-authorities-repress-civil-society-organizations-ahead-of-election>.

¹³ Ibid.

these protections, HRDs and journalists in Angola have been subjected to arbitrary arrests, judicial harassment, intimidation and threats.

- 3.3** Law 23/10 of 3 December 2010 on Crimes against the Security of the State¹⁴ contains several restrictive provisions authorities frequently use against HRDs and journalists. Article 25(1) penalises maliciously insulting the Republic of Angola, the president or any other sovereign body with a prison sentence of between six months and three years or a fine. Insults directed at members of the National Assembly or the executive and magistrates can lead to prison sentences of up to two years, according to article 25(3). Article 21 criminalises rebellion, which includes ‘incitement of inhabitants of the Angolan territory to civil war or rebellion’, with a prison sentence of three to 12 years.
- 3.4** Likewise, article 333 of Angola’s Criminal Code establishes the offence of insulting – by word, images, writings, drawings or sound – the president or any other sovereign body, punishable by a prison sentence ranging from six months to three years or a fine of 60 to 360 days, meaning that if the determined fine is not paid within 10 days, the fine will be converted into prison time (article 47 of Penal Code). If the insult is directed at Angola’s flag, emblem or anthem, the penalty is imprisonment up to two years or a fine of up to 240 days.
- 3.5** Authorities have arbitrarily detained and prosecuted HRDs for their peaceful activism on numerous occasions. For example, activist and popular artist Gilson da Silva Morreira, also known as Tanaice Neutro, was arrested on 13 January 2022 in connection with videos he posted on social media criticising the state of affairs in Angola, including the level of poverty, bad governance and corruption, while calling on Angolans to stand up for their rights.¹⁵ On 12 October 2022, after nine months of detention, the Luanda District Court sentenced da Silva Morreira to a suspended prison sentence of 15 months and a fine for insulting the state, its symbols and bodies, due to him calling the president ‘a thug and a clown’, and reportedly using similar names for the national police, in his videos.¹⁶ The court also ordered da Silva Morreira to publicly apologise to the president and the national police within 15 days.¹⁷ Despite a court order to release da Silva on health grounds, he remained in detention for another eight months while suffering severe mental and physical pain. On 23 June 2023, da Silva was finally released following a new court order to release him and a visit by the Minister of the Interior.¹⁸

¹⁴ Lei nº 23/10 de 3 Dezembro – Lei dos Crimes contra a Segurança do Estado,

<https://lex.ao/docs/assembleia-nacional/2010/lei-n-o-23-10-de-03-de-dezembro>.

¹⁵ ‘Angola: Further information: Activist released after 18 months of detention: Gilson da Silva Morreira’, Amnesty International, 30 June 2023, <https://www.amnesty.org/en/documents/afr12/6932/2023/en>.

¹⁶ ‘Angola: Ativista Tanaice Neutro condenado a pena suspensa’, Deutsche Welle, 12 October 2022, <https://www.dw.com/pt-002/angola-ativista-tanaice-neutro-condenado-a-pena-suspensa/a-63414828>.

¹⁷ Ibid.

¹⁸ Amnesty International, 30 June 2023, op. cit.

- 3.6** On 12 January 2022, police arrested activist Luther Augusto da Silva Campo, also known as Luther King, at his residence without an arrest warrant. On 25 February 2022, da Silva Campo, a member of the Sociedade Civil Contestária social movement, was charged with public instigation, criminal association, rebellion, insulting the state, its symbols and bodies and incitement to discrimination, reportedly after the monitoring of digital platforms, carried out by the National Directorate for Combating Organised Crime.¹⁹ On 17 February 2023, the Luanda District Court sentenced da Silva Campo to a prison sentence of 22 months, suspended for a period of five years ‘on condition that the defendant does not commit a crime of this nature again’, payment of 100,000 kwanzas (approx. US\$115) in court fees and a fine of 500,000 kwanzas (approx. US\$574) for the crime of public instigation.²⁰
- 3.7** Activists are regularly arrested during peaceful protests. Several activists were arrested during civil society protests to demand the release of political prisoners, including Gilson da Silva Morreira and Luther Augusto da Silva Campo. For example, on 19 November 2023, 11 people were arrested during a civil society protest in Luanda to demand the release of the two prisoners. Two protesters were reportedly severely injured as a result of police brutality.²¹
- 3.8** In Cabinda, police arrested three organisers and 45 participants in a human rights workshop organised by the Christian CSO Conacce Chaplains on 25 March 2023.²² Although most were released after questioning, seven people – workshop trainer Evêque Kavada Rock and civil society activists Mateus Gimbi, Wilfredo Gomes, Alexandre Kwanga, Frascisco Lufuilo, Alberto Macosso and Gomes Tanguí – were charged with criminal association and rebellion. They were released the following week pending trial.²³
- 3.9** HRDs and civil society activists in Angola are regularly subjected to intimidation and harassment, including death threats. On 10 April 2023, unknown people broke a pane of glass in one of the rooms of the home of professor Eduardo Peres Alberto, Secretary General of the Union of Higher Education Teachers, and told his daughter, Maria Peres Alberto, that they would return and kill him unless he stopped a strike

¹⁹ ‘Press Statement on the Continued Detention of Angolan Human Rights Defenders Luther Augusto da Silva Campo, Gilson da Silva Moreira and Twenty-Six Others’, Southern Africa Human Rights Defenders Network, 5 May 2022, <https://southerndefenders.africa/2022/05/05/press-statement-on-the-continued-detention-of-angolan-human-rights-defenders-luther-augusto-da-silva-campo-gilson-da-silva-moreira-and-twenty-six-others>.

²⁰ ‘Activista “Luther King” condenado com pena suspensa’, RFI, 17 February 2023, <https://www.rfi.fr/pt/angola/20230217-activista-angolano-luther-king-condenado-a-pena-suspensa>.

²¹ ‘Polícia reprime manifestação a favor de ativistas em Luanda’, Deutsche Welle, 19 November 2022, <https://www.dw.com/pt-002/pol%C3%ADcia-reprime-manifesta%C3%A7%C3%A3o-a-favor-de-ativistas-em-luanda/a-63821601>.

²² ‘Angola: No Letup in Crackdown on Cabinda Activists’, Human Rights Watch, 16 May 2023, <https://www.hrw.org/news/2023/05/16/angola-no-letup-crackdown-cabinda-activists>.

²³ Ibid.

by higher public education teachers.²⁴ The two had received threatening messages since the strike began on 27 February 2023. There was an attempted break-in at their home on 1 May 2023, while on 25 April 2023, Maria Peres Alberto was attacked in the street by unidentified people who threw a toxic chemical canister at her, causing serious health complications requiring hospitalisation.²⁵ In July 2022, Florindo Chivucute, executive director of the US-based human rights CSO Friends of Angola, said he had received threatening phone calls and threats via social media.²⁶

3.10 Journalists in Angola are also frequently intimidated, threatened and physically attacked. Ahead of general elections, which took place in August 2022, several journalists were threatened or harassed while covering campaign events.²⁷ Journalists are also frequently detained and attacked while covering protests. For example, on 17 August 2022 in Luanda, police officers detained journalist and Voice of America correspondent Coque Mukuta while he was covering a civil society protest against irregularities in the electoral process and violations of the electoral law.²⁸ Mukuta told media that he was filming near the Santa Ana cemetery when he was approached by police officers who forced him into a police van, even though he identified himself as a journalist. He was released after a few hours.²⁹

4. Freedom of expression and media freedom

4.1 Under the 3rd UPR cycle, the government received nine recommendations relating to freedom of expression and media freedom. For example, the government pledged to ‘take concrete steps to make independent media accessible nationwide, including by reducing the cost of broadcasting licences’ and ‘Protect freedom of expression by ensuring that all the provisions of the press law are brought into conformity with article 19 of the ICCPR’. The government accepted all nine recommendations but, as discussed below, did not take effective measures to implement these recommendations and has not implemented seven recommendations.

4.2 Article 19 of the ICCPR guarantees the right to freedoms of expression and opinion. Article 40 of the 2010 Constitution also guarantees the right to freedom of

²⁴ ‘House Burglary and Threats to The Secretary-General of The Union of Teachers of Higher Education’, Friends of Angola, 11 April 2023, <https://friendsofngola.org/archives/12908>.

²⁵ ‘Angola: Teachers union leader gets death threats: Eduardo Peres Alberto’, Amnesty International, 5 June 2023, <https://www.amnesty.org/en/documents/afr12/6850/2023/en>.

²⁶ ‘Dirigente de ONG angolana recebe ameaças de morte’, VOA Português, 28 July 2022, <https://www.voaportugues.com/a/dirigente-de-ong-angolana-recebe-amea%C3%A7as-de-morte/6677786.html>.

²⁷ ‘Angolan journalists harassed while covering election rallies’, Committee to Protect Journalists, 21 July 2022, <https://cpj.org/2022/07/angolan-journalists-harassed-while-covering-election-rallies>.

²⁸ ‘Polícia impede manifestação e detém mais de uma dezena de participantes’, VOA Português, 17 August 2022, <https://www.voaportugues.com/a/pol%C3%ADcia-angolana-impedem-manifesta%C3%A7%C3%A3o-e-det%C3%A9m-mais-de-uma-dezena-de-participantes/6705048.html>.

²⁹ ‘Polícia angolana impede marcha pela impugnação das eleições’, Deutsche Welle, 17 August 2022, <https://www.dw.com/pt-002/pol%C3%ADcia-angolana-impede-marcha-pela-impugna%C3%A7%C3%A3o-das-elei%C3%A7%C3%B5es/a-62839130>.

expression, albeit with limitations.³⁰ However, freedoms of expression and the press are threatened and undermined by legal restrictions in the Criminal Code, the draft National Security Law and the Law on the Exercise of Radio Broadcasting Activities. Further, journalists are regularly arrested and prosecuted, particularly for criminal defamation.

- 4.3** On 25 January 2024, the National Assembly passed the first vote of the draft National Security Law, which, if passed at the final stage, threatens fundamental freedoms, particularly freedom of expression. Article 36 of the draft bill gives government security forces the power to prohibit public or private telecommunication services, including radio stations, telephone services and internet services, under ‘exceptional circumstances’ without a court order, and without specifying what these circumstances are. It further allows security forces to inspect public places or places open to the public and ‘safety equipment installations’.³¹ At the time of writing, a specialist parliamentary committee was reviewing the draft law.³² According to the draft law, the National Security System will be an advisory body to the President of the Republic and the National Assembly will have no oversight over the body.³³
- 4.4** On 18 May 2022, the National Assembly approved amendments to the Press Law, one of three laws in the so-called Social Communication Legislative Package (pacote legislativo da comunicação social), adjusted to the need to include polls and the introduction of community radio stations.³⁴ However, there are still laws in force that limit the establishment of media outlets. Law 3/17 of 23 January 2017 on the Exercise of Television Activities and Law 4/17 of 23 January 2017 on the Exercise of Radio Broadcasting Activities establish that the minimum share capital for broadcasting activities is 250 million kwanzas (approx. US\$396,826) for national operators and 75 million kwanzas (approx. US\$119,048) for local operators, effectively discouraging the opening of community radio stations.³⁵

³⁰ Article 40 (3) outlines that the freedoms of expression and information are limited by ‘rights of all to good name, honour and reputation, image and reservation of the intimacy of private and family life, the protection of children and youth, State secret, the secret of justice, professional confidentiality and other guarantees of those rights, under the terms established by law’. Article 40 (4) states that ‘offences committed in the exercise of freedom of expression and information shall incur its author in disciplinary, civil and criminal liability under the law’.

³¹ <https://cpj.org/pt/2024/04/cpj-a-proposta-de-lei-de-seguranca-nacional-de-angola-ameaca-a-liberdade-de-imprensa-e-coloca-os-jornalistas-em-risco/>

³² Ibid.

³³ ‘Angola: E se o Presidente decidir “desligar a internet”’, Deutsche Welle, 8 February 2024, <https://www.dw.com/pt-002/seguran%C3%A7a-nacional-em-angola-e-se-o-presidente-decidir-desligar-a-internet/a-68198750>.

³⁴ ‘Aprovado pacote legislativo da comunicação social’, Radio nacional de Angola, 18 May 2022, <https://rna.ao/rna.ao/2022/05/18/aprovado-pacote-legislativo-da-comunicacao-social>.

³⁵ ‘Angola: Rádios comunitárias a valores proibitivos’, Deutsche Welle, 29 April 2022, <https://www.dw.com/pt-002/angola-r%C3%A1dios-comunit%C3%A1rias-a-valores-proibitivos/a-61635792>.

- 4.5** Defamation and slander are criminal offences in the 2019 Criminal Code, in articles 214, 215 and 217, and punished with a prison sentence from six months to two years or a fine of 60 to 240 days.³⁶
- 4.6** Authorities have on several occasions used charges of criminal defamation and insult provisions to summon, detain and prosecute journalists. On 29 September 2023, a dozen officers of the Criminal Investigation Service arrested journalist Carlos Alberto, editor of the news outlet Portal A Denúncia, at his home in Luanda after the Luanda District Court issued an arrest warrant for not complying with a Supreme Court ruling dismissing his appeal against a lower court ruling. The court sentenced Alberto to a suspended prison sentence of two years, a hefty fine and an apology to be made every 10 days for 60 days after having found him guilty of criminal defamation, injurious denunciation and violating press freedom in connection with a report he published on 15 May 2021 alleging illegal appropriation of land by the then deputy attorney general Mota Liz.³⁷
- 4.7** In September 2023, the Luanda District Court summoned Daniel Frederico, editor of news portal Reporter Angola, to appear before it on charges of criminal defamation and insult in connection with a report published in 2022 on another news site, Angola online, denouncing alleged corruption by prosecutor Pedro Machado.³⁸ Police had reportedly already summoned and questioned Frederico in April and May 2022 over the report, which he did not author. He had only contacted Machado seeking comments as he was considering writing about the case, which he abandoned after speaking with the prosecutor.³⁹
- 4.8** Media outlets and journalists in Angola are sometimes targeted by cyberattacks. On 25 September 2020, the news site Correio Angolense crashed after receiving thousands of simultaneous connection attempts. The attack happened after the media outlet reported on alleged embezzlement of public funds by the then president's chief of staff, Edeltrudes Costa. The computer of freelance journalist Siona Casimiro was targeted by a cyberattack after he worked on the same story. The story was first reported by Portuguese television channel Televisão

³⁶ On 23 January 2019, Angola's National Assembly approved a new Criminal Code, which has been under discussion for over a decade. The new Penal Code replaces the 1886 Portuguese Criminal Code. See 'Angola tem novo Código Penal', 23 January 2019, RFI, <http://pt.rfi.fr/angola/20190123-angola-tem-novo-codigo-penal>.

³⁷ 'Justiça manda prender jornalista e antigo agente do Serviço de Informação do Estado condenado a prisão', VOA Português, 26 September 2023, <https://www.voaportugues.com/a/justi%C3%A7a-manda-prender-jornalista-e-antigo-agente-do-servi%C3%A7o-de-informa%C3%A7%C3%A3o-do-estado-condenado-a-pris%C3%A3o/7284725.html>.

³⁸ 'Angolan editor Daniel Frederico faces criminal defamation charges', Committee to Protect Journalists, 3 October 2023, <https://cpj.org/2023/10/angolan-editor-daniel-frederico-faces-criminal-defamation-charges>.

³⁹ Ibid.

Independente, but reportedly some media outlets in Angola deliberately chose not to cover it as the topic is highly sensitive in Angola.⁴⁰

- 4.9** On 15 March 2023, online media outlet Camunda news announced it would suspend its operations indefinitely following months of government harassment. In October 2022, the outlet's owner, David Boio, was summoned and questioned about Nelson Dembo, activist and co-host of a weekly current affairs show on Camunda's social media channels. Three staff members were later also summoned. In February and March 2023, Boio was summoned again, and during a three-hour session questioned mostly about the legal status and funding of Camunda News and his personal life, after which he suspended Camunda News' operations indefinitely.⁴¹

5. Freedom of peaceful assembly

- 5.1** During Angola's examination under the 3rd UPR cycle, the government received five recommendations on the right to freedom of peaceful assembly. Among other recommendations, the government committed to 'Continue legislative reforms to increase media freedom and strengthen protection of the rights to freedom of expression and peaceful assembly, and end the arbitrary arrest of journalists and peaceful protesters'. However, as evidenced below, the government has not implemented these recommendations
- 5.2** Article 47 of the 2010 Constitution guarantees the right to freedom of assembly, peacefully and unarmed, without prior authorisation. Article 21 of the ICCPR also guarantees this right. Article 3 of Law 16/91 on the Right to Assemble and Demonstrate of 11 May 1991 also confirms that citizens have the right to 'meet and protest peacefully, in public places, open to the public and individuals, irrespective of any authorisation, for purposes not contrary of law, morality, public order, public security and the rights of individuals and collective persons'.⁴² According to article 6(1) of Law 16/91, organisers only need to notify the governor of their province three working days before a protest.
- 5.3** However, in practice, authorisation is required and often withheld. For example, the Provincial Government of Luanda banned an opposition protest, planned for 30 July 2022, to protest against electoral irregularities and demand equal treatment for all

⁴⁰ 'Cyber-attacks against Angolan news site and reporter', Reporters without Borders, 9 October 2020, <https://rsf.org/en/cyber-attacks-against-angolan-news-site-and-reporter>.

⁴¹ 'Angolan outlet Camunda News suspends operations indefinitely after police harassment', Committee to Protect Journalists, 17 March 2023, <https://cpj.org/2023/03/angolan-outlet-camunda-news-suspends-operations-indefinitely-after-police-harassment>.

⁴² Lei n.º16/91 sobre o Direito de Reunião e das Manifestações.

political parties in the electoral process, on grounds of ‘risks of compromising security and public order’.⁴³

- 5.4** Further, security forces frequently use excessive and lethal force, including live ammunition, batons and dogs, against peaceful protesters. On 5 June 2023, police used live ammunition and teargas to disperse a protest by taxi drivers against high fuel prices in Huambo province, killing at least five people.⁴⁴ On 11 November 2020, police used live ammunition, teargas and dogs to disperse a peaceful anti-government protest, killing one person and injuring dozens of others. Police officers severely beat prominent activists Nito Alves and Laurinda Gouveia, while activist Luaty Beirao was arrested.⁴⁵
- 5.5** Protesters are frequently arrested, charged and, in some cases, sentenced in summary trials. During a protest in Luanda on 9 April 2022, police arrested 22 people, including activist Laurinda Gouveia and her six-month-old baby. On 11 April 2022, the 22 were charged with rioting and disobeying an order to disperse.⁴⁶ In a summary trial on 14 April 2022, the Luanda provincial court sentenced two of the 22 to a justice tax of 60,000 kwanzas (approx. US\$70) and 40 days in fines. The remaining 20 accused were acquitted due to lack of evidence.⁴⁷
- 5.6** On 24 October 2020, police used teargas and force against protesters gathered in Luanda to demand that postponed local elections be held and to protest against the rising cost of living.⁴⁸ Over 100 people were arrested during the protest, including six journalists and one media worker.⁴⁹ On 1 November 2020, the Provincial Court

⁴³ ‘UNITA lamenta “subterfúgios” para rejeitar marcha da oposição e promove reagendar’, Observador, 29 July 2022, <https://observador.pt/2022/07/29/unita-lamenta-subterfugios-para-rejeitar-marcha-da-oposicao-e-promete-reagendar>.

⁴⁴ ‘Angola: Polícia confirma cinco mortes em protesto no Huambo’, Deutsche Welle, 6 June 2023, <https://www.dw.com/pt-002/huambo-pol%C3%ADcia-confirma-cinco-mortes-em-protesto-de-taxistas/a-65837634>.

⁴⁵ ‘Angola: Police Fire on Peaceful Protesters’, Human Rights Watch, 12 November 2020, <https://www.hrw.org/news/2020/11/12/angola-police-fire-peaceful-protesters>; ‘Angola: Authorities escalate use of excessive force to crack down on dissent’, Amnesty International, 8 December 2020, <https://www.amnesty.org/en/latest/press-release/2020/12/angola-authorities-escalate-use-of-excessive-force-to-crack-down-on-dissent>.

⁴⁶ ‘Angola: Police Arrest, Charge 22 Peaceful Protesters’, Human Rights Watch, 12 April 2022, <https://www.hrw.org/news/2022/04/12/angola-police-arrest-charge-22-peaceful-protesters>.

⁴⁷ ‘Angola: Dois ativistas condenados por desobediência’, Deutsche Welle, 14 April 2022, <https://www.dw.com/pt-002/angola-dois-joovens-ativistas-condenados-por-desobedi%C3%Aancia/a-61482496>.

⁴⁸ ‘Angola: Police Fire on Peaceful Protesters’, Human Rights Watch, 12 November 2020, <https://www.hrw.org/news/2020/11/12/angola-police-fire-peaceful-protesters>.

⁴⁹ ‘Police Arrest 100 Over Angola Anti-Government Demos’, VOA, 25 October 2020, https://www.voanews.com/a/africa_police-arrest-100-over-angola-anti-government-demos/6197587.html.

of Luanda sentenced 71 people to a month in prison for ‘disobedience’, with the prison sentence converted to a fine, and acquitted 27 people.⁵⁰

6. Recommendations to the Government of Angola

CIVICUS and PLUDH call on the Government of Angola to create and maintain, in law and in practice, an enabling environment for civil society, in accordance with the rights enshrined in the ICCPR, the UN Declaration on Human Rights Defenders and Human Rights Council resolutions 22/6, 27/5 and 27/31.

At a minimum, the following conditions should be guaranteed: freedoms of association, expression and peaceful assembly, the right to operate free from unwarranted state interference, the right to communicate and cooperate, the right to seek and secure funding and the state’s duty to protect. In the light of this, the following specific recommendations are made:

6.1 Freedom of association

- Take measures to foster a safe, respectful and enabling environment for civil society, including by removing legal and policy measures that unwarrantedly limit freedom of association.
- Cease unjustifiable disruptions of legitimate activities organised by CSOs.
- Amend the draft law on the Statute of Non-Governmental Organisations to remove undue restrictions on freedom of association and bring it into compliance with ICCPR articles 21 and 22.

6.2 Protection of human rights defenders

- Provide civil society personnel, HRDs and journalists with a safe and secure environment in which to carry out their work, conduct impartial, thorough and effective investigations into all cases of attacks, harassment and intimidation against them and bring the perpetrators of such offences to justice.
- Ensure that HRDs are able to carry out their legitimate activities without fear or undue hindrance, obstruction, or legal and administrative harassment.
- Undertake a consolidated process of repeal or amendment of legislation and decrees that unwarrantedly restrict the legitimate work of HRDs, in line with the UN Declaration on Human Rights Defenders.
- Amend article 333 of Criminal Code and the Law 23/10 of 3 December 2010

⁵⁰ ‘Luanda: 71 manifestantes condenados por desobediência’, Deutsche Welle, 2 November 2020, <https://www.dw.com/pt-002/luanda-julgamento-termina-com-71-manifestantes-condenados-por-desobedi%C3%Aancia/a-55469353>.

on Crimes against the Security of the State to bring them into line with the ICCPR and the UN Declaration on Human Rights Defenders.

- Immediately and unconditionally release all HRDs, including journalists and bloggers, detained for exercising their fundamental rights to freedoms of association, expression and peaceful assembly, and review their cases to prevent further harassment.
- Publicly condemn at the highest levels of government instances of harassment and intimidation of CSOs and activists.
- Systematically apply legal provisions that promote and protect human rights and establish mechanisms that protect HRDs, including by adopting a specific law on the protection of HRDs.

6.3 Freedom of expression and media freedom

- Ensure freedom of expression and media freedom by all bringing national legislation into line with international standards.
- Review the Criminal Code, the draft National Security Law and provisions on the minimal required share capital to establish media entities in Law 4/17 of 23 January 2017 on the Exercise of Radio Broadcasting Activities, to bring them into line with best practices and international standards on freedom of expression.
- Reform defamation legislation in conformity with ICCPR article 19.
- Ensure journalists and writers may work freely and without fear of retribution for expressing critical opinions or covering topics that the government may deem sensitive.
- Take steps to lift restrictions on freedom of expression and adopt a framework for the protection of journalists from persecution, intimidation and harassment.
- Develop an action plan to ensure that internet laws comply with the government's commitment to guarantee freedom of expression and media freedom, including by ensuring free access to electronic media, ceasing censorship and surveillance, liberalising electronic media ownership rules and enabling journalists, bloggers and other internet users to play a full and active role in promoting and protecting human rights.
- Organise inclusive consultations with journalists and the media to resolve disputes that exist concerning current media laws.
- Refrain from adopting any laws providing for censorship or undue control

over social and conventional media content.

- Refrain from censoring social and conventional media and ensure freedom of expression is safeguarded in all arenas, including in the arts.

6.4 Freedom of peaceful assembly

- Adopt best practices on freedom of peaceful assembly, as put forward 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 the notification of assemblies being held rather than permission being required, and by General Comment No. 37 on the right to peaceful assembly adopted by the UN Human Rights Committee in 2020.
- Respect article 47 of the Constitution in order to guarantee fully the right to freedom of peaceful assembly.
- Unconditionally and immediately release all protesters, HRDs and journalists detained for exercising their right to freedom of peaceful assembly and review their cases to prevent further harassment.
- Immediately and impartially investigate all instances of extrajudicial killing, torture and excessive force committed by security forces in the context of protests.
- Review and if necessary update existing human rights training for police and security forces, with the assistance of independent CSOs, to foster the more consistent application of international human rights standards, including the UN Basic Principles on the Use of Force and Firearms.
- Publicly condemn at the highest levels all instances of the use of excessive and brutal force by security forces in response to protests, launch formal investigations into such instances and bring the perpetrators to justice.
- Provide recourse to judicial review and effective remedy, including compensation, in cases of unlawful denial of the right to the freedom of peaceful assembly by state authorities.

6.5 Access to UN Special Procedures mandate holders

Extend a standing invitation to all UN Special Procedure mandate holders and prioritise official visits by the: 1) Special Rapporteur on the situation of human rights defenders; 2) Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression; 3) Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association; 4) Special Rapporteur on the independence of judges and lawyers; 5) Special Rapporteur on extrajudicial,

summary or arbitrary executions; 6) Special Rapporteur on the right to privacy; and 7) Working Group on Arbitrary Detention.

6.6 State engagement with civil society

- Implement transparent and inclusive mechanisms of public consultations with CSOs on all issues mentioned above and enable the more effective involvement of civil society in the preparation of law and policy.
- Include CSOs in the UPR process before finalising and submitting the national report.
- Systematically consult with civil society on the implementation of UPR recommendations, including by holding periodical comprehensive consultations with a diverse range of civil society.
- Incorporate the results of this UPR into action plans for the promotion and protection of all human rights, taking into account the proposals of civil society, and present a midterm evaluation report to the Human Rights Council on the implementation of the recommendations of this session.

7. Annex: Assessment of implementation of civic space recommendations under the 3rd cycle

Recommendation	Position	Theme	Evaluation - level of implementation
<p>146.119 Step up its efforts to promote freedom of the press, including by engaging with relevant stakeholders, particularly civil society and the press, when enacting or revising relevant media laws (Thailand)</p>	Accepted	Expression	<p><u>Partly implemented</u></p> <p>The government reviewed some media law, need to review provisions on the minimal required share capital to establish media entities in Law 4/17 of 23 January 2017 on the Exercise of Radio Broadcasting Activities.</p> <p>See 4.4</p>
<p>146.120 Continue legislative reforms to increase media freedom and strengthen protection of the rights to freedom of expression and peaceful assembly, and end the arbitrary arrest of journalists and peaceful protesters (Australia);</p>	Accepted	Expression, Peaceful Assembly, HRDs and journalists	<p><u>Partly implemented.</u></p> <p>Press freedom: the government reviewed some media law, need to review provisions on the minimal required share capital to establish media entities in Law 4/17 of 23 January 2017 on the Exercise of Radio Broadcasting Activities - see 4.4</p> <p>Peaceful assembly: detention of protesters, see 5.5-5.6</p> <p>Journalists: detention of journalists see 4.6-4.7</p>

<p>146.121 Take concrete steps to make independent media accessible nationwide, including by reducing the cost of broadcasting licences (Norway);</p>	<p>Accepted</p>	<p>Expression</p>	<p><u>Not implemented</u> Cost of broadcasting licenses: see 4.4</p>
<p>146.122 Protect freedom of expression by ensuring that all provisions of the press law are brought into conformity with article 19 of the International Covenant on Civil and Political Rights (Belgium);</p>	<p>Accepted</p>	<p>Expression</p>	<p><u>Not implemented</u> See 4.3-4.5</p>
<p>146.123 Fulfil the right to freedom of expression, as accepted in the last review cycle, including by taking effective measures to ensure that journalists are protected against all forms of violence, harassment and arbitrary deprivation of liberty (Sweden);</p>	<p>Accepted</p>	<p>Expression, HRDs and journalists</p>	<p><u>Not implemented.</u> Arrest of journalists: see 4.6-4.7 Intimidation, threats, violence against journalists: see 3.10</p>

<p>146.124 Continue efforts to protect the rights to freedom of expression, freedom of association and peaceful assembly (Indonesia);</p>	<p>Accepted</p>	<p>Expression, Association, Peaceful Assembly</p>	<p><u>Not implemented</u> Association: restrictive draft law on the Statute of NGOs: see 2.3 Expression: see 4.3-4.9 Peaceful Assembly: see 5.2-5.6</p>
<p>146.125 Amend or repeal all laws that unduly restrict the rights to freedom of expression, association and peaceful assembly, and take additional measures to ensure journalists and human rights defenders are able to carry out their activities without fear or undue hindrance, obstruction or legal and administrative harassment (Ireland);</p>	<p>Accepted</p>	<p>Expression, Association, Peaceful Assembly, HRDs and journalists</p>	<p><u>Not implemented</u> Expression: see 4.3-4.5 Association: see 2.3-2.6 Peaceful Assembly: see 5.2 HRDs and journalists: see 3.2-3.10</p>

<p>146.126 Uphold individuals' rights to freedom of peaceful assembly and association and to freedom of opinion and expression by continuing to address excessive use of force by law enforcement officers and by carrying out prompt, thorough, impartial and independent investigations into cases of arbitrary arrest and detention (Canada);</p>	<p>Accepted</p>	<p>HRDs and journalists, Expression, Association, Peaceful Assembly</p>	<p>Not implemented. Peaceful assembly was obstructed by police forces. Arbitrary arrested and detention.</p>
<p>146.127 Put an end to all acts of intimidation of journalists and release all persons detained solely for exercising or defending their rights (France);</p>	<p>Accepted</p>	<p>HRDs and journalists</p>	<p><u>Not implemented.</u> HRDs and journalists: See 3.3 – 3.10</p>
<p>146.128 Guarantee the protection and respect of civic space by ensuring the timely and effective legal registration of non-governmental organizations (Austria);</p>	<p>Accepted</p>	<p>Association</p>	<p><u>Partially implemented.</u> See 2.8</p>

<p>146.129 Abolish or amend all laws and policies which limit the activities carried out by civil society and human rights defenders and adopt a national law for the promotion and protection of human rights defenders (Iceland);</p>	<p>Accepted</p>	<p>HRDs and journalists, Association</p>	<p><u>Partially implemented.</u> New Penal Code. Association, see 2.3-2.8 HRDs, see 3.3-3.9</p>
<p>146.130 Ensure that human rights defenders can work in a safe and supportive environment free from attacks, reprisals and unreasonable restrictions and fully guarantee the exercise of their rights in accordance with the Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms and other relevant international and regional human rights law (Liechtenstein);</p>	<p>Accepted</p>	<p>HRDs and journalists</p>	<p><u>Not implemented.</u> See 3.3-3.9</p>

<p>146.131 Ensure the protection of human rights defenders against acts of intimidation and harassment (Luxembourg);</p>	<p>Accepted</p>	<p>HRDs and journalists</p>	<p><u>Not implemented</u> See 3.3-3.9</p>
<p>146.132 Refrain from all measures infringing upon the rights to peaceful assembly and expression of its citizens guaranteed by the International Covenant on Civil and Political Rights (Slovakia);</p>	<p>Accepted</p>	<p>Peaceful Assembly Expression</p>	<p><u>Not implemented</u> Peaceful Assembly: see 5.2-5.6 Expression: see 4.3-4.9</p>

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