

# Angola

## Briefing for election monitors

In the run-up to parliamentary elections in Angola, scheduled for 5 September 2008, Amnesty International calls on election monitors to include human rights monitoring as a central part of their brief and to consider following the recommendations below, which are general guidelines aimed at allowing the integrated monitoring of elections and human rights.

The parliamentary elections on 5 September will be the first in 16 years and only the second in Angola since its independence from Portugal in 1975. Presidential elections are scheduled for 2009.

The European Union (EU) has committed some 90 election observers to monitor the elections. A small advance group of observers has already been deployed, while the remaining will arrive in the country closer to polling day. The African Union (AU) has also expressed willingness to send election observers. The elections will also be monitored by Angolan observers drawn from political parties, churches and other civil society groups.

Previous elections in Angola were held in September 1992, following the signing of the Bicesse peace accords in May 1991, which ended the civil war. They were monitored by the United Nations through its Verification Mission in Angola II (UNAVEM II) and although political violence, including politically motivated killings did occur, the election process was endorsed by the UN Security Council as generally being "free and fair". However, the National Union for the Total Independence of Angola (União Nacional para a Independência Total de Angola – UNITA) rejected the election results and the country plunged back into a civil war which lasted until 4 April 2002.

The current political, security and human rights situation bears no resemblance with that in 1991-1992. Nevertheless, Amnesty International is concerned that human rights are under threat in the run up to the elections.

In the context of the elections, Amnesty International's concerns include:

- restrictions on freedom of expression, in particular, the temporary closure on 8 July 2008 for a period of 180 days of the private radio station *Rádio Despertar*, Owned by UNITA, apparently for operating in an area of 400 km, far in excess of the authorised 50 km.;
- restrictions on freedom of association, assembly and movement. In recent months the organization has received reports of harassment and attacks on opposition political activists who were prevented from carrying out their political activities by government officials, police and members of the ruling MPLA in certain provinces. Some were arbitrarily arrested and detained briefly and subsequently ill-treated. There have been some reports too of attacks on MPLA members by UNITA members in some provinces;
- the amount of weapons still in civilian hands despite efforts by the police to collect them before the elections. The organization is concerned they could be used against political opponents and to intimidate candidates and voters.

The ability to exercise the right to freedom of expression, assembly, association, movement is essential to the establishment of a climate in which people can participate in the election process without fear of intimidation or reprisals. Respect for human rights must be a central element to the election process and the Angolan government must take steps to ensure that everyone is able to exercise these rights without fear of becoming a victim of human rights abuses.

There is national and international pressure on Angola to hold violence-free elections, particularly in the aftermath of the violence that surrounded the elections in Kenya and neighbouring Zimbabwe. On the eve of the opening of the electoral campaign on 5 August 2008, President José Eduardo dos Santos publicly appealed to all political parties to show the region and the world that Angola “can set an example of how to hold elections which are democratic, free and transparent”.

Assessing the conditions pertaining to the elections without taking into account human rights violations committed in the context of the elections will inevitably undermine public confidence in the election monitoring process.

Amnesty International is therefore calling on elections observers to Angola to include human rights monitoring as a central part of their brief and to take on board these recommendations:

### **1. The role of the international community**

The intergovernmental organizations (IGOs) sending observers to monitor the elections in Angola should give attention to human rights concerns in observing the elections. Observers should assess whether the context in which the elections are to be held respect human rights and protect people from human rights abuses. Indicators that respect for human rights are a central element of the election process would include:

- clear public signals from the government as well as from the body organizing the elections that human rights abuses will not be tolerated;
- an effective system for registering and dealing with complaints about restrictions on the freedom to vote;
- public awareness of how to complain about intimidation or other abuses;
- clear instructions issued to the police by senior police authorities about how to ensure that people are free from intimidation and pressure.

Amnesty International is calling on governments and IGOs who send observers to bring any shortcomings in these requirements to the attention of the relevant Angolan authorities and review the situation both during and after the elections.

### **2. Proper preparation of observers**

Election observers should be properly trained and equipped to monitor human rights abuses that take place in the context of elections. In particular, observers should monitor respect for human rights in the following key areas:

- freedom of expression, association and movement of candidates and their supporters and voters
- the right to peaceful assembly at public gatherings of candidates and their supporters
- harassment and intimidation of candidates and their supporters.

Observers should be provided with the texts of relevant human rights standards including the United Nations Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights. They should also be provided with appropriate manuals, for instance, Human Rights and Elections – A handbook on Legal, Technical and Human Rights Aspects for Elections, Professional Training Series (No. 2), Centre for Human Rights, United Nations, Geneva, 1994;

### **3. No international "silent witnesses"**

All international election observers should report through explicit and proper channels any human rights abuses they may witness or allegations of human rights abuses they receive. The IGOs involved should take appropriate steps to raise these issues with the government without delay.

### **4. Broad human rights observation**

In order for citizens to participate freely and without intimidation in elections, the authorities must ensure that all the rights that are pivotal to such participation can be enjoyed by all without discrimination. Observers should record human rights abuses which impact on people's ability to exercise their right that occur both before and after the actual dates of polling. Often abuses occur away from polling stations. There should not only be monitoring of the actual voting procedure but of the environment and human rights conditions away from the polling stations as well.

### **5. Human rights monitoring at polling stations**

On the day of the voting, election observers should have unhindered access to all polling stations, to be able to observe any human rights abuses, such as violence against those presumed to be opposing party supporters and intimidation of voters including threats and assertions that their voting is not secret. The observers should be mandated to be able to ask the authorities urgently to take remedial action. They should record and report what action the authorities take or refrain from taking.

### **6. Public reporting of human rights abuses**

Election observers must publicly report any concerns about politically motivated violence and intimidation. This is important to ensure, as far as possible, a climate conducive to the holding of free and fair elections in which everyone is free to exercise his or her rights to freedom of association, movement, assembly and expression.

### **7. The role of the police and security forces**

Election observers should monitor the conduct of the national police and security forces to ensure that they do not commit human rights violations and to verify their adherence to the law and international human rights standards when dealing with any human rights abuses arising in the context of the elections. Observers should note whether their action is prompt, appropriate and proportionate in accordance with international policing standards. Election observers are advised to carry with them the texts of international human rights standards relevant to the conduct of the police and security forces.

### **8. Support for non-governmental organizations (NGOs) and local election observers**

Some national NGOs have run voter education workshops and trained local observers to monitor the elections. In the past they were often concerned that this work had been interpreted as indicating support for opposition parties and feared intimidation and abuse. It is therefore important that election observers work together with national NGOs and where appropriate, devise effective ways to protect local observers.

### **9. Continued protection of human rights either side of the elections**

International observers should be deployed well in advance of the election in order to monitor the campaign. They should urgently bring to the attention of the authorities any human rights abuses they notice so that these could be remedied or addressed prior to election days. Some international observers should remain in the country for as long as necessary after the elections, to help ensure the elections aftermath is free from human rights abuses and, if it is not, to continue publicly reporting and lobbying for problems to be addressed.

### **10. Documenting political discourse**

Election observers should note the language used and statements made by candidates and officials of the ruling party and opposition parties, as well as the language used by the media that has a bearing on human rights. Writing down the exact words used in a threat, or a pledge of commitment to upholding human rights, and the date and location where they were spoken, will be important means to measure adherence to and respect for human rights within the context of the election process.

### **11. Freedom of expression, association and movement of candidates and their supporters**

Some political parties have complained that they have been prevented from registering as candidates, registering members and setting up party offices. Access to the state media, especially radio and television, by opposition parties is normally limited. However, the electoral law provides for equal access to the media for all parties. The temporary closure of the private *Rádio Despertar* will keep it inoperative until well after the elections. It is important, therefore to monitor if there is a balanced access to the print and broadcast media by all parties and candidates, their ability to address voters and freedom of movement, including access to all areas. Observers should also monitor access to the media by those political parties which failed to be registered for the election or which have chosen not to participate.

### **12. The right to peaceful assembly**

In recent months some political parties have complained that in some areas their public meeting and rallies were disrupted by political rivals or the authorities, including the police. Angolan legislation, including the electoral law, provides for public meetings. Election observers should monitor public meetings, including policing, actions by government officials, acts of disruption or harassment by political rivals, arrest, ill-treatment of candidates, party workers or the public. They should document these incidents and report them to the relevant authorities and publicly. Actions between rival candidates and their supporters and the response of the authorities to any violence should be monitored to ensure the protection of candidates.