



Angola: Scores Detained, Convicted After Forced Evictions ^[1]

Thousands Homeless in Luanda's Cacuaco District

February 26, 2013

(Johannesburg) – The Angolan police have arrested dozens of people who were victims of forced eviction and the demolition of their homes in early February 2013, Human Rights Watch said today. They had lived in Maiombe, a peripheral neighborhood in Luanda, [Angola](#) ^[2]'s capital. On February 23, security forces barred a delegation of the main opposition party, National Union for the Total Independence of Angola (UNITA), from meeting with and providing assistance to the community, and beat some of the delegates.

Between February 1 and 3, the Angolan government deployed several hundred security forces, including rapid intervention police and military, to forcibly evict at least 5,000 poor residents living in an informal settlement that had emerged in recent years in the Maiombe neighborhood in Luanda's peripheral Cacuaco municipality. The residents had no formal warning of the evictions, causing panic. The authorities did not ensure that the people evicted had access to alternative shelter or sufficient time for everyone to safely evacuate their personal belongings. Many of those evicted are women and children.

“It adds insult to injury to first evict people with brute force, with no warning or time to prepare, and then imprison them when they are left homeless and destitute,” said [Leslie Lefkow](#) ^[3], deputy Africa director at Human Rights Watch. “The government should promptly ensure that the people evicted from Maiombe have access to shelter and are compensated for the material loss the government's actions caused them.”

Any future evictions should be planned in a lawful and orderly way that respects international standards and avoids unnecessary suffering for the poorest Angolans, Human Rights Watch said.

Since February 1, police have arbitrarily arrested evicted residents each day, residents told Human Rights Watch. Some of those arrested were detained during protests, while others were detained on what appears to be a random basis.

In the first week of February, at least 40 of the people arrested were charged with illegal land occupation or disobedience, convicted, and given prison sentences or large fines after summary trials that did not comply with international fair standards. Human Rights Watch has received a court list naming 40 detainees arrested on February 2, 4 and 6. However, while residents reported ongoing detentions to Human Rights Watch, they did not know how many more have

been arrested since February 8 and whether they have been charged with any offenses.

The municipal authorities of Cacuaco have stated that those evicted were squatters on state-owned land slated for a government tourism project. Human Rights Watch is not able to establish the legal status of property claims by residents of the Maiombe area, and Angolan authorities have a right to evict people who illegally occupy land. But the authorities are required to carry out any evictions in accordance with international standards on due process and in a way that respects the rights of Angolans – including to adequate housing.

Human Rights Watch has spoken with residents of the area, family members of detainees, and activists documenting the evictions, and believes that the evictions violated national and international standards. Human Rights Watch also spoke to a member of the UNITA delegation that tried to speak to the community on February 23 and to residents who were barred from meeting the delegation.

“The immediate priority is for the government to provide this community with shelter, access to water, and other essential services,” Lefkow said. “But the authorities should also immediately stop subjecting victims of forced evictions to arrest, unfair trials, and imprisonment, and restricting them from meeting with whomever they choose.”

For additional details, please see below.

Forced Evictions

The forced evictions started on February 1 at 5 a.m., causing panic among the residents. Several hundred security forces, including rapid intervention police, military, and other police squads supported by several helicopters were deployed to help carry out the evictions. Several residents likened the atmosphere in the community to a war zone when they were surprised by the military and bulldozers.

The residents were not given any formal warning that their homes – many of them with zinc roofs and some built of cement blocks – would be demolished. Rafael Morais, coordinator of SOS Habitat, a human rights organization working on housing rights in Luanda, told Human Rights Watch that some residents heard rumors about the pending demolitions three days beforehand.

The authorities provided a number of vehicles to transport the residents and their personal property away from Maiombe. But many residents told Human Rights Watch they were not given time to collect their belongings and had to abandon them in their demolished homes.

The authorities assigned a nearby area as a transit location for residents to move to and await registration for new plots of land in another nearby area. However, both the transit and relocation area from which the plots are to be designated is covered by bushland and lacks basic infrastructure, such as roads or access to water. The government recently started some

roadwork. It is also unclear who owns the land. The registration process for the distribution of new land plots has been lengthy, and those evicted from Maiombe have been living in self-constructed shelters in a small area. No tents or any construction materials were made available for the evicted people, although security forces who have established a presence in the vicinity to exercise control over the population have set up tents for their own use.

Adding to the confusion and uncertainty, police on February 15 told those evicted they could return to Maiombe. However, residents told Alexandre Neto, a journalist and activist, that on the following day, police chased away those who returned to try to occupy their previous plots of land.

Residents also told Human Rights Watch that they were not aware that they were occupying state-owned land illegally, since there is no sign indicating that it is state property, as in many other parts of Luanda's vast Cacuaco district. Many residents told Human Rights Watch they moved to the area a year or two ago, because they were unable to pay the rents where they were living before.

A member of the Maiombe residents' commission told Human Rights Watch that until the August 2012 elections, local authorities, in their role as officials of the ruling Popular Movement for the Liberation of Angola (MPLA), regularly campaigned in the Maiombe area, as in other neighborhoods of Luanda's periphery, and organized poor residents to be taken to ruling party rallies.

"We hoped that our neighborhood would be officially recognized," he said.

Forced evictions are strictly prohibited under international law, and among other norms violate the International Covenant on Economic, Social and Cultural Rights (ICESCR), to which Angola is a party. Article 11 of the covenant guarantees the right to adequate housing, which includes protection against forced eviction.

When carrying out lawful evictions, governments need to ensure that the people evicted have legal protection of their interests, including access to alternative shelter and a right to compensation for any loss of personal property. At a minimum, people should never be left destitute as a result of evictions.

"The authorities should compensate people for the loss of their homes and possessions" Lefkowitz said.

Arbitrary Detentions and Unfair Trials

Security forces continue to be deployed in the Maiombe area and residents reported to Human Rights Watch that the security forces have detained people who were evicted randomly on a daily basis. In the first week of February, police arrested dozens of residents – some of them randomly – others in what appears to be a crackdown on any sign of protest or complaint about

the forced evictions.

Several witnesses described a police crackdown on several hundred protesters in the Maiombe area on February 4. “We were very desperate, and when the police arrived some shouted ‘We want our houses!’” a participant told Human Rights Watch. Witnesses said that police first asked the people to calm down, then rapid intervention police and military forces started beating protesters and randomly arresting people.

“They beat us with batons and kicked us with their boots. They didn’t spare women, even pregnant women,” another witness said.

In the first week of February, at least 40 of those arrested were brought before the municipal court of Cacuaco on charges of disobedience and illegal land occupation. All those charged were convicted following summary trials, and given sentences of three to eight months in prison and fines up to US\$800.

Once convicted, prisoners were transferred to Viana prison in Luanda and Caxito prison in Bengo province, 60 kilometers from Luanda. Due to the distance, their relatives find it hard to visit, even though the prisoners usually have to depend on their relatives for food.

The summary trials did not meet international due process standards, Human Rights Watch said. While detainees were given a court-appointed defense lawyer, defendants told their relatives later that they were not permitted to challenge the charges by addressing the court themselves or by calling witnesses.

Family members who tried to attend a court session on February 6 told Human Rights Watch that they were barred from entering the court and that rapid intervention police were deployed in front of the court. Family members who have been able to speak to their relatives following the convictions told Human Rights Watch that the court session was limited to the judge asking the accused if they were from the Maiombe neighborhood.

“The accused had no chance to say more than yes or no, and they were all convicted immediately afterward,” a family member told Human Rights Watch. The defendants also were fined up to US\$800, a very high sum for poor families in Luanda.

Agostinho, a Maiombe resident arrested on February 4, was convicted two days later for illegally invading and selling land and sentenced to three months in prison and fined US\$290. His brother told Human Rights Watch that the judge refused to hear Agostinho’s account when he was before the court. The brother had also made efforts to go to various authorities with evidence about Agostinho’s case.

“But the police and the administration were not interested at all, and they didn’t let me enter the court,” he said.

José, also arrested on February 4, was sentenced to three months in prison and fined US\$750 on the charges of illegal land occupation. Three family members told Human Rights Watch that José has never been a resident of Maiombe and happened to arrive there for a family visit a day before his arrest.

The February events are not the first time people have been arbitrarily arrested and tried for allegedly occupying land in Cacuaco. In September, Cacuaco court officials told Human Rights Watch that in the previous two months, the court had convicted 141 people for disobedience, allegedly for illegally occupying land. They were given suspended prison sentences and fines.

Restrictions on Freedom of Expression and Denial of Assistance

In the morning of February 23, rapid intervention police, aided by several low flying police helicopters, forcefully prevented a 50 member delegation of the main opposition party UNITA led by party president Isaias Samakuva from meeting with the Maiombe community and delivering assistance, including water and food.

According to the evening news on state television Televisao Publica de Angola (TPA), a police commander said that the delegation was “trying to enter a security zone” and was prevented for security reasons. Other television commentators said that UNITA intended to disturb the work of the administration and “incite violence and disobedience.”

A member of the delegation, Adriano Sapiñala, told Human Rights Watch that the security forces formed two cordons to bar the UNITA delegation from accessing the Maiombe residents. He said that police used clubs and beat him, a member of Parliament, Jose Pedro Katchiungo, and a leader of the UNITA women’s organization as they were advancing ahead of the delegation towards the residents. He also said that police agents started to seize telephones and Ipads, in an apparent attempt to prevent people from circulating pictures and footage of the events.

Maiombe community members told Human Rights Watch that they had tried to meet the delegation because they were desperate for food and water.

“The government has no right to deny its citizens much needed assistance, whether it comes from the government, an opposition party, or from other sources,” Lefkow said.

A History of Forced Evictions

Since the end of the civil war in 2002, the Angolan government has a history of conducting abusive mass forced evictions.

In 2010, an estimated 25,000 people were forcibly evicted in Lubango, the provincial capital of Huila province, without warning or preparation for alternative housing and services, causing a humanitarian crisis. Official plans to forcibly evict another 3,500 people [4] in Lubango in 2011 were dropped after public pressure.

In 2009, the authorities destroyed 3,000 houses in the Iraq and Bagdad neighborhoods in Luanda, leaving an estimated 15,000 people without shelter, without providing any alternative housing.

In 2007 Human Rights Watch published a joint report with SOS Habitat, “They Pushed Down the Houses: Forced Evictions and Insecurity of Tenure for Luanda’s Urban Poor ^[5],” that documents 18 mass evictions in Luanda between 2002 and 2006, affecting a total of 20,000 people.

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[4] <http://www.hrw.org/news/2011/08/25/angola-stop-forced-evictions>

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