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Dear Ms Tibaijuka,

Amnesty International, Centre on Housing Rights and Evictions, Habitat International Coalition and Human Rights Watch regret UN-Habitat's choice of Luanda, Angola to lead global celebrations for World Habitat Day, known popularly as World Housing and Land Rights Day. This year's commemoration, on 6 October, is organized under the theme of "harmonious cities." Over the last seven years, our organizations have documented the forced eviction of over 30,000 people<sup>1</sup> in Luanda. Rather than build a "harmonious city" that addresses acute needs for decent shelter and the human right to adequate housing, the government of Angola instead has carried out mass forced evictions, prioritized urban development projects, including the construction of luxury housing and "beautification" projects at the expense of tens of thousands of people, living in poverty. UN-Habitat has chosen to visit Angola when the Angolan government still fails to provide the necessary cooperation in order to enable the UN Special Rapporteur for Adequate Housing to visit the country.

Families who have been forcibly evicted have had their homes destroyed by the Angolan government, without prior notification, information or consultation, without legal protection and without adequate alternative accommodation or an effective remedy. Many of the forced evictions have been accompanied by excessive use of force by police officers, members of the Angolan armed forces and members of private security companies. Other human rights violations committed in the context of forced evictions include arbitrary arrests and detentions, torture and ill-treatment, and harassment of human rights defenders who were present during the evictions. Many of the forced evictions have been carried out to enable urban development projects, including the construction of luxury housing

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<sup>1</sup> Amnesty International has documented the evictions of 10,000 families from 2001 to 2007, for details see *Angola: Lives in Ruins – Forced Evictions Continue* and *Angola: Mass Forced Evictions in Luanda – A Call for a Human Rights Based Housing Policy* as well as other documents on <http://www.amnesty.org/en/region/africa/southern-africa/angola>. See also the Centre on Housing Rights and Evictions Global Surveys 9 and 10 *Forced Evictions: Violations of Human Rights* which include details of forced evictions in Luanda from 2001 to 2006. The Habitat International Coalition has recorded evictions of 37,874 people in the last seven years, in addition to the estimated 91,000 still displaced from the civil war. For details see HLRN Violation Database, at: <http://www.hlrn.org/english/violation2.asp>. Human Rights Watch and SOS Habitat have highlighted the evictions of between 20,000 – 30,000 people from 2002 – 2006, for details see *"They Pushed Down the Houses": Forced Evictions and Insecure Land Tenure for Luanda's Urban Poor* on <http://hrw.org/reports/2007/angola0507/>

developments. Most have left those who were evicted, who were already living in poverty and who already suffered displacement because of the civil war, in worse conditions or homeless.

These violations remain widespread, according to documented reports from various sources, and violate a range of human rights, including the right to adequate housing, the right not to be subjected to arbitrary or unlawful interference with their privacy, family or home, the right not to be subjected to torture or other ill-treatment. These rights are protected by international human rights treaties to which Angola is a State party including the African Charter on Human and Peoples' Rights (African Charter) which it ratified on 9 October 1990, the two International Covenants, the ICESCR and the International Covenant on Civil and Political Rights (ICCPR), to which Angola acceded on 10 January 1992, and other international human rights treaties and standards

As a state party to the Covenant, Angola is required to respect, protect and fulfil the human right to adequate housing within its territory, as provided in Article 11 of the Covenant and clarified in General Comments Nos. 4 and 7 of the Committee on Economic, Social and Cultural Rights. That treaty-monitoring body has specifically asked the Government of Angola to respond to questions about the practice of forced eviction and problems related to the lack of security of tenure in the country in the context of its November 2008 review of Angola's treaty compliance.<sup>2</sup>

It is estimated that over 75 per cent of Luanda's population of over four million people live in informal settlements. Most of population does not have formal title to their homes and the lands on which they are built, and live without security of tenure, leaving them vulnerable to forced evictions. Many live in overcrowded and inadequate housing conditions, without access to basic services including clean drinking water and sanitation. People living in informal settlements in Luanda pay private water suppliers as much as 15 to 20 times more for water than those living in parts of the city which receive piped and treated water. Some civil society organizations and aid agencies have criticized the Angolan government for its failure to prioritize primary healthcare, potable water, sanitation facilities and adequate housing, despite the growth in its resources and revenues.

The UN Human Settlements Programme, UN-Habitat has said that the celebrations in Luanda are an attempt to show the world "how the country, after years of conflict, is progressing in the establishment of *harmonious cities* through urban development, poverty alleviation, improved land and housing rights, and providing access to basic urban services." We recognize the efforts of some members of Angola's government to promote more open participation and decentralized governance, as well as steps to promote the recognition of the right to adequate housing through the enactment of land and housing laws and a housing project to provide social housing for youths in the country. However, such good practices do not seem to have taken hold, nor do they seem to enjoy sufficient support among Angola's policy makers.

The laws that have been enacted do not provide adequate protection from forced evictions and fail to incorporate many of the procedural protections and due process guarantees required under international law. Although a small number of victims of forced evictions carried out in the last seven years have received some compensation and others have reportedly been promised compensation, many are still waiting for effective remedies, including adequate reparation and alternative housing. There have also been reports of increased efforts to negotiate compensation with communities but consultations in some cases have also been reported to be ad-hoc, arbitrary, and not based on sound, human rights-based policy, transparent procedures and genuine consultation with all communities that have been or will be potentially affected by forced evictions.

A number of people, including those who have faced repeated forced evictions (especially in the Cambamba 1 and Cambamba 2 neighbourhoods in the Kilamba Kiaxi municipality, and Cidadania in the Viana municipality) are still homeless. Those who were relocated by the government were often not consulted about their relocation sites that were, in many instances, quite far from their places of

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<sup>2</sup> List of issues to be taken up in connection with the consideration of the combined initial and second and third periodic report of Angola, consisting of the treaty-specific document on the rights covered by articles 1 to 15 of the International Covenant on Economic, Social and Cultural Rights (E/C.12/AGO/3) and the common core document (HRI/CORE/AGO/2008), E/C.12/AGO/Q.3, 28 May 2008, paras 26–27.

employment and with insufficient access to transportation, health services and education. Cases that were filed by victims of forced eviction in Soba Kapassa have still not been heard by the courts, though five years have passed since the human rights violations first occurred.


Amnesty International, Centre on Housing Rights and Evictions, Habitat International Coalition and Human Rights Watch agree with UN-Habitat that “a society...cannot claim to be harmonious if large sections of its population are deprived of basic needs while other sections live in opulence.” We call upon the government of Angola to live up to the description that it is making progress toward the achievement of harmonious cities by stopping and preventing forced evictions, which have been described by the UN Commission on Human Rights as a gross violation of human rights.

In line with its obligations under international human rights treaties, the government should adopt laws and policies, in accordance with international law, to prohibit and prevent forced evictions. It should also guarantee at least the minimum degree of security of tenure that it is obligated to ensure under international law, to all sections of its population. We welcome the government’s commitment to “build 1 million new homes over the next five years.”<sup>3</sup> In accordance with its obligations under international law, the government of Angola should prioritize the most vulnerable in these new and other housing programs. It also should ensure the availability of adequate housing, water, sanitation, health services and education to people living in informal settlements on a non-discriminatory basis. The government of Angola must also take immediate steps to provide assistance to all victims of forced evictions and ensure their right to an effective remedy and to reparations, including compensation, rehabilitation, restitution, satisfaction and guarantee of non-repetition. It must promptly and independently investigate allegations of excessive use of force and other human rights violations by the police, other officials and private actors and ensure accountability for such violations. The government of Angola should also finally enable the UN Special Rapporteur on Adequate Housing to visit the country, to make it possible for her to examine the situation of housing rights in the country.

Unless and until the government of Angola takes these requisite steps to address the widely reported violations of the right to adequate housing and other human rights in the context of widespread forced evictions, it is inappropriate to raise Angola as an example and focus of World Habitat Day/World Housing and Land Rights Day. By so doing, both the government of Angola and UN-Habitat add insult to the injury committed against Angola’s thousands affected by forced evictions.

The theme of this year World Habitat Day was chosen “to raise awareness about the problems of rapid urbanization, its impact on the environment, the growth of slums, and the urbanisation of poverty as more and more people teem into towns and cities looking for a better life.” Amnesty International, Centre on Housing Rights and Evictions, Habitat International Coalition and Human Rights Watch recommend that UN-Habitat to pro-actively consult with victims and local human rights organizations that have assisted them and promote redress and remedy for those affected with the view of ensuring that their concerns are heard and acted upon.

In particular, the organizations call on UN-Habitat to use the occasion of World Habitat Day in Luanda to urge the government of Angola to comply with its obligations under international law, take prompt, effective steps to stop and prevent forced evictions. In particular, UN-Habitat should request concrete commitments from Angola that any future evictions will be carried out in strict compliance with international human rights law and in accordance with the Basic Principles and Guidelines on Development-based Evictions and Displacement.



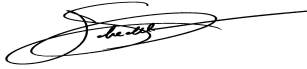
Erwin Van Der Borght, Africa Programme Director, Amnesty International

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<sup>3</sup> Angola Press Agency, 26 August 2008.



Claude Cahn, Head of Advocacy Unit, Centre on Housing Rights and Evictions



Joseph Schechla, Coordinator, Housing and Land Rights Network, Habitat International Coalition



Georgette Gagnon, Executive Director of the Africa Division, Human Rights Watch

cc.

**The President**

Mr. José Eduardo Dos Santos

**Minister of Town Planning and Housing**

Mr. Diekunpuna Nsadisi Sita José

**Vice-Minister**

Mrs Carla Leitão Ribeiro de Sousa

Mr. Luís Assunção da Mota Liz

**Minister of Planning**

Mrs Ana Dias Lourenço

**Vice-Ministers**

Mr. Carlos Alberto Lopes

**Minister of Territorial Administration:**

Mr. Virgílio Fontes Pereira

**Vice Ministers**

Mr. Edeltrudes da Costa

Mr. Graciano Francisco Domingos

**Minister of Public Works**

Mr. Francisco Higinio Carneiro

**Vice-Ministers**

Mr. Armindo Francisco Kopingo

Mr. José dos Santos da Silva Ferreira

**Governor of Luanda**

Ms. Francisca do Espírito Santo