

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **Angola: Benguela Provincial Authorities must not unreasonably prevent peaceful demonstration**

Amnesty International is calling on the Angolan authorities in the Province of Benguela to allow a peaceful march to take place, planned for this Saturday 10 April, in protest against forced evictions. Amnesty International is concerned about the possibility of the excessive use of force by law enforcement officials during this march following recent statements by the Benguela provincial authorities.

The peaceful march entitled, “Don’t push down my house” is being organized by the Angolan human rights organization, Omunga, based in Benguela province. Omunga has been mobilising civil society and individuals to take part in this march since the beginning of March 2010 in protest against forced evictions that have occurred in Huila Province and in solidarity for the victims of these forced evictions. Over 3,000 families were affected by these forced evictions.

On 9 March 2010 Omunga informed the Benguela Provincial government of their intention to hold the peaceful march. This notification was given in writing more than three days prior to the march planned for 25 March in accordance with Angolan law. However, the authorities did not permit the march to take place on the basis that the time and route planned for the march were not in accordance with national law. Angolan national law states that demonstrations cannot take place before 19.00 hours during the week or before 13.00 hours on Saturdays. In addition, authorities may prohibit demonstrations that pass within 100 metres of government buildings, prisons, diplomatic and consular buildings or military installations.

On 1 April 2010 Omunga notified the Benguela provincial government of their intention to carry out the march this Saturday, 10 April at 15.00 hours. This march is to be carried out within the legally permitted hours and will not pass through the prohibited areas for demonstrations. Despite these steps the Benguela provincial government has once again refused to allow the march to take place stating that it is unfounded as there have been no forced evictions in Benguela province.

Amnesty International considers this refusal a violation of the right of individuals to freely express their opinions and to assemble peacefully. These rights are guaranteed by international human rights treaties which Angola has ratified, as well as Angola’s new Constitution which was approved earlier this year. This new Constitution also guarantees the right of all to meet and demonstrate peacefully. Under international human rights and national laws these rights may only be restricted in accordance with the law and only in the interest of national security, public order and for the protection of public health, morals, as well as the rights and freedoms of others. The absence of forced evictions in Benguela Province does not foreclose the right of civil society in that province to march in protest against forced evictions in another province and in solidarity for those who have been affected by these forced evictions. Amnesty International therefore calls upon the Angolan authorities to respect and protect the right to freedom of expression and peaceful assembly by allowing this peaceful march to go ahead.

Amnesty International is further concerned about statements made by the Benguela provincial authorities following the first notification of a planned march. In this statement on 24 March,

the Benguela provincial authority stated that they would not be responsible for any physical or material injuries that would result from the exercise of their authority if the march planned for 25 March went ahead. Amnesty International reminds the Angolan authorities of the duty of the state to protect lives and to ensure that members of the police and other law enforcement officials do not use unnecessary and/or excessive force. International human rights standards require law enforcement officials to apply non-violent means as far as possible before resorting to the use of force. Where lawful use of force is unavoidable, restraint is to be used at all times to minimise damage and injury and to respect and preserve human life. The requirement to use restraint applies even where authorities consider a demonstration to be unlawful.

## **Background**

Forced evictions – the removal of people against their will from their homes or land which they occupy without providing them access to appropriate forms of legal or other protection - have been carried out in the Angolan capital of Luanda since 2001. At the beginning of March over 3 000 families were forcibly evicted from their homes in Lubango to make way for a railway upgrade. The railway used to link the port of Lobito in Angola to the port of Beira in Mozambique, but fell out of use during the civil war. Those who settled along the railway during the 27-year-long civil war are now being forcibly moved to an area outside the city far from schools and places of work and without amenities.

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