

AMNESTY INTERNATIONAL

Public Statement

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Angola: Human rights organization banned

Amnesty International is gravely concerned about the ban of Mpalabanda (*Associação Cívica de Cabinda*), a human rights organization operating in Cabinda, Angola.

In a case instituted by the Angolan government against Mpalabanda, the Provincial Court of Cabinda ruled on Thursday 20 July that Mpalabanda should be banned. Mpalabanda is appealing against the decision, which was apparently based on the Law of Associations of May 1991 (*Lei das Associações de Maio de 1991*).

Mpalabanda is the only human rights organization operating in the province of Cabinda. Amnesty International considers its members to be human rights defenders. The organization has been involved in the documentation of human rights violations committed by both the government and members of the Front for the Liberation of the Cabindan Enclave (FLEC). Its closure will leave Cabinda, an area rife with egregious violations of human rights, without a human rights organisation to monitor and record violations of human rights.

Amnesty International is particularly concerned about the effect of the court ruling on Mpalabanda's and human rights defenders' freedoms of association and expression, and consequently, their ability to carry out human rights monitoring and evaluation. These freedoms are contained in the Constitution of Angola, the African Charter on Human and Peoples' Rights and the International Covenant on Civil and Political Rights, to which Angola is a party. Under international human rights law, no restrictions may be placed on the exercise of the right to freedom of association, other than those prescribed by law and strictly necessary in the interest of national security, public safety, public order, public health and morals or the protection of the rights and freedom of others.

While Amnesty International recognises the government's right to restrict the operations of organizations in the circumstances mentioned above, the organization urges it to ensure that this is done only when strictly necessary and in accordance with the Angolan national and international law.

Amnesty International calls upon the government to respect and protect the enjoyment of the right to freedom of association and expression.

In addition the organization urges the government to fulfil the principles contained in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. This Declaration recognizes the right of all, individually and in association with others, to promote and strive for the protection and realization of human rights and fundamental freedoms at the national and international level.

Background

Mpalabanda was created in July 2003 in terms of the Law of Associations of May 1991 (*Lei das Associações de Maio de 1991*) and was officially registered in December 2003. In March 2004 the organization was allowed to hold its first meeting after two consecutive refusals by the provincial government to allow a meeting to take place. Since then it has been refused permission on several occasions to hold meetings and marches to commemorate Cabinda Day.

In 2004 FLEC, the Catholic Church, and Mpalabanda set up the Cabinda Forum for Dialogue (*Forum Cabindese para o Dialogo*, FDC) to enter into dialogue with the government for peace in Cabinda.

According to reports, on Monday 19 June 2006, Agostinho Chicaia the president of Mpalabanda was summoned to court (*tribunal da comarca de Cabinda*) where he was issued with a copy of a government application to ban Mpalabanda. The application alleged that Mpalabanda incited violence and hatred. It also accused Mpalabanda of carrying out political activities rather than being a civil society organization. The organization was given ten days to submit a responding affidavit, which it submitted within the given time.

On Thursday 20 July the Court decided to ban the organization. Mpalabanda was informed of this decision on Monday 24 July.

There is no mention in the judgement that Mpalabanda promoted violence and hatred. Nor were any of the cited witnesses called to give evidence to this effect.