

BTI 2008 | Angola Country Report

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scale: 1 (lowest) to 10 (highest) score rank trend

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Key Indicators

Population	mn.	15.9	HDI	0.44	GDP p.c.	\$	2,077
Pop. growth ¹	% p.a.	2.9	HDI rank of 177	161	Gini Index		-
Life expectancy	years	41	UN Education Index	0.53	Poverty ³	%	-
Urban population	%	53.3	Gender equality ²	-	Aid per capita	\$	27.7

Sources: UNDP, Human Development Report 2006 | The World Bank, World Development Indicators 2007 | OECD Development Assistance Committee 2006. Footnotes: (1) Average annual growth rate 1990-2005. (2) Gender Empowerment Measure (GEM). (3) Percentage of population living on less than \$2 a day.

Executive Summary

Despite its rich endowment in natural resources such as oil and diamonds, Angola remains one of the world's least developed countries. In Angola, which has been ravaged by 27 years of civil war, resources appear to be more a curse than a blessing for the majority of its population. At least 65% of the country's urban population lives in poverty. This report focuses on the role resources have played in Angola's political development since independence, their impact on its process of pacification and democratization. Currently, Angola finds itself at a critical juncture in democratization. The "Memorandum of Understanding" signed in April 2002 marked a return to the Lusaka peace agreements between the Movimento Popular pela Libertação de Angola (MPLA) and União pela Independência Total de Angola (UNITA), ushering the country toward the peace needed to embark upon successful democratization. However, it remains unclear whether Angola will travel the path of most oil-producing countries characterized by roll-back and authoritarian rule, or whether it will succumb to citizens' demands for transparency, accountability and service delivery. The oil boom in Angola has unleashed some worrying effects on relations between government and society. By decreasing the government's reliance on non-oil taxes, oil revenues have severed the link between the Angolan people and their government. Elections have been postponed several times. Civil society and opposition parties remain weak in their watchdog function and have been unable to exert the necessary pressure to get the ball rolling for elections. The government's creation of an off-shore economy has been a key factor in girding the state's ability to decouple itself from society on socioeconomic issues. Shortly after independence, the MPLA formed strategic alliances with multinational oil corporations. The Angolan government has financed its military and economic projects almost entirely through incoming oil revenues, which has rendered the productive capacities of most of the population irrelevant to the government. Failing agricultural policies of collectivized state-owned farms and

declining industrial outputs have been compensated for by increased oil outputs. So-called “oil windfalls” as well as unconditional oil-backed loans by the Chinese government render ineffective the international donor community’s attempts to tie financial aid and development assistance to criteria of good governance. Angola has managed to successfully consolidate its macroeconomic situation. The government has brought inflation down, GDP growth rates are one of the highest in the world, and despite widespread corruption, Angola remains one of the favorite destinations for foreign direct investment flows on the continent. Under pressure by multilateral institutions from 2002 to 2004, the Angolan government began to show slight transparency regarding oil revenues, external debt and SONANGOL transactions. However, further recommendations – particularly those advocating for more transparency – have not been implemented since. Monitoring and control of public expenditure remains weak and barely permits any evaluation of fiscal information. Transparent regulations and legal institutions that enforce property and contractual rights are needed to create a business environment conducive to economic growth beyond the oil sector. At the moment, the private sector is underdeveloped and remains under governmental influence. Angola’s key challenges, however, are to hold its elite accountable in the forthcoming elections, to guarantee its citizens their civil and political rights and to establish the proper mechanisms needed to prevent clientelistic networks from looting state coffers.

History and Characteristics of Transformation

Angola has suffered almost continual war since the early 1960s – first in its war of independence against the Portuguese colonial regime, followed by civil war battles between primarily the Movimento Popular pela Libertação de Angola (MPLA) and União pela Independência Total de Angola (UNITA). Peaceful conflict resolution has clearly been an essential precondition for the country’s democratization. Angola’s transition became a twofold and interdependent process in which the introduction of democratic reforms constituted also a condition for peace negotiations. As the Angolan conflict had been deeply embedded in the Cold War, exogenous factors played a crucial role. However, as events later on showed, it was the role and behavior of national actors that proved decisive. Changes in the international environment as well as a military stalemate (Cuito Cuanavale 1988) enabled the 1988 New York Accords to take place, which linked Namibia’s independence with the withdrawal of Cuban troops from Angola. Cuba put pressure on the MPLA to negotiate with Jonas Savimbi’s UNITA. Militarily weakened by the loss of Cuban troops and the end in Soviet military aid, the MPLA government also faced an economic crisis brought on by decreasing oil prices. However, the United States continued to veto IMF and World Bank assistance for Angola. Peace negotiations thus began in Bicesse (1990 – 1991) within a

framework that had been shaped primarily by external interests. Both the United States and the Soviet Union participated in these negotiations that were moderated by Portugal. Both the MPLA and UNITA continued to jockey for power by carrying out military actions against each other during negotiations, demonstrating their lack of interest in peace. The MPLA proved itself resistant to reform as attempts to liberalize the political system were as hesitatingly conducted as the peace negotiations. Only the exclusive vesture of power in the MPLA could guarantee the nomenklatura's privileges and enable their access to state resources. In June 1990, Angolan President Eduardo dos Santos stated, "[...] que no caso de Angola a instituição de um regime pluripartidário, nas actuais condições poderia revelar-se muito perigoso." ("...that in the case of Angola the implementation of a multiparty system under the current circumstances could turn out to be very dangerous." *África*, Lisbon, 6 June 1990). However, during the peace process, the MPLA was forced to agree to UNITA's demands and introduce a multiparty system. At the third MPLA party congress (4 December 1990) the Angolan constitution was amended accordingly and the official Marxist-Leninist party doctrine was replaced by democratic socialism. The Bicesse Accords had prescribed not only a cease-fire and the demobilization of both armies but also the new army's composition, requiring recruits from both sides and the re-establishment of state structures in formerly UNITA-controlled areas. Elections were scheduled for November 1992, and the United Nations mission UNAVEM received the mandate to monitor the peace process (UNAVEM I). However, the peace and democratization process was enfeebled by several factors: an inappropriate mandate; weak support for the mission (2 million); an over-ambitious timetable; the "winner-takes-all" option in forming a new government after elections; and the fact that demobilization was not completed before elections. When the MPLA (54%) won the parliamentary elections against UNITA (34%) and Savimbi only managed to get 40.1% of electoral support, he decided to pull out of the process with allegations of electoral fraud even before a second round in the presidential elections could have been conducted. Both parties immediately reverted to a military solution with heavy fighting under way, even in the capital Luanda. A lasting peace agreement was finally signed in April 2002, shortly after UNITA leader Jonas Savimbi's death in February 2002. For the first time in over 30 years, a degree of political stability and hopes of institutional development could be realized. Issues such as constitutional reform, judicial reform and elections have been on the government's agenda since Savimbi's death. However, the government's repeated promise to hold elections have yet to be fulfilled, as they are constantly postponed by attempts to reconstruct the country's infrastructure.

Transformation Status

I. Democracy

1 | Stateness

Although the MPLA government had no monopoly on the use of power over the Angolan territory during the years of civil war, it nevertheless demonstrated a surprising resilience to survive. The Angolan state shows the typical features elaborated by Terry Lynn Karl (2004) for states highly dependent on revenues from commodities. States that are dependent on taxation and domestic revenue collection need to develop the organizational capacity to collect taxes and fees – a functioning public service that reaches out to the citizen must be in place. However, to motivate citizens to pay taxes, the state, in return, must also provide its services and needs to deliver on promises. Dependence on foreign aid or revenues drawn from the sell-out of natural resources proves in most cases detrimental to the establishment of a citizen-state relationship. In the case of Angola where the government's main source of income was derived from the petroleum sector, prolonged civil war hindered the government in performing its functions, but the state also failed to deliver social services due to a growing decoupling of the state from Angolan society. The state's monopoly on the use of force is challenged by liberation fighters seeking autonomy for the enclave of Cabinda. Although the liberation movement Frente Nacional de Libertação de Enclave de Cabinda (FNLEC) temporarily changed its strategy after the reunification with FLEC-R, the level of resistance against everything Angolan remains high in Cabindan society. The public rejection of the new Bishop of Cabinda, who was from Luanda and appointed by the Episcopal Conference of Angola and São Tomé, revealed the aversion to domination by a central power that prevails in the province. The Angolan government signed a Memorandum of Understanding (MoU) in August 2006 regarding the demilitarization and integration of FLEC cadres into the Angolan state apparatus with the leader of FLEC-Renovada, Antonio Bembe. However, the agreement was rejected by the FLEC leadership in exile, who alleged Bembe had been bought off by the Angolan state. As a result, Bembe was discharged as secretary-general of a united FLEC. In the months following the MoU, resistance and acts of sabotage against

Monopoly on the use of force

Angolan authorities mounted again. The Cabindan civil society organization Mpalabanda and selected representatives of the Catholic Church in Cabinda became victims of oppression by the Angolan state. The circulation of small arms remains a problem and could, in future, jeopardize the state's efforts to provide safety and security to its citizens.

Despite the fact that the Portuguese colonial regime had introduced segregation into natives and the so-called "assimilados," which reinforced discrimination between whites, blacks and people of mixed race, an Angolan identity nonetheless has developed since independence. The MPLA's revolutionary discourse has concentrated primarily on the differences between social classes, not ethnicity, which was identified instead as an enemy of national unity. Although UNITA and the MPLA, both of which have drawn their support from separate ethnic groups (the Ovimbundu in the south and the Mbundus respectively), have been engaged in what appears to be a civil war along ethnic cleavages, this fact has not prevented the emergence of overarching Angolan identity that spans the country's various other identities. The Angolan government seeks to promote a sense of "Angolanity" and pride in being Angolan through a campaign of national patriotism (*exaltação e afirmação de patriotismo nacional*). Opposition parties are in general very careful about using tribal, ethnic or race issues as a political tool in rallying support. The population of Cabinda, which refers to accords signed in 1835 with the Portuguese in Simulambuco in insisting upon its right to independence from the Angolan state, poses a limitation to the current government's attempts at nation-building. The sense of being Cabindan is very strong in the enclave, anything that comes from Angola is considered foreign and is treated with contempt.

State identity

Although religious organizations have, since the colonial era, played a critical role in Angolan politics in terms of political education, mobilization and information, the Angolan state is defined as a secular state and religious dogmas do not interfere with the secular order.

No interference of religious dogmas

Despite the fact that the constitution, in its seventh chapter, addresses the issue of local government and provides for autonomous self-governed entities, it does not affect substantially the centralist orientation and administrative division of the public administration inherited from the one-party state past. Although the Angolan government began a decentralization project in 2002/03 with the strong support (and pressure) of international partners, as of 2006, the necessary legislation was still not in place. Currently, the government limits itself to the rhetoric of bringing more life and efficiency to the local/municipal administration as it considers changing the number of provinces.

Basic administration

2 | Political Participation

The Angolan government has not held elections since 1992, which effectively prevents the public from having the opportunity to hold their government accountable. The government has cited the civil war and pointed to the need for a peace process before allowing elections to take place. However, the government has shown no interest in calling for elections, even though peace has been achieved since 2002. During the last MPLA meeting, Central Committee President Dos Santos confirmed rumors that parliamentary elections are not to be expected before 2008 and presidential elections no earlier than 2009. He also indicated that presidential elections could be held only after the MPLA party congress in which the party's candidate would be determined. Clearly, the period between legislative and presidential elections should give the party ample time to analyse and assess the results in preparation for the presidential campaign. The ruling party's exclusive access to resources is clearly one aspect of their limited will to speed up the process. However, the fact that the government has thus far proved unable to significantly improve the ordinary public's lives provokes fears amongst the ruling elite that they could lose out in the elections. The timetable mentioned above was presented at the end of 2006 before the Council of the Republic (Conselho da República), where leaders of opposition parties are represented. The main arguments cited before the Council referred to the electoral calendar and the late start of the voter registration process in November 2006, which would hardly allow for elections in 2007. The process must show sufficient transparency if the credibility of Angola's elections is to be ensured. The capacity and professionalism of the electoral commission, which is overwhelmingly dominated by the MPLA and government appointees, will prove decisive. Only three out of eleven members come from the opposition.

Free and fair elections

At the moment, Angola does not have democratically elected rulers and the established power structures in Cabinda continue to be challenged by the separatist movement under the leadership of FLEC.

Effective power to govern

The Angolan government introduced new regulations for NGOs via presidential decree in December 2002 (No. 84/02). As the decree limits the relatively open space created by the law (14/91) it appears to be more an instrument of disciplining NGOs. The decree obliges NGOs to abstain from "political and partisan actions" and highlights their role as partners of the government under the "guardianship" of the Ministry of Social Affairs. Thus, government intends to reduce the independence of NGOs and to keep NGOs restricted to humanitarian and emergency programs only. According to the law, demonstrations must be announced at least three days in advance. The regulation as such does not contravene international law or customs. However, Angolan authorities tend to

Association / assembly rights

abuse the clause so as to prevent any form of legal protest. Inter alia the law allows that police can intervene and terminate a previously authorized protest if acts or statements tarnish the honor of the Angolan government or top public officials, especially the president. Recent demonstrations concerning the Angolagate trial in France as well as the cause of Cabinda did not receive authorization by the Angolan state and ended in arbitrary arrests of demonstrators and of those complaining against the non-authorization. Twenty-six members of the opposition party PADEPA were detained and sentenced to one month in prison for disobedience as they were demonstrating in front of the French Embassy. The authorities' stern handling of public expression constitutes an issue of concern for most observers, especially in advance of elections. Though the legal framework provides for the basic freedoms of association and assembly, the fact that the government appears to turn a blind eye to perpetrators of acts of political intolerance (e.g., disruption of opposition demonstrations) and its unwillingness to reprimand law enforcement officers who have harassed opposition leaders and supporters constrains political parties and civic organizations' ability to fully exercise such rights.

According to the Angolan constitution (Lei No. 23/92, 16 September 1992) the rights to freedom of expression, assembly, demonstration, association in all forms of expression are guaranteed (Artigo 32 (1)). However, the gap between constitutional theory and democratic reality remains substantial. Although the end of the civil war has encouraged Angolans to exercise their rights anew, the government and agents of the ruling party have continued to deprive citizens of their rights. Conditions have changed primarily in the capital and along the coastal region, but the situation also remains precarious in the interior of the country. The national legislative body itself is the first to place serious limitations on the fundamental rights guaranteed by the Angolan constitution. For example, an individual's right to honor is guaranteed by sanctions that can be invoked for defamation. These laws easily enable influential members of the elite to silence criticism. Additionally, statements of facts or opinion that might be disagreeable to the president of Angola constitute a criminal offense punishable by prison. So-called "desacato" laws further impose sanctions on disobedience to authority and thereby undermine the democratic principle of oversight of governmental authority by public scrutiny. As elaborated, press freedom is heavily constrained by the aforementioned regulations. During the review period, journalists have been arrested for reporting on corruption, the violence of state agents against street vendors and on the prevalence of self-enrichment among the national elite. In order to avoid problems, journalists self-censor their work in advance. Working conditions for journalists are particularly bad in the provinces, as authorities there are not as exposed to public scrutiny as in the capital and therefore react often swiftly. Although a new media law was passed in 2006, the situation has not changed much. Abuses of press freedom still fall under the

Freedom of
expression

criminal law that allows for the suspension of journals and detention of journalists. As the aforementioned defamation clauses remain valid, journalists continue to act with caution. However, under the new media law, the journalist accused of having written a defamatory article is at least allowed to present the facts of his article before the court, which was not possible beforehand. Nevertheless, it still remains up to the judge to decide whether the evidence presented by the journalist can be accepted in his defense. The government continues to control and heavily subsidize the media sector – both print and broadcast media (89.9% of all operational subsidies for state-owned business). There have also been recent initiatives by the government to co-opt or buy off the private media sector or to support the creation of new government-friendly organs. The only nationwide operating radio station is the voice of the state Rádio Nacional de Angola (RNA). Radio Ecclesia, which is one of the few private radio stations and confined to operate in Luanda only, has not yet succeeded in obtaining a license to broadcast on short airwaves, which would allow its broadcast to reach beyond the capital. Run by the Catholic Church, this radio station instead faces regular waves of intimidation. Despite the emergence of several new private weeklies over the last two years, the print media sector remains dominated by the state-owned daily journal “Jornal de Angola.” The private weeklies are regularly constrained by technical and financial weaknesses that are in part attributable to political obstacles. Even established journals such as “Actual” have had to shut down due to serious financial problems. In the absence of a requisite infrastructure for distribution, the outreach of private journals is limited mainly to Luanda. Price also limits private media outreach, which in turn means that media diversity is found primarily in the capital. The country’s high illiteracy rate (59.9%) also effectively limits popular participation in the decision-making process. Only 38% of the population own a radio and only 14% are the owners of a TV set. The phone-in programs first introduced by Radio Ecclesia and later copied by RNA and other commercial stations enjoy widespread popularity and have opened up space for public debate. However, the climate of denunciation and intimidation resulting from over three decades of civil war and Marxist-Leninism remains prevalent.

3 | Rule of Law

There is no separation of powers in practical application. The parliament has a very weak mandate emanating from elections that took place over a decade ago. Its autonomy is limited and its institutional capacity weak. Most legislation – almost 90% – emanates from the executive and not from parliament. A political culture of conflict, of administrative secrecy and confidentiality, of clientelism and favoritism (including the co-optation of political rivals) has further weakened the political basis for a democratic parliament. Coupled with the MPLA’s history

Separation of
powers

of one-party rule and the established informal tactics of presidential domination, it thus seems that Angola has instituted a political practice in which the parliament only marginally exercises its power of checks and balances in the political system. There is equally a high degree of presidential intervention in the day-to-day management of state affairs. Presidential advisers often have greater influence than ministers, leading to a situation in which ministers are not able to assert their authority. Although a substantial number of human rights cases are brought before the Human Rights Commission and the latter serves quite well to compensate for the deficits in the judicial system, it is nonetheless worrisome that a commission established by the executive and located within the National Assembly fulfills a judicial mandate. The likelihood of cases against the state brought successfully before this commission remains questionable.

The judicial system remains highly dependent on the executive and suffers from political interference. There are reports that the governing party, the MPLA, seeks to influence judges, especially in the provinces, in ways that have included financial inducements. Considering that the entire judicial pyramid is under the formal tutelage of the Ministry of Justice, such actions are in flagrant disregard of the constitution. The Supreme Court has little to no influence on the government.

Independent
judiciary

The Angolan ruling elite is able to loot the coffers of the state without any fear of being reprimanded. Nevertheless, there is a fear among the elite that, in the event of democratic change, justice eventually might be served concerning crimes of the past. The elite thus continues to cling to power by any means. One of President Dos Santos' political tools is to remove political adversaries that might become too strong or might have too much knowledge about subjects not meant to reach the public. One of the most prominent cases in 2006 involved the removal of General Fernando Miala from his office as head of the Foreign Intelligence Service under vague allegations that he had abused his position, which left the public guessing about the true reasons behind this political charade. Anti-corruption measures and practices within the government continue to be rhetorical at best.

Prosecution of
office abuse

There are several obstacles in the access to justice through the court system, particularly for the poor. First, people in Angola generally lack knowledge of their legal rights and thus have no formal legal strategy for seeking redress. Second, the courts lack the requisite resources to properly fulfill their function of responding to claims, which hinders justice from being served. Third, political interference in the administration of justice makes access and redress additionally difficult. Levels of trust in the formal legal system are generally low and, especially outside Luanda, people seek solutions for through traditional means and procedures instead. According to a survey conducted, even in Luanda, only 85% of the population had a vague knowledge of their rights but did not know what to do in the event of a violation. Fifteen percent had no knowledge of their

Civil rights

rights whatsoever. The absence of practicing lawyers practising in the provinces impedes access to justice for many Angolans. A scarcity of criminal defense lawyers and prosecutors contribute to delays in detainees being brought to trial, a situation that is perpetuated by a lack of judges. Salaries are low and deter law students from entering the judicial service. In addition, inadequate remuneration fosters corruption. With only 23 of 168 municipal courts operational, most cases end up in the provincial courts where they contribute to a tremendous backlog of cases. To date, the government has failed to set up a constitutional court as stipulated by the Angolan constitution. As recent studies have highlighted, the violations of civil and human rights are particularly severe in the diamond-rich areas of the Lunda provinces. Private security companies which effectively control the territory on behalf of the diamond industry, have established practices of humiliation, whipping, torture, sexual abuse and, in some cases, assassinations (Marques, 2006). The situation concerning socioeconomic rights has appeared to have deteriorated since the end of the war. Despite the peace dividend and large increases in oil revenues, Angola's Human Development ranking has stagnated since 2001. Ranked 146th out of 162 countries in 2001, it ranked only 161th out of 177 countries in 2006.

4 | Stability of Democratic Institutions

To date, parliament has yet to fulfill its function as an organ of control and oversight on the executive. It neither proved to be proactive nor did it demand greater transparency, particularly on budget issues. Extra-budgetary titles in the past have enabled the president to corrupt those that could pose a challenge to his own rule. As UNITA is part of the Governo de Unidade e Reconciliação Nacional (GURN), since April 1997, parliamentary opposition has been weak and UNITA struggles to strike a balance between being the major opposition party while holding ministerial positions at the same time. Considering that the parliament has exceeded its mandate more than three times, even the parliament's representative role has been jeopardized – let alone its inability to promote any kind of popular participation of the people in governance processes. The institutional weakness of political bodies such as parliament and ministries vis-à-vis the presidency, as well as an impotent and often co-opted civil opposition have failed so far to counteract further alienation between those in power in Luanda and Angolan society. The inefficiency within the public service must be considered a major factor in weak state capacity to fulfill core functions. In the past, public administration constituted a support network for MPLA cadres who were provided cheap access to transport, housing, electricity, water, telephone etc. Meager salaries force most public servants into other rent-seeking activities outside their official job desk. Evaporating wages, therefore, must be seen as one of the main reasons for the implosion of social services at their base. Low salaries

Performance of
democratic
institutions

have also fostered corruption among officials in all sectors and levels. The justice system is not only seriously hampered by the lack of infrastructure, skilled personnel and financial resources, but also by the lack of public statements and judgements. Supreme Court judgements used to be published annually, but this has become much less regular and the judgements are not distributed automatically to provincial courts. Although the reference material is essential and publishing and distributing them does not demand exorbitant resources, this is carried out only upon request.

The Angolan military – although it does not have veto powers as such – remains a powerful actor. Leading generals of the Defense Forces were the main beneficiaries of the civil war (arms deals, civil engineering and construction as well as diamond trade) and continue to pursue their economic interests. For example, many joint ventures of foreign business initiatives in Angola have a military general on board. For the regime, this is a convenient way of ensuring the military leadership’s access to resources and satisfying their appetite for power economically. With the integration of UNITA cadres into the ranks and files of FAA (Forças Armadas Angolanas), the Angolan Defense Forces seem to have undergone a transformation process toward a professional non-partisan army. The crucial question for Angola’s democratization process, however, remains whether the military leadership might develop an appetite for increased political influence, despite the integration of UNITA cadres into the FAA.

Commitment to democratic institutions

5 | Political and Social Integration

Deputies voice the interests of their local constituencies to a very limited degree. Deputies depend on their political party and are not allowed to cross the floor. Party discipline is therefore quite strong and famous opposition party members such as Jorge Valentim or Eugénio Manuvakola of UNITA have been removed from parliament by the party leadership as a consequence of diverging opinions on political issues. With the power shift towards the “Futungo” and the presidential circle, the MPLA lost much influence and capacity to determine Angolan politics. Also, the rule by presidential decree undermines and weakens party structures. As a result, most MPLA’s cadres – the intellectual backbone of the party – have shifted their attention to private life and private businesses. Therefore, the party’s capacity to remain a decisive political force and serve as a connective link to society have been weakened further. Nevertheless, and particularly on the lowest level of state administration, the symbiosis of state and party remains prevalent and maintains the nominal link between the party and the people. In 2006 the Angolan government spent .2 million in support for 135 parties that are not represented in parliament. This generosity, however, must be seen in the context of the forthcoming elections and might certainly be motivated by the aim to either co-opt some of them and to bring them into a coalition with

Party system

the MPLA, or to further fragment the opposition and thus to weaken their position. Nevertheless, the Angolan party system is characterized by its bipolar nature and the only real challenge for the ruling party comes from the main opposition UNITA.