

ANGOLA - 100515 House demolitions and forced evictions

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Summary & Comment: Fr.Jacinto Pio Wacussanga, long-time proponent of human rights, and advocate on land tenure and other issues in the Lubanga region, now President of the Associação Construindo Comunidades (Association for Building Communities) submitted this statement to THE 47th ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN & PEOPLES' RIGHTS on May 15th. It outlines the effects of the demolitions, and recommends that the AU urge the Angolan government to change its policies on adequate housing, compensate victims, etc. Esta Declaração foi lida durante a Sessão da Comissão de 15 de Maio de 2010- seque em baixo JK

Statement on house demolitions and forced evictions in Angola:

STATEMENT ON THE HOUSE DEMOLITIONS AND FORCED EVICTIONS IN ANGOLA
SUBMITTED AT THE 47th ORDINARY SESSION OF THE AFRICAN COMMISSION ON
HUMAN & PEOPLES' RIGHTS

Dear Madam Chairperson,

Honorable Commissioners

Distinguished Guests

I'm presenting this statement of behalf of the ACC and I'm a bearer of the plight of the victims of the recent house demolitions and forced evictions in Lubango, Angola.

Short background

The issue of house demolitions and forced removals in Angola can be dated from 2001. However, few families, victims of such acts have been compensated for their losses. In recent years, there have been happening many cases of house demolitions and forced evictions across the country, especially in Luanda, Benguela and Lubango. One of the typical characteristic of these removals is the disproportionate use of violence against unarmed civilians. Furthermore, some of the forced removals are driven by private sectors entities' interests.

Impact of the recent house demolitions and forced evictions

Last March, by the Decree n.80/GPH/2010, the Provincial Government of Huila have ordered the competent authorities to carry out a process of the demolition and forced removals of 3081 houses in Lubango city, most of them comprised by internally-displaced people and low-income families. The reason is that they were too close to the inter-provincial railway. However, the implementation of the aforementioned decree has led to the creation at least of more than ten thousand Internally-displaced people in a situation of humanitarian emergency. Furthermore, the government didn't provide shelters for those who were forcibly uprooted from their previous places, sending them 10 kilometers away in an area which lacks basic services such as, water, sanitation, electricity, let alone basic services such as subsidized health and educational services. In addition, that happened at the height of the rain season

were people needed shelter to protect themselves and the soil was not suitable for accommodating people because it was full of springs. According to government sources, one child died in the process of forced removals. In fact, the impact of such a measure led to an untold suffering and trauma on people, especially on vulnerable groups.

The other phases of house demolitions are planned to take place next June, involving 800 houses, all of them alongside the railway in the province of Huila. But, until now, there are no alternatives so far put in place, to remedy the need for shelter and other social conditions for the people to be affected. The last phase will include those living alongside bedside rivers, under electricity cables and finally, all the slums and informal settlements scattered across Lubango city.

In the face of these recent events, ACC presents to the African Commission on Human and Peoples' Rights the following statement:

- ACC do acknowledge the pressing need for urban reconstruction after the destruction of infra-structures during 27 years of civil war;
- On the other hand, ACC believes that the aforementioned house demolitions and forced removals, were conducted in contravention to the international covenants and standards and to the domestic laws;
 - o ACC believes that the Article 11, 1, of the International Covenant on Economic, Social and Cultural Rights which recognizes the right to adequate standard of living including adequate housing was violated;
 - o The Principles and Basic Guidelines on Forced Removals, n.33, of the Special Rapporteur for the Adequate Housing in relation to vulnerable groups, especially children, elder, pregnant women and the disabled, were not observed;
 - o The same applies to the African Charter on Human and People's Rights, ratified by the Angolan Government in January 1991. This charter states in Article 14, the States should guarantee the right to property;
 - o The Article 37, 1 of the Angolan Constitution, Article 37, and the Resolution 37/2009 of the Angolan National Assembly in relation to the compensation of people and/or the creation of appropriated conditions prior to proceed to forced removals and house demolitions were also violated;

Recommendations

In the face of these scenarios, ACC kindly proposes **the African Commission on Human and Peoples' Rights and in extension to the African Union, to request the Angolan State to undertake the following measures:**

1. To cancel all forced evictions and to enact a specific bill on forced removals and house demolitions in accordance with the international law parameters and internal legislation;
2. To compensate all victims of the demolitions and forced removals in accordance with internal and international laws and guidelines as well as to hold accountable all governmental bodies and private sector entities responsible for unlawful and inhumane acts of forced evictions;

3. To request a Special Rapporteur on Refugees, Asylum Seekers, Internally Displaced Persons and Migrants in Africa to undertake a fact-finding mission to Angola as a way of encouraging the Angolan government to have clear and specific guidelines pertaining the right for adequate housing;
4. To comply with the recent recommendations from the UN Universal Periodical Review of the Angolan State, on the specific issues of right to adequate housing;
5. To ask the Angolan government to request the visit of the UN Special Rapporteur for Adequate Housing for building international standards to the right to adequate housing in Angola;

ACC believes, where there is a problem, there is a way out. We are extremely thankful to the African and worldwide civil society who stood up in favor of Lubango victims. Finally, ACC believes, these recommendations would contribute to the prevention of new conflicts and foster a long and sustainable peace in Angola.

Thank you very much Madam Chairperson

Lubango, May 12, 2010.

The Chairman of ACC

Fr.Jacinto Pio Wacussanga

Associacao Construindo Comunidades (Association for Building Communities)

Lubango – Angola

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