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Angola Digital Rights and Inclusion Report

LONDA

ANGOLA DIGITAL RIGHTS AND INCLUSION 2021 REPORT

A PARADIGM INITIATIVE PUBLICATION

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ANGOLA DIGITAL RIGHTS AND INCLUSION 2021 REPORT

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EXECUTIVE SUMMARY

Angola has a relatively fair digital rights record, given that internet and social network users can express themselves with some degree of freedom. However, there are cases of violation of fundamental rights in the digital space.¹ The Constitution² and general legislation provide for freedom of speech and the press. However, State dominance of most media outlets and self-censorship by journalists limit these rights in practice.³ With the general elections anticipated in August 2022, there is a need for greater protection of human rights, both online and offline, in order to allow Angolans to express themselves freely and for the coverage of the political processes in a transparent manner.

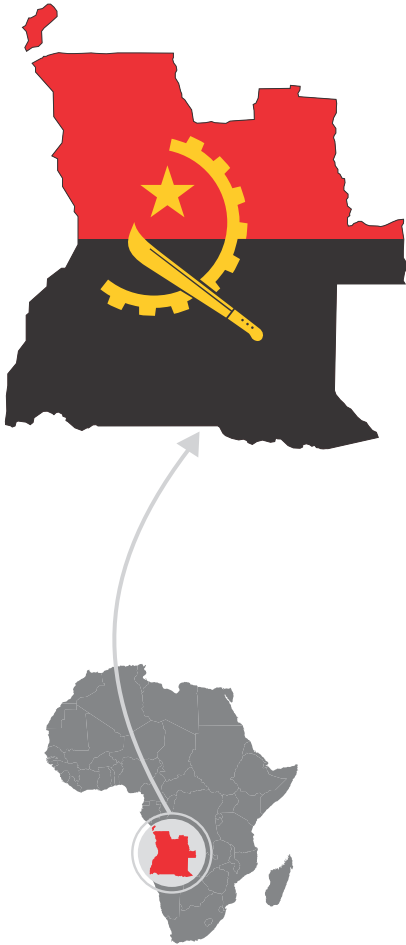
There is also a need for the government to stop interfering with the operations of the private media through the nationalisation law. Authorities should punish those who violate the fundamental rights of the press in particular, and of citizens in general. This will guarantee that Angola is a country based on law and order and also respects fundamental freedoms that are enshrined in its Constitution. Finally, there is a need for the government to broadly reflect on the access and use of digital media platforms, particularly how women and other minorities are affected. This can be done through the expansion of technological communication infrastructures, as well as the enactment and implementation of legislation that protects citizens, whether in digital or physical space.



1. Freedom of Net in Angola 2021 <https://freedomhouse.org/country/angola/freedom-net/2020> (accessed 13 January 2022).

2. Constitution of Angola, 2010 (the Constitution) <https://governo.gov.ao/ao/angola/a-constituicao/> (accessed 9 January 2022).

3. Paradigm Initiative 'Policy Brief – Advancing Internet Rights in Angola' (2021) <https://paradigmhq.org/wp-content/uploads/2021/11/Digital-Rights-In-Angola-English.pdf> (accessed 13 January 2022).



INTRODUCTION

DIGITAL RIGHTS AND INCLUSION IN ANGOLA

Angola is located in Southern Africa and has an estimated population of 31 million people.⁴ The country has been governed by the Popular Movement for the Liberation of Angola (MPLA) since its independence in 1975.⁵ The current President, João Lourenço, succeeded the previous head of state, José Eduardo dos Santos, in 2017, after being in power for more than 30 years.⁶ Angola is expected to hold its general elections in August 2022.⁷



106th
WORLD PRESS
FREEDOM INDEX

Angola is ranked 106th out of 180 countries in the 2021 World Press Freedom Index.⁸ Despite this low ranking, no reporters/journalists were killed in Angola in 2021. However, the Freedom in the World report⁹ ranks Angola as a country that is 'not free' (31 points/100). This is attributed to the state ownership of most of the media in the country. As a result, state-owned media report favourably on the government and rarely include critical coverage.¹⁰ In fact, there is systematic government interference in the operations of the public and private media. More significantly, the Angolan government privatised a number of media outlets in 2021.¹¹

4. Angola's population 2022 <https://countrymeters.info/pt/Angola> (accessed on 29 March 2022).

5. The world factbook Angola <https://www.cia.gov/the-world-factbook/countries/angola/> (accessed on 11 January 2022).

6. Angola's ruling MPLA wins parliamentary election, commission says <https://www.bbc.com/news/world-africa-41052544> (accessed on 13 January 2022).

7. Constitutional changes and mistrust mark Angola's election announcement <https://globalvoices.org/2021/09/15/constitutional-changes-and-mistrust-mark-angolas-election-announcement/> (accessed on 13 January 2022).

8. Reporters Without Borders 'Press freedom still fragile despite the old dictator's departure' <https://rsf.org/en/angola> (accessed on 13 January 2022).

9. Freedom in the World 2021-Angola, Op cit.

10. 2020 Country Reports on Human Rights Practices: Angola <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/angola/> (accessed on 18 February 2022)

11. Government Opens Tender for TV Zimbo Privatization <https://allafrica.com/stories/202107230385.html> accessed on 24 February 2022).

62/100

FREEDOM ON THE
NET REPORT (2021)

The country has four mobile phone companies: Movicel, Unitel, Angola Telecom and Africell. Africell started operations in December 2021. Angola is ranked 62/100 in the Freedom on the Net report (2021).¹² Amid widespread protests in 2020 and 2021, activists used social media and messaging platforms to record incidents of police brutality.¹³ For example, a prominent activist Luaty Beirão was detained while livestreaming a popular demonstration against the economic and social crisis.¹⁴

COMPLIANCE WITH REGIONAL AND INTERNATIONAL FRAMEWORKS

The Angolan Constitution¹⁵ provides for freedom of expression and the press. The 2011 Law on Electronic Communications and Information Company Services provides for citizens' rights to privacy and security online, among other provisions regulating internet use and services.¹⁶ However, Angolan legislation also includes unclear language that may infringe on internet freedom. For example, there is no clarity on what constitutes state secrecy in the law (article 19). The government may use the state secrecy reason to violate fundamental rights such as access to information.¹⁷

Stringent state security laws and defamation contradict constitutional guarantees. For example, article 26 of the 2010 State Security Law penalises individuals who insult the country or president in *"public meetings or by disseminating words, images, writings, or sound"* with prison sentences of up to three years.¹⁸

The 2006 Press Law holds authors, editors, or directors of a publication criminally liable for defamatory content.¹⁹ If the author does not reside in the country or the text is not signed, the law establishes the circumstances in which the editor, director, or both may be held criminally responsible for such content.



Under article 82, it criminalises publication of texts or images that are “offensive to individuals,” which would be punished under the Penal Code as defamation and slander.²⁰

12. Freedom House 'Freedom on the Net 2021: Angola' <https://freedomhouse.org/country/angola/freedom-net/2021> (accessed on 24 February 2022).

13. Human Rights Watch - World report 2021 Angola <https://www.hrw.org/world-report/2021/country-chapters/angola> (accessed on 13 January 2022).

14. Freedom in the World 2021-Angola <https://freedomhouse.org/country/angola/freedom-net/2021> (accessed on 13 January 2022).

15. Constitution of Angola, 2010 (the Constitution) <https://governo.gov.ao/ao/angola/a-constituicao/> (accessed on 9 January 2022).

16. https://www.inacom.gov.ao/fotos/frontend_1/editor2/lei_23_de_2011-20_de_junho_de_2011.pdf (accessed on 14 January 2022).

17. Committee to Protect Journalists (CPJ) denounces arrest of journalist <https://cpj.org/pt/2021/04/jornalista-angolano-jorge-manuel-presos-detido-por-5-dias-enquanto-informava-sobre-despejos/> (accessed on 29 March 2022).

18. State Security Law <http://freedominfo.org/documents/angolalaw.pdf> (accessed on 29 March 2022).

19. Press Law <https://www.wipo.int/edocs/lexdocs/laws/pt/ao/ao006pt.pdf> (accessed on 29 March 2022).

20. Penal Code https://governo.gov.ao/fotos/frontend_1/gov_documentos/novo_codigo_penal_905151145fad02b10cd11.pdf (accessed on 29 March 2022).

The Penal Code, approved in January 2019, contains articles on media activity. These include fines and up to six months' imprisonment for "*abuse of press freedom*," which can encompass incitement, the dissemination of hate speech, and the defence of fascist or racist ideologies. On 21 February 2020, Angola ratified the African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention).²¹

However, the implementation of the legal framework on data protection is still problematic. Since the creation of the Data Protection Agency (ADP) in 2016 it has not been acting proactively, mainly because the agency operates in a dependent manner in relation to the government, as its President is appointed by the President of the Republic and its budget depends on the state.²²

IMPACT OF COVID-19 REGULATIONS ON DIGITAL RIGHTS AND INCLUSION

In response to the beginning of the COVID-19 pandemic, Angola adopted the Presidential Decree²³ to limit the movement of people and remain in a State of Public Calamity, but in other contexts is known as '*national state of disaster*'. Under the lockdown, people were only allowed out of their homes to buy basic necessities such as medicine, food, water, and cooking gas. Schedules were put in place to regulate the operating times for markets. During that period, Angola committed to

fully respect, promote and protect the rights of all citizens, and reduce the negative impacts during and after the pandemic, mainly in the focus on e-learning and the promotion of digital initiatives that are made possible by the Internet.²⁴ However, it has been reported that Angolan authorities struggled to contain abuses by state security forces implicated in killings and excessive use of force against unarmed people who allegedly violated COVID-19 regulations.²⁵

According to Human Rights Watch,²⁶ state security forces were implicated by human rights groups and media in serious human rights abuses, including killings, harassment and arbitrary arrests, as they tried to enforce lockdown rules and restrictions.²⁷ There are also reports that the COVID-19 pandemic resulted in the closure of independent print media, prompting some journalists to turn to online publishing, although there are still notable challenges.²⁸ For example, under COVID-19 emergency measures, state and private media outlets are obligated to collaborate with "*competent authorities*," which the decree defines as the government bodies responsible for security and civil protection. Although it is not clear how this provision has been implemented, there are concerns that it may be used to manipulate Angola's media environment.²⁹

21. How African states can improve their cybersecurity <https://www.brookings.edu/techstream/how-african-states-can-improve-their-cybersecurity/> (accessed on 24 February 2022).

22. DPA Paradigm Initiative <https://paradigmhq.org/report/data-protection-authorities-in-africa-dpas-report/> (accessed on 29 March 2022).

23. Presidential Decree No. 106/21 (2021) <https://governo.gov.ao/ao/documentos/index.php?tipo=2> (accessed on 24 February 2022).

24. Angolan Government committed to Protect and Promote Child Rights <https://reliefweb.int/report/angola/covid-19-angolan-government-committed-protect-and-promote-child-rights> (accessed on 24 February 2022).

25. Human Rights in Angola (2021) <https://www.cmi.no/publications/7714-human-rights-in-angola> (accessed on 24 February 2022).

26. World Report-Angola (2021) <https://www.hrw.org/world-report/2021/country-chapters/angola> (accessed on 24 February 2022).

27. Angolan police kills 23-year-old for breaking confinement rules, local media reports <https://globalvoices.org/2020/08/06/angolan-police-kills-23-year-old-for-breaking-confinement-rules-local-media-reports/> (accessed on 24 February 2022).

28. Manuel Luamba, "Angola: Jornalistas procuram novas soluções face à crise no setor," DW (2021) <https://www.dw.com/pt-002/angola-jornalistas-procuram-novas-solu%C3%A7%C3%B5es-face-%C3%A0-crise-no-setor/a-58109633> (accessed on 11 January 2022).

29. Freedom House 'Freedom on the Net 2020: Angola' <https://freedomhouse.org/country/angola/freedom-net/2020> (accessed 24 February 2022).



Human rights defenders were arrested for disseminating health information and distributing masks and hand sanitizer to Indigenous communities.³⁰ In fact, when the pandemic started the dissemination of disinformation and rumours was one of the main challenges that confronted Angola in the fight against the coronavirus. In response, in July 2020, the World Health Organisation (WHO) office in Angola and the Ministry of Health created the COVID-19 Alliance. This is an initiative that is designed to combat the spread of potentially harmful online misinformation.³¹

The COVID-19 Alliance tracks and analyses the conversations surrounding the pandemic on social and traditional media and develops content to counter such rumours. Its website contains official data, regular updates, and key messages about the pandemic. This truthful and certified information is also disseminated through social media platforms. This is done by the Ministry of Health, which may also indicate a control of the circulation of information by the authorities.

Lizandro Chissupa, Director of the COVID-19 Alliance platform argued that the initiative could help prevent the spread of rumours, even if there is no concrete example of the impact of the platform.³² According to Chissupa, the COVID-19 Alliance system received about 100 messages daily, in 2021, from people seeking clarification on rumours, access to testing, facts about the disease, its transmission, and preventive measures. However, we were unable to find more information on how this platform protects personal data. Beyond this dimension of digital rights, it is known that COVID-19 has encouraged the discovery of new teaching practices and expanded the possibilities of access to knowledge through technology. However, cases of digital exclusion still persist as not all Angolans can access the Internet and often rural areas lack internet access.



A report³³ published in 2021 on access to education in times of COVID-19 in Lusophone countries showed that countries like Angola did not have adequate financial resources to deal with the critical moment and encourage new forms of education, as well as to invest in infrastructure and ICT.

30. Report Angola-2020 <https://www.amnesty.org/en/location/africa/southern-africa/angola/report-angola/> (accessed on 18 February 2022).

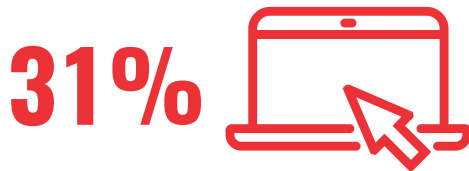
31. Angola's struggle against rumours and myths about COVID-19 <https://www.afro.who.int/fr/node/13795> (accessed on 8 January 2022).

32. Combating rumours and scams related to COVID-19 in Angola <https://www.afro.who.int/fr/news/lutter-contre-les-rumeurs-et-les-arnaques-lies-la-covid-19-en-angola> (accessed 24 February 2022).

33. Raport (2021): The Pandemic of COVID-19 and the Right to Education in Portuguese Speaking Countries <https://inee.org/pt/resources/pandemia-de-covid-19-e-o-direito-educacao-em-paises-de-lingua-portuguesa-desafios-e> (accessed 31 March 2022).

DIGITAL INFRASTRUCTURE AND PRIORITISATION OF ICT

ICT access remains prohibitively expensive for the majority of Angolans, partially due to a lack of competition in the ICT industry, even if the government and some private companies have made efforts to establish free wireless hotspots. In general, internet access remains prohibitively expensive, especially for those in rural areas. In fact, access to the Internet in Angola is very low but it is growing steadily. More than half of the population



INTERNET PENETRATION RATE ACCORDING TO THE DIGITAL 2021 REPORT

does not have internet access. According to the Digital 2021 report, the internet penetration rate was at 31%.³⁴ The coverage and penetration of third-generation (3G) and fourth-generation (4G) technology for mobile networks reached 85% and 13.8% of the population, respectively.³⁵

Angola has four mobile phone companies: Movicel, Unitel, Angola Telecom and Africell. Angola Telecom is state-owned while Africell, as a new player in the market, started its operations in December 2021. The Communication Regulator (INACOM) also announced that three of the four operators with global licences in Angola received their titles for the use of 3.3-3.7 GigaHertz (GHz) frequencies.³⁶ This will enable them to use 5G technology in order to improve telecommunications in the country.³⁷

In May 2021, as part of the Privatisation Programme (PROPRIV) 2019-2022, the government launched a tender to sell its 51% stake in the internet service provider Net One, but there is no publicly available information on the deal and what its impact was for national connectivity.³⁸ In addition, it is known that some mobile companies have already been preparing for digital transformation. For example, On 8 April, Unitel S.A. and Ericsson signed a three-year frame agreement for the supply of Ericsson Radio System solutions as well as core solutions and related services.³⁹ Ericsson will deliver a transformation to Unitel's existing 2G/3G/4G Radio Access Network (RAN) and core infrastructure to implement 5G services.⁴⁰

34. Digital in Angola (2021) <https://datareportal.com/reports/digital-2021-angola> (accessed 13 January 2022).

35. Freedom in the World 2021: Angola <https://freedomhouse.org/country/angola/freedom-net/2021> (accessed on 13 January 2022).

36. Angola licences first three companies to deploy 5G technology <https://www.inacom.gov.ao/ao/noticias/angola-licencia-primeiras-tres-empresas-para-implantacao-da-tecnologia-5g/> (accessed 13 January 2022).

37. Mobile operators authorised to use 5G technology <https://www.angop.ao/en/noticias/tecnologia/operadoras-de-telefonias-movel-autorizadas-a-usar-tecnologia-5g/> (accessed on 11 January 2022).

38. Beginning of the sale of Net One's capital <https://www.jornaldeangola.ao/ao/noticias/iniciada-alienacao-do-capital-da-net-one/> (accessed on 13 January 2022).

39. Unitel confie à Ericsson l'expansion et la modernisation de son réseau <https://www.agencecofin.com/operateur/0904-87023-angola-unitel-confie-a-ericsson-l-expansion-et-la-modernisation-de-son-reseau> (accessed on 11 January 2022).

40. Ericsson and Unitel sign frame agreement for network expansion & evolution to benefit Angola <https://www.ericsson.com/en/press-releases/1/2021/ericsson-and-unitel-sign-frame-agreement-for-network-expansion--evolution-to-benefit-angola> (accessed on 11 January 2022).



In September 2021, Angola Cables, a multinational provider of global connectivity solutions, launched a Sales Partnership Programme giving service providers and vendors the opportunity to market a range of products and services such as IP Transit, Remote Peering, Cloud Solutions, IP Gaming and others in the rapidly expanding global ICT market.⁴¹

FREEDOM OF EXPRESSION

Although the Constitution guarantees freedom of assembly, what is on paper is not often replicated in practice.⁴² ⁴³Despite a history of censorship in print and broadcast media, there are no known incidents of the government blocking or filtering online content in Angola, and there are no restrictions on the type of information that can be exchanged through digital media technologies.⁴⁴ A set of new media laws that took effect in 2017 has been criticised as restrictive. In fact, a number of the Press Law articles violate Angola's international obligations to respect media freedom. These include:

- Article 29 which gives the Ministry of Social Communication the authority to oversee how media organisations carry out editorial guidelines and to punish violators with suspension of activities or fines;
- Article 35 imposes excessive fees to establish a media group of 35 million kwanzas (US\$211,000) for a news agency and 75 million kwanzas (US\$452,000) for a radio station; and
- Article 82 criminalises publication of a text or image that is "*offensive to individuals*."

But no websites have been censored under their provisions to date.⁴⁵ There have been no major incidents of the government blocking or filtering online content, and there are no restrictions on the type of information that can be exchanged through digital media technologies. However, in February 2021, Mariano Brás, the editor of an independent paper, was questioned⁴⁶ by police and threatened with charges for writing an online article critical of the president's performance.

41. Angola Cables Launches Sales Partnership Programme <https://www.busiweek.com/angola-cables-launches-sales-partnership-programme/> (accessed on 24 February 2022).

42. Freedom House 'Freedom in the World 2021: Angola' <https://freedomhouse.org/country/angola/freedom-net/2021> (accessed on 13 January 2022).

43. Security Forces Kill Protesters in Lunda Norte Province <https://www.hrw.org/news/2021/02/04/angola-security-forces-kill-protesters-lunda-norte-province> (accessed on 13 January 2022).

44. Freedom House 'Freedom on the Net 2021: Angola' <https://freedomhouse.org/country/angola/freedom-net/2021> (accessed on 24 February 2022).

45. Constitutional Challenge to Angola's New Media Laws <https://www.makaangola.org/2017/03/constitutional-challenge-to-angolas-new-media-laws/> (accessed on 24 February 2022).

46. Freedom House 'Freedom in the World 2021: Angola' <https://freedomhouse.org/country/angola/freedom-net/2021> (accessed on 13 January 2022).

PRIVACY, DIGITAL IDS AND SURVEILLANCE

Angola has a Personal Data Protection Law which makes extensive procedural provisions for data protection principles and enforcement of rights, such as privacy of personal data and access to information.⁴⁷ The Presidential Decree 214/2016 creates the office of the Data Protection Agency (DPA)⁴⁸ to ensure compliance with the data protection law. The DPA's mandate is to monitor compliance with the data protection law, issue recommendations, instructions, opinions and guidelines on data protection best practices, register and publish personal data files, implement necessary technical and security measures, prepare annual reports, ensure compliance and sanction violations of the data protection law.

The DPA is run by a management board of seven members headed by a chairperson. In an appointment that appears like a distribution of powers, the President recommends three members of the board, the National Assembly recommends three while the judiciary recommends the last one of the seven members. The board is appointed for a term of five years renewable for one or two periods, however, the board may be dissolved at the will of the President if the board fails to fulfil the APD's mission.⁴⁹ In June 2021, the Data Protection Agency (DPA) was nominated into the African Network of Personal Data Protection Authorities (RAPDP).⁵⁰

The DPA draws its own budget and is required to submit an annual report to the Ministry of Economy by the end of each year. It is also

accountable to the Council of Audit which has the competence to supervise financial activities of state bodies and issue opinions on the public finances to the National Assembly. Despite this well-organised legislative landscape for data protection, there are no verifiable reports on the conclusion of investigations leading to sanctions or exoneration regarding privacy and access to personal data.⁵¹ Currently, there is no publicly available information about the DPA's progress since its establishment. Equally, there are no reports of restrictions on encryption.

ACCESS TO INFORMATION

On 21 April 2021, the government suspended the television channels Record TV África, ZAP Viva and Vida TV. The suspensions were attributed to “*legal inconsistencies*”.⁵²

The Minister for Telecommunications, Information Technology and Media - Minister for the Media pointed out that the executive managers were operating illegally, without authorisation because they were foreigners without legal work permits.



Also, provisional registers of newspapers, magazines, news websites and radio stations were provisionally suspended with no effective activity in the last two years, but the list of the outlets was never made public.⁵³

47. Personal Data Protection Law https://www.apd.ao/fotos/frontend_1/editor2/110617_lei_22-11_de_17_junho-proteccao_dados_pessoais.pdf (accessed on 29 March 2022).

48. Data protection Law: Law 22/11 (2017) <https://apd.ao/ao/legislacao/> (accessed on 24 February 2022).

49. Data Protection Agency <https://apd.ao/ao/legislacao/> (accessed on 13 January 2022).

50. DPA Angola was nominated as a member of the African Network of Personal Data Protection Authorities <https://apd.ao/ao/noticias/agencia-de-proteccao-de-dados-apd-eleita-membro-da-rede-africana-de-autoridades-de-proteccao-de-dados-pessoais-rapdp/> (accessed on 13 January 2022).

51. Paradigm Initiative (2021), Data Protection Authorities in Africa (DPAS) Report <https://paradigmhq.org/report/data-protection-authorities-in-africa-dpas-report/> (accessed on 11 January 2022).

52. Angolan authorities suspend TVs <https://www.voaportugues.com/a/autoridades-angolanas-suspendem-emiss%C3%B5es-da-rede-record-zap-viva-e-viva-tv-por-irregularidades/5859684.html> (accessed on 24 February 2022).

53. Angola suspends 3 TV channels for alleged improper registration <https://cpj.org/2021/05/angola-suspends-3-tv-channels-for-alleged-improper-registration/> (accessed on 13 January 2022).

On 30 April 2021, Record TV Africa appointed Angolan journalist Simeão Mundula to replace Fernando Teixeira, a Brazilian national, as director.⁵⁴ Before he was replaced, Teixeira told CPJ via messaging app that no foreign journalists were employed by the broadcaster, adding that the suspension order was a political decision. At that time, the only explanation that the Ministry provided for the suspensions was that they were aimed at adjusting the process of granting the definitive registration for exercising the activity of broadcasting to media companies.⁵⁵ After that, the government seized the private companies, but journalists and opposition parties said the seizure of the media outlets was worrying and would limit independent journalism leading up to national elections in 2022. The government argued that the seized companies were in poor economic shape and needed to be restructured before offering the companies for sale to investors under the government's privatisation program.⁵⁶

Organisations such as the Union of Angolan Journalists and the Media Institute of Southern Africa (MISA-Angola) criticised the suspensions and argued that it jeopardised the plurality of information, which is now only broadcast through public channels, controlled by the State. They also questioned the laws invoked for the suspensions, as it is not prohibited for a foreigner to own or manage a media outlet in Angola.⁵⁷ In November 2021, the Minister of Telecommunications, Information Technologies and Media, Manuel Homem, reiterated the country's commitment to promote

access to information in digital media and to adapt to technological changes, but given these examples, it does not seem to be the case.⁵⁸

This represents a serious violation of the importance of the rights to freedom of expression and access to information as stipulated under the ACHPR 2019 Declaration of Principles on Freedom of Expression and Access to Information in Africa. Principle 10 states that the right to seek, receive and impart information and ideas, either orally, in writing or in print, in the form of art or through any other form of communication or medium, including across frontiers, is a fundamental and inalienable human right and an indispensable component of democracy.⁵⁹

INTERNET DISRUPTIONS

No restrictions on connectivity to internet or mobile phone networks were reported during the period under review. However, the government's indirect control of telecommunications infrastructure via the state-owned Angola Telecom may enable the government to partially control internet connectivity if desired.⁶⁰



54. Record TV Africa announces replacement of Brazilian director https://www.rtp.pt/noticias/mundo/record-tv-africa-anuncia-substituicao-de-diretor-brasileiro-e-diz-que-so-tem-quadros-angolanos_n1316460 (accessed on 24 February 2022).

55. ZAP Viva Channel closes its doors and lays off hundreds of employees <https://www.dw.com/pt-002/angola-canal-zap-viva-fecha-portas-e-despede-centenas-de-funcion%C3%A1rios/a-60399081> (accessed on 13 January 2022).

56. Government says "tasks" are still ongoing for legal regularisation of Zap Viva <https://www.verangola.net/va/en/022022/Telecommunications/29541/Government-says-are-still-ongoing-for-legal-regularization-of-Zap-Viva.htm> (accessed on 18 February 2022).

57. Extreme measure in closure of broadcasters in Angola <https://www.dw.com/pt-002/entidades-veem-medida-extrema-em-encerramento-de-emissoras-em-angola/a-57269578> (accessed on 13 January 2022).

58. <https://www.angop.ao/noticias/tecnologia/angola-promove-acesso-a-informacao-nos-meios-digitais/> (accessed 13 January 2022). This was stated at the Southern Africa ICT Ministers Forum.

59. Declaration of Principles on Freedom of Expression and Access to Information in Africa, 2019 (ACHPR 2019 Declaration) <https://www.achpr.org/legalinstruments/detail?id=69> (accessed on 2 March 2022).

60. Angola Wants To Privatize State-Owned Telecoms Firm <https://moguldom.com/236927/angola-wants-to-privatize-state-owned-telecoms-firm/> (accessed on 21 February 2022).

ARTIFICIAL INTELLIGENCE NATIONAL STRATEGY

Angola does not yet have a legal and policy framework on AI, but during the Forum on Digital Transformation in Angola post COVID-19 held in October 2021, in partnership with the Ministry of Telecommunications, Information Technologies and Media (MINTICS) and Huawei, the Angolan Minister stated that AI is one of the central pillars for Angola's digital transformation.⁶¹

In February 2022, IT portal informed⁶² that Angola intends to create an artificial intelligence platform to accelerate digital transformation. The information was revealed by the Minister of Telecommunications, Information Technology and Media, Manuel Homem, during his visit to the United Arab Emirates (UAE) to implement the Digital Transformation Plan (Digital Angola 2024).⁶³ Among other objectives, the initiative intends to transform the National Institute for the Promotion of the Information Society (INFOSI)⁶⁴ into a state-of-the-art National Cloud Centre, the establishment of bases to develop and scale Digital Transformation Plan for Digital Transport and for Justice Systems and Public Security.

GENDER AND ICT

In Angola, different laws are in place to protect women. In addition, policy measures under the National Development Plan aim to promote⁶⁵ the full realisation of human rights and fundamental freedoms for men and women, promote all equal-opportunity aspects in employment policies. This includes reduction of occupational segregation and helping reconcile work and family life, as well as to



counter the persistent under-representation of women in all decision-making spheres. It also aims to promote equal access and full enjoyment of social rights such as access to the same job opportunities for men and women, in order to eliminate gender disparities in primary and secondary education and at other educational levels by 2025. However, the policy lacks a specific

61. Forum: Digital Transformation in Angola Post COVID-19 <https://minttcs.gov.ao/ao/noticias/forum-transformacao-digital-em-angola-pos-covid-19/> (accessed on 21 February 2022).

62. Portal IT: Angola plans to create artificial intelligence platform <https://www.portaldeti.com/pt/noticias/item/1477-angola-quer-criar-uma-plataforma-de-inteligencia-artificial-para-acelerar-a-transformacao-digital> (accessed on 1 April 2022).

63. Correio Kianda: Manuel Homem visits Expo 2020 Dubai <https://correiokianda.info/manuel-homem-visita-expo-2020-dubai/> (accessed on 1 April 2022).

64. INFOSI - National Institute for the Promotion of the Information Society <https://www.infosi.gov.ao/> (accessed on 1 April 2022).

65. UN Women 'Angola commits to the empowerment of women and gender equality, the dignity of families and the advancement of women' <https://www.unwomen.org/en/get-involved/step-it-up/commitments/angola> (accessed on 21 February 2022).

approach on women-ICT and online gender based violence (OGBV).

The Angolan government has adopted policies to support gender issues, including the advancement of women, to support victims of violence, to give due recognition to families, to develop communities and to promote rural women. The President also mandated a review of the percentage of representation of women at all levels to increase it to at least 40%. National campaigns to prevent violence and traditional practices that violate the rights of women and girls have also been launched.⁶⁶ However, there is no specific focus on online violence against women and girls. Laws are not adequately harmonised to address the use of technologies.

The gender gap index score in Angola remained at 0.66 in 2021. Females were 34% less likely to have the same opportunities as males.⁶⁷ Gender disparities were more pronounced in the categories of economic participation and opportunity, and political empowerment. In April 2021 the Secretary of State for Telecommunications and IT, Mário Augusto de Oliveira, expressed support for technological initiatives that are developed by women. Oliveira emphasised that ICTs play an important role in the economic development and

participation of women.⁶⁸ Therefore, it is important to reduce the gender gap in the sector and to encourage young women to choose careers in the ICTs sector.

On OGBV, there is inadequate disaggregated data focusing on gender-based violence committed through ICTs against women and other marginalised groups in Angola. Cases of online violence against women usually manifest in the form of defamation and publication of personal information on digital platforms.⁶⁹ These forms of violence were denounced by Association Ondjango, a feminist nongovernmental organisation, which using Facebook as their main mobilizing tool, tried to raise awareness about crimes against women online, but also generally in Angola.⁷⁰

The issue of women and ICTs is not the only issue related to the inclusion of social and vulnerable groups in Angola. For example, Angola lacks a national framework or policy concerning the protection of children from harm in the digital environment. The country also lacks legislation to promote digital inclusion for children and persons with disabilities (PWDs).

61. Forum: Digital Transformation in Angola Post COVID-19 <https://minttics.gov.ao/ao/noticias/forum-transformacao-digital-em-angola-pos-covid-19/> (accessed on 21 February 2022).

62. Portal IT: Angola plans to create artificial intelligence platform <https://www.portaldeti.com/pt/noticias/item/1477-angola-quer-criar-uma-plataforma-de-inteligencia-artificial-para-acelerar-a-transformacao-digital> (accessed on 1 April 2022).

63. Correio Kianda: Manuel Homem visits Expo 2020 Dubai <https://correiokianda.info/manuel-homem-visita-expo-2020-dubai/> (accessed on 1 April 2022).

64. INFOSI - National Institute for the Promotion of the Information Society <https://www.infosi.gov.ao/> (accessed on 1 April 2022).

65. UN Women 'Angola commits to the empowerment of women and gender equality, the dignity of families and the advancement of women' <https://www.unwomen.org/en/get-involved/step-it-up/commitments/angola> (accessed on 21 February 2022).

66. Ana Dias Lourenço joins the fight against gender violence <https://www.portaldeangola.com/2020/12/18/ana-dias-lourenco-junta-se-a-luta-contr-a-violencia-de-genero-2/> (accessed on 21 February 2022).

67. Statista 'Angola: gender gap index in Angola from 2016 to 2021' <https://www.statista.com/statistics/1220535/gender-gap-index-in-angola/> (accessed 24 February 2022).

68. M Oliveira 'MINTTICS supports technology initiative developed by women' <https://www.angop.ao/noticias/tecnologia/minttics-apoia-iniciativa-tecnologica-desenvolvida-por-mulheres/> (accessed 10 January 2022).

69. DW 'Angolan Women Launch "Stop killing us" campaign on social media' <https://www.dw.com/pt-002/mulheres-angolanas-lan%C3%A7am-campanha-parem-de-nos-matar-nas-redes-sociais/a-50755066> (accessed 24 February 2022).

70. <https://www.ondjangofeminista.com/ondjango/2018/12/11/parem-de-matar-as-mulheres> (accessed on 18 February 2022).



CONCLUSION

This report reflects the current status of digital rights in Angola. Specifically, it analyses the exercise of fundamental rights such as access to information and freedom, including how the government has dealt with their protection in 2021. Although the current government has a slightly better human rights record than the previous dispensation under President José Eduardo dos Santos' rule, recent events revealed increased incidents of human rights violations. The independence of the media is still compromised by state interference.

The report also shows that the COVID-19 pandemic resulted in the closure of independent print media, prompting some journalists to turn to online publishing, although there are still challenges.⁷¹ On one hand, false information, often unsourced or wrongfully credited to reliable media, is increasingly common, especially on social media and other messaging platforms. There is also a tendency for the government to control the media, especially by monitoring the activities of private television and radio stations. This trend compromises the enjoyment of fundamental rights and freedoms including the right of access to information and freedom of expression. In addition to that, as noted in this report, Angola lacks a national framework or policy concerning the protection of children from harm in the digital environment.

The country also lacks legislation to protect women on the online landscape and digital inclusion in the context of persons with disabilities (PWDs). In order to change this reality, there is a need for the government to promote a wide discussion on the adoption of specific legislation. Given that Angola will hold elections in August 2022, it will be important to monitor how the country manages its communications system, particularly to protect personal data and internet access during elections. This is necessary to allow great access to information and freedom of expression, which are fundamental freedoms encapsulated in the ACHPR 2019 Declaration and other relevant international standards.



Angola lacks a national framework or policy concerning the protection of children from harm in the digital environment.

71. Manuel Luamba, "Angola: Jornalistas procuram novas soluções face à crise no setor," DW (2021) <https://www.dw.com/pt-002/angola-jornalistas-procuram-novas-solu%C3%A7%C3%B5es-face-%C3%A0-crise-no-setor/a-58109633> (accessed on 11 January 2022).

RECOMMENDATIONS

In light of the identified gaps, the following are the recommendations:

THE GOVERNMENT

- As required under principle 20 of the ACHPR 2019 Declaration, the government should take effective legal and other measures to investigate, prosecute and punish perpetrators of attacks against journalists and other media practitioners, and ensure that victims have access to effective remedies.
- The government should create a conducive environment for the free flow of information during elections, in line with the ACHPR Guidelines on access to information and elections in Africa, guaranteeing the unrestricted use of the Internet during that period (ACHPR 2019 Declaration, principle 37).
- To improve ICT resiliency, Angola should urgently define response plans to be deployed in the event of a major ICT attack on their critical infrastructure. These plans should describe what immediate nation-wide actions would be taken, as well as digital fall-back alternatives, to ensure that government and organisations would still be able to operate even with a sudden loss of digital tools and networks.
- In order to promote greater access to the Internet, the government should boost budgetary allocations for the ICT sector and expand the Angola Net One project, particularly in rural areas. It can be done in conformity with principle 37 of the ACHPR 2019 Declaration on access to the internet.
- The government should implement measures to raise the awareness and build the capacities of journalists and other media practitioners, policy-makers and other stakeholders on laws and standards for ensuring safety in the communication sector.
- The Angolan government should accelerate implementation of its strategy on intelligence, with respect to the 473 Resolution on the need to undertake a study on human and peoples' rights and artificial intelligence (AI), robotics and other new and emerging technologies in Africa, adopted by the African Commission on Human and Peoples' Rights in February 2021.
- Finally, regarding ownership, there is need to clarify the details about the nationalisation and privatisation of the media companies since it can represent a limitation of freedom of expression in Angola. Currently, the State is controlling the public media as the '*Televisão Pública de Angola (TPA)*', it is recommended that the government should consider taking positive measures to promote digital plurality media. The nationalisation and privatisation process should be transparent and open to all stakeholders in the communications market.

CIVIL SOCIETY

- Civil society organisations should work in a coordinated manner to denounce cases of human rights violations, both offline and online, by creating mechanisms to channel information in real time.
- Local civic organisations should be trained to better understand national legislation and international instruments that will enable them to carry out advocacy actions for human rights in virtual and physical space.

PRIVATE SECTOR AND ICT PLATFORMS

- Private institutions should demonstrate their commitment to cybersecurity and work in close collaboration and partnership toward the shared objective of protecting citizens, businesses, and organisations in the digital era.
- It is necessary to create initiatives between the main digital platforms and the private sector in the creation of internet facilities, through free digital plazas in the main urban centres and rural areas of Angola, in order to expand connectivity in the country.

ACADEMIA

- There is a need for more research that focuses on digital rights in Lusophone countries such as Angola, as there are few working properly documented locally by the academia.
- There is a need to adopt academic language that is more accessible to the ordinary public, as well as the use of technical terms on digital rights that are appropriate to the context.



***There is a need for more research
that focuses on digital rights in Angola.***



Londa 2021 expands on last year's report with findings from 22 countries, examining themes of privacy, freedom of expression, access to information, segmentation and exclusion, digital transformation, affordability, gender and others within existing legislative frameworks, and against the backdrop of a widening digital divide. This edition captures the gaps and proffers recommendations to achieve a digitally inclusive and rights - respecting Africa.



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