



« MUNICIPALITY OF CAZENGA SUPPORT CENTRE LEGAL OFFICE »

Luanda, Angola

Period of implementation: 1980s (launch) | Study case written in 2010

The Support Centre Legal Office of the Angolan Women's Organisation (OMA) is an agency specialising in mediation in family disputes, which was established as a result of the merger between the Advisory Office and the Cazenga Human Rights Committee, as part of a project funded by the UN's Human Rights Division. These bodies emerge from simple structures at a neighbourhood or municipality level, and cover a vast range of concerns ranging from seeking a response to the immediate problems of the neighbourhoods in which they are located to broader issues such as the fight against HIV/AIDS or property ownership issues and electoral issues. These cases identify experiences that encourage social mobilization, which leads an increasing number of citizens to become involved in public issues. In this case, the official justice system still appears to be reserved for a small minority of Angolans, since most of the population in the municipalities of Luanda resort to extra-judicial bodies in order to resolve the conflicts they face, as these are only alternatives available that work properly and are affordable.



The **Inclusive Cities Observatory** was launched in 2008 by the UCLG Committee on Social Inclusion, Participatory Democracy and Human Rights with the aim of creating a space for analysis and reflection on local social inclusion policies. The initiative was developed with the scientific support of Professor Yves Cabannes (University College of London) and the Centre for Social Studies (CES) from the University of Coimbra. At present, the Observatory contains more than sixty study cases mostly developed between 2008 and 2010. Even though many of these cases refer to policies that have already come to an end, they still have much to offer: from capitalizing on the learning acquired by other local authorities to discovering suggestive and alternative means to address social inclusion challenges from a local perspective.

Context

Government and decentralization context

The current political regime in Angola is the presidential system in which the President is both of state and head of the Government. Both the parliament and the government have legislative powers. At the end of the Cold War in 1992, Angola adopted a new Constitution, which provided for multi-party democracy. However, as the country was still immersed in its Civil War, the next legislative elections were delayed until 2008. The government currently consists of a parliamentary majority of the MPLA (Popular Movement for the Liberation of Angola), the party that has been in power since independence and during the transition from a one-party system to a multi-party system (Vidal and Andrade 2006; Méssiand 2008).

Luanda is the capital city of Angola. The city of Luanda dates back to a settlement established by the Portuguese in the sixteenth century. After achieving independence in November 1975, Angola, an ex-colony of Portugal, experienced a turbulent political period that eventually led to the collapse of the colonial authorities, which in turn led to riots, deaths and refugees from the violence of the Civil War that dominated political life in Angola until the early twenty-first century (Wheeler and Pélissier, 2009). Mass migrations to the cities of Angola – and to Luanda in particular – transformed Luanda into a huge urban area, which is now home to between a quarter and a third of Angola's population.¹ Despite this, few investments were made in urban development. As a result, until recently, urban policy was characterised by the 'informality' of the urban and social fabric and everyday life (Carvalho 2008).

The development challenges facing the country are reflected in its indicators. According to the 2010 report of the UNDP (United Nations Development Programme), Angola, which is considered a developing country, had a gross domestic product *per capita* of 4,941 in 2008 (PPP - purchasing power parity dollars), and an average life expectancy of 48.1 years.

City context

The city of Luanda is located within the province of Luanda. It has an excellent natural harbour and this city-province is the country's main administrative and economic centre. Industries in Luanda include agricultural product processing, beverage production, textiles, concrete and other building materials, plastics and metallurgy. Oil, one of Angola's main products for exportation, is refined in the city, although most of the production is exported. Its other main exports are coffee, cotton, sugar, diamonds, iron and salt.

The inhabitants of Luanda are mostly members of various African ethnic groups, mainly the Mbundu, followed by the Ovimbundu and the Bakongo. There is also a small minority of European origin, consisting mainly of the Portuguese community. The official and the most widely used language is Portuguese, but various languages in the Bantu group, particularly Kimbundu, are also spoken (Lopes 2010).

In terms of administrative organisation, Luanda is divided into nine municipalities, six of which are predominantly urban – Cazenga, Ingombota, Kilamba Kiaxi, Maianga, Rangel and Sambizanga. The municipalities of Cacuaco, Samba and Viana, which are part of the province of Luanda, have grown up on the outskirts of the expanding urban area of Luanda. One of the municipalities in the Province of Luanda is the municipality of Cazenga, which has an estimated

¹ Recent data (UNPD 2010 - United Nations Program for Development) estimates that the capital's population today is around five million inhabitants.

population of over one million inhabitants (1,200,000) scattered over 38.6 km². Three Communes make up the municipality of Cazenga: the Commune of Hoji Ya Henda is in Zone 17, the Commune of Cazenga is in Zone 18 and the Commune of Tala Hady is in Zone 19, and these are, in turn, divided into sectors (47) and neighbourhoods (16).

It is important to take into account the specific characteristics of Luanda, and to critically analyse the challenges to be overcome when carrying out state-building in the context of devolution and decentralisation. Reforms for decentralisation and the establishment of structures for local democratic power in Angola have yet to be defined, although some consideration has been given to the issue and legislative measures have been enacted in this respect. For example, inasmuch as they refer to the strategy for the future institutionalisation of structures relating to Local Government, these reforms were legally formulated by Decree-Law No. 2/07 of 3 January 2007 for the Organisation and Operation of Local Government of the State. However, apart from the fact that the recommended strategy has not been implemented, it has raised doubts since the diagnoses that have been formulated to date (the *Local Government Macrostructure Study*² and the *Strategic Plan for Devolution and Decentralisation in Angola*³) have failed to provide a specific response to the effect of the public investment initiatives undertaken by the Local Administration of the State (as defined in Decree-Law No. 120/03 of 14 November 2003). Further problems are 'Tutela de Mérito' (Guardianship of Merit), the role played by the Inspection Department of the Provincial Government and the disciplinary powers of the Ministry of Territorial Administration (MAT) over the municipal and communal administrations, and their impact on the institutionalisation and normalisation in the State's Local Government.

While still engaged in a context of institutional construction and normalisation, the policy priorities of the Angolan state have focused on devolution at the expense of decentralisation and forms of local government. It is therefore the Provincial Government of Luanda (GPL) that administers the province of Luanda; at a municipal level, the key figure is the municipal Administrator, who is accountable to the Governor of the Province and who oversees the various communal administrators who answer to him/her. In addition to the formal state structures at the local level (municipal and commune government) in the municipalities of Luanda, other traditional authorities known as *big sobas*, *sobas* and *sekulus* (i.e. the most important leaders of the community) also operate, as well as other structures that, taken as a whole, make up a vast network of civil society.

Social context

In such a varied context, the area of action for local policies fighting for social inclusion has been a combination of state (central) policies and both Angolan and foreign non-governmental organisations (NGOs), which focus primarily on social policies in the very broadest sense of the term.

Popular participation in local government has been assessed in several of Luanda's municipalities (Pacheco and Russo 2007). An example of a public participation structure is the Municipal Development forums. In addition to the Municipal Administration and the Communal Administrations, they also include bodies belonging to other State services (such as the Police Department), various NGOs, churches and associations, the Federation of Area Development Organisations (ODAS), and various service providers (both public and private). These forums

² Alfredo Teixeira, Fernando Pacheco; Virgílio Fontes Pereira. UNDP / MAT (Ministry of Territorial Administration). Luanda. December 2003.

³ UNDP / MAT (Ministry of Territorial Administration). Luanda. December 2003.

have their own structures and manage their own development funds, which are mainly channelled through international donors.

A good example of such a forum is the fight against gender-based violence, which enabled various components of civil society to join forces in a network. In Cazenga, this initiative came about between 1999 and 2001 as a result of the partnership established between the OADEC (Community Development Support Organisation⁴), an Angolan NGO and the OMA (Angolan Women's Organisation).⁵ The change in the political system and the new dynamics that emerged in Angolan society in the early 1990s required the OMA (Angolan Women's Organisation) to look at the problems of family conflicts, and domestic violence in particular, from a fresh perspective. Domestic violence was no longer seen as a uniquely female concern and was extended to all members of the family. It thereby became a socially and legally punishable/reprehensible action, which succeeded in mobilising the synergies of the state and civil society.

Institutional level of policy development: Municipal and Provincial

Policy development

Angola's social structure, based on social inequality, the occupation of the public space by the State, the marginalisation of differences and the inability to create economic growth for overall collective development, has changed very little since the colonial period. The political, scientific and social context, with the recent experience of the conflicts experienced by Angolan citizens living in Luanda, presents destabilising fractures that create issues that still require attention. At the same time, there is also an obvious concealment and even suppression of many of these conflicts by the official legal system, and a whole series of conflicts have yet to receive attention from State agents, such as domestic violence and conflicts related to environmental clean-ups and access to electricity and land, among other issues. In other words, all these conflicts are the result of their peripheral location, which gives rise to political and legal negligence, and separates the conflicts from the present moment.

At the same time, Angola's economic growth and exegetic (re)construction are reflected in a very incipient manner in the construction of social peace and inclusive citizenship. Many of the current experiences of social mobilisation, which are conducted through organisations in organised civil society and which are unable to recreate their origin or their paternalist attitude, and which have mostly concerned the state and/or the party in power (MPLA), have been created in neighbourhood or municipality structures. They cover a vast range of issues, ranging from responses to immediate problems (local issues, such as basic sanitation) in the neighbourhoods where they originate, to broader issues such as the fight against HIV/AIDS or the organisation of property ownership and electoral issues.

In addition to its core work, the GJSA also operates as a place for the intersection of informal networks among various organisations including both civil society and government institutions. As a result of this informal central role, when resolving cases where citizens' rights have been violated (with no political implications), whether occurring at home or on the street, that is,

⁴ The OADEC (Community Development Support Organisation) was established in May 1995 and its main objective was to foster community development. This organisation believed that 'development in the community / population could be created if respect for the principles and values of men / women were sustained, with special emphasis on gender equality'.

⁵ The OMA (Angolan Women's Organisation) is the women's organisation of the MPLA (Popular Movement for the Liberation of Angola), which was established in 1962. It has done a great deal of work in Angola, acting as a mass democratic organisation in resolving conflicts with gender violence as a backdrop. The Independent League of Angolan Women (LIMA), the women's wing of the National Union for the Total Independence of Angola (UNITA), founded in 1973, is also engaged in very similar work and responsibilities in all issues related to the struggle for freedom.

cases involving family-related conflicts and the fight against domestic violence, the GJSA has in fact played a much broader role in defending human rights across the board, as it has acted as a channel of communication with the Municipal Administration and has been responsible for bringing together the formal actors (police, judges and lawyers) and the community itself.

Policy goals

Today, the activity of civil society is essential not only to more citizens becoming involved in public issues, but also in making them assume responsibility for collective development. The multicultural/multinational conditions have a strong impact on conflict resolution because it involves a wide variety of rules and organisations of various origins and of various types. The official justice system, i.e. the courts, appear to still be reserved for a small minority of Angolans, and the vast majority of the population of Luanda's municipalities resort to extra-judicial bodies to resolve the conflicts that they face, as these are the only alternatives available that work properly and are affordable. Domestic violence and the conflicts that it generates have been the focus of attention for various social agents in Luanda, which are fighting for women to have greater access to law and justice, and against the violence to which they are subjected.

Stakeholders, beneficiaries and participatory methodologies

Agents involved

The Support Centre Legal Office (GJSA) of the Angolan Women's Organisation (OMA) in the Municipality of Cazenga is an agency specialising in mediation in family conflicts and, especially, in cases of domestic violence. The GJSA was the result of the merger of OMA's Advice Centre and the Organization for Community Assistance and Development's (OADEC) Human Rights Committee⁶ in Cazenga as part of a project funded by the UN Human Rights Division.⁷

Beneficiaries

The beneficiaries of this policy are the residents of the Municipality of Cazenga, one of the municipalities in the Province of Luanda. The GJSA ideally caters to a population of more than one million people with no access to the official legal system.

Chronological development of policy and participatory processes developed

The idea of creating a structure to assist and protect women who had been victims of physical and psychological attacks by their husband or partner first emerged about 20 years ago as a result of the contribution and the awareness of some foreign women's organisations in Sweden, Norway and Germany, which were working on this problem at that time. In Angola, the idea originated in the Provincial Committee of the OMA and was subsequently rolled out to other municipalities by training seminars.

The Support Centre Legal Office (GJSA), which specialises in the mediation of family conflicts, including cases of domestic violence, was established in the municipality of Cazenga and is the sole responsibility of the OMA. It has been at the forefront of promoting and encouraging

⁶ The Human Rights Committee was the result of the awareness-raising campaign conducted in 1999 as part of a seminar on human rights conducted jointly by three municipalities (Sambizanga, Cazenga and Cacuaco).

⁷ The Convention on the Elimination of All Forms of Discrimination Against Women adopted by the United Nations General Assembly in 1979 (although only adopted by the Angolan judicial system on 17 September 1986) and the Declaration drafted at the Beijing Conference on Women in 1995 comprise the basic foundation of what became an international movement for a new human rights agenda in which the rights of women play a leading role.

initiatives to combat gender-based violence. Its work dates back to the late 1980s and it aims to promote, protect and raise the profile of the rights of the most vulnerable social classes, and especially those of women involved in domestic disputes. In this context, the GJSA has played an essential role, not only in the fight against the various forms of domestic violence, but also in providing access to justice for citizens who come to the Centre.

More recently, the GJSA benefited from experience acquired in implementing the 'law and the community programme (implemented between 1999 and 2001), which consisted of four projects: the human rights activists project; the human rights advisers project; the trainee lawyers project and the community radio project. This programme, which initially focused on civic education and human rights, was the result of the common objectives of the Angolan Ministry of Justice, the Human Rights Officer of the UN Mission in Angola and the then-president of OADEC (Organization for Community Assistance and Development).

The institution responsible for carrying out this initiative was OADEC and, despite its national scope, the non-governmental organisation decided to begin the project in Luanda. Guided by the belief that the development of communities requires respect for the basic rights of every human being, and emphasising gender equality, it established the Human Rights Committee, which made the public the focus of its work. However, taking into account the financial difficulties that it was experiencing, problems with its facilities and the lack of specialised experts, a partnership with OMA was the most obvious strategy.

OMA was more highly respected and recognised than either the police or the Ministry of the Family and the Promotion of Women to the extent that, at that time, it was working as an advice centre and its aim was to defend women's rights. As a result, the Human Rights Committee⁸ used OMA's experience to strengthen, improve and systematise its objective, namely, the defence of human rights, and thus combined the interests of both agencies. This new body was led by two officials – one from OADEC and one from OMA. The technical management of the project remained the responsibility of OADEC, which was also responsible for creating the operational conditions for the activities and to assist individuals in need.

In the initial phase, the GJSA consisted of three categories of experts (activists, advisers and trainee lawyers) and each of these three groups was respectively responsible for: promoting citizenship, mediation or facilitation and the assignment or derivation of the most complicated issues, and in the event of a failure to achieve consensus, providing advice to families and to other competent authorities or specialist agencies. The existence of these three types of experts was only feasible when the aforementioned 'law and the community programme came into effect.

However, despite having been considered a key factor in the GJSA's success, the work of the activists and trainee lawyers was on a sporadic basis. Only the advisers worked continuously and ensured that civil rights advocacy continued, created a space for the exercise of citizenship through mediation, and provided advice and support in cases involving domestic violence, which had previously been the responsibility of the actors mentioned above. Their work was based on the assumption that Angolan society has weak points, both in the administration of justice and when providing guarantees for citizens and users from the community to access justice, not only because of the citizens' ignorance of this authority but also because of the courts' limited roots in society.

⁸ OADEC (Organization for Community Assistance and Development) also received technical support from the Republic's Attorney General's Office (PGR – Procuradoria-Geral da República) and the Human Rights Department (HRD) of the Angolan Ministry of Justice.

The GJSA's objectives expanded in the mid-1990s, as it endeavoured to promote, advise and protect citizens' rights, especially in cases of domestic and gender-based violence. As was the case during its development phase, the GJSA is now a mediation body dealing with conflicts at the municipal level, and its example has been studied and reproduced by other municipalities.

Institutionalizing and financing

The GJSA was the result of a combination of interests in the fight against domestic violence, and particularly violence against women. These interests came to fruition in the creation of a public space at the local level: a mediation body dealing with conflicts at the municipal level. GJSA consultants include three police officers, a former municipal councillor, a student who is completing a law degree and a pedagogy student. The GJSA is currently coordinated by a woman, who is the only female member of this structure within the MPLA - OMA Municipal Committee.

The GJSA currently largely depends on the fees that it charges its users. As it does not have its own premises or even an indoor space for its own exclusive use, the GJSA is located next to the Municipality's Administration building, near the local offices of the MPLA, in a facility donated by the GJSA Chief Adviser.

Outcomes and reflections

Key results and achievements

The affirmation of the central role of the defence of women's rights has gained an increasingly higher profile in several Angolan policies. However, at a local level, women's access to basic rights and justice, particularly in situations of violence against women, has been guaranteed by the partnership of various initiatives involving actors from different spheres: civil society and the State. Many of the complaints brought to the GJSA are related to physical assaults, the supply of food, the division of property and what is known locally as 'parental rejection'. Statistics suggest that the vast majority of conflicts arise in an environment defined by a lack of effective occupation, i.e. by unemployment, which is often also associated with alcoholism.

The GJSA acts as a space for mediation and, in situations where it is impossible for the parties in a conflict to reach an agreement, it provides support for victims when they have to file claims with other bodies. The vast majority of the complaints that cannot be resolved at the GJSA are referred to the National Directorate of Criminal Investigation (DNIC), the Ministry of Assistance and Social Reinsertion (MINARS) or the Family Court in Luanda.

General assessment

Even when it had its own operational difficulties, the GJSA was the pioneer for several similar bodies in other neighbouring municipalities (Rangel, Viana, Cacuaco, Kilamba Kixi and Sambizanga) and has been considered the most effective and efficient, as well as engaging in an interesting relationship of mutual cooperation between the conflict resolution agencies located in the municipality.

As part of an extensive community reconciliation programme, these centres also play an important role in promoting and raising awareness of the rights of children and in the effective protection of minors who are in situations of risk. The most serious cases are referred to the Juvenile Court of the Provincial Court of Luanda or to other organisations such as the Municipality of Kilamba Kixi's Department of the Family and Promotion of Women, which is primarily focused on education and training in human rights, and the 'Mãos Livres' ('Hands Free')

Centre in Cazenga, which works by means of a preventive programme that is directly related to the defence and promotion of human rights.

Extrajudicial conflict management and the transfer (assignment or referral) of conflicts that are beyond its powers are undertaken concurrently with local attempts at mediation and consensus in the treatment of local cases (regarding minors). These are conducted by the 31st Palanca II Police Brigade of the Kilamba Kiaxi Municipal Police Corps (5th Division). As argued by Boaventura de Sousa Santos (2003), the GJSA is an example of the hybridisation that takes place at the micro level (symbolised here by the municipality and the neighbourhoods), the result of a recombination of agencies where the regulatory sphere has been reoccupied by multiple extrajudicial means of conflict resolution.

Further information

This case was researched by Cardoso Miguel Aguiar (Faculty of Law, Agostinho Neto University) in 2008 and was written by João Pedro Campos under the supervision of Dr. Maria Paula Meneses in 2010. João Pedro Campos and Dr. Maria Paula Meneses work at the Centre for Social Research at the University of Coimbra, Portugal.

UCLG Committee on Social Inclusion, Participatory Democracy and Human Rights

Website: <https://www.uclg-cisd.org/>

Contact information: cisd1@uclg.org | +34 933 42 87 70

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