



THE END OF CATTLE'S PARADISE

HOW LAND DIVERSION FOR RANCHES ERODED FOOD SECURITY IN THE GAMBOS, ANGOLA

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First published in 2019

by Amnesty International Ltd

Peter Benenson House, 1 Easton Street

London WC1X 0DW, UK

Index: AFR 12/1020/2019

Original language: English

amnesty.org



Cover photo: *Girl leading a pair of oxen pulling a traditional cart in the Gambos, Angola* © Amnesty International

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GLOSSARY

WORD	DESCRIPTION
CHIMBOLELA	A Vangambwe term meaning “the place where food goes bad in my possession because of abundance,” it is mulola, tyimbelekela tya ngombe, and valley of miracles.
FUNGE	Millet or maize or cassava porridge.
GAMBOS	Corrupt Portuguese rendition of the Vangambwe word meaning “Land of the Vangambwe people.”
GINI COEFFICIENT	A measure of economic and social inequality within a given society – for example, income or wealth disparities in the population. The higher the coefficient, which varies from 0 to 1, the higher the inequality. A country with a Gini coefficient of 0.5 is already too unequal.
HUILA	Land of the Vamwila people. The Vamwila group is of the ethnic groups subsumed under the larger Vanyaneke ethnic group.
LOMBÍ	Green leaves, both wild and tame.
MASSALA	Millet grain widely consumed in southern Angola.
MILK REGION	Cunene, Huila, and Namibe provinces where milk is the most important consumer good resulting from the dominant forces and means of production. Milk from cattle guarantees the reproduction of economic, social, and cultural structures.
MULOLAS	“Intermittent tributaries, channelized to some extent, which flood during the wet season,” and “due to the extreme flatness of the terrain, much of the water seems to be lost by evaporation rather than by drainage.” ¹
NGOMBE	Vangambwe word for cattle.
OVAHERERO	A major pastoralist ethnic group in southern Angola.
TRANSHUANCE	The practice of moving livestock from one grazing ground to another in a seasonal cycle, typically to lowlands in winter and highlands in summer.
TUNDA	“A dry, sandy, slightly elevated plain which occupies the ‘top’ position within the catena, relative to the ‘bottom’ position occupied by the river valleys.” ²

¹ Eduardo Cruz De Carvalho (1974) “Traditional” and “Modern” Patterns of Cattle Raising in Southwestern Angola: A Critical Evaluation of Change from Pastoralism to Ranching, *The Journal of Developing Areas* 8, p. 211.

² *Ibid.*, p. 210.

WORD	DESCRIPTION
TYIMBELEKELA TYA NGOMBE	A Vangambwe term meaning “the cradle of cattle” or “the mother of cattle.”
VANGAMBWE	A pastoralist ethnic group subsumed under the larger pastoralist ethnic group Vanyaneke. In the literature, notably colonial literature, the Vangambwe are also referred to as Gambwes, Mu(n)gambos and Mo(n)gambos.
VANYANEKE	A major ethnic group in southern Angola, particularly in Huila province. Many ethnic groups in Huila province branches of the major Vanyaneke branch.

ACKNOWLEDGEMENTS

Amnesty International thanks the Gambos pastoralist communities who contributed their time and testimonies during the investigation. We are particularly grateful to Associação Construindo Comunidade (ACC) and Missão Santo António dos Gambos for their tireless and patient collaboration. For their invaluable support, we also thank Rede Terra, SOS Habitat, Lutheran World Federation, Grupo de Trabalho de Monitoria de Direitos Humanos (GTMDH), Acção para o Desenvolvimento Rural e Ambiente (ADRA), and Associação Justiça, Paz e Democracia (AJPD), as well as human rights activists and defenders who spoke with us on this subject. We extend our gratitude to the Angolan Government, especially the Office of the State Secretary for Human Rights and Citizenship in the Ministry of Justice and Human Rights for responding to our requests during the research. Each of these entities and people gave Amnesty International their best to make this project a success.

EXECUTIVE SUMMARY

THE GAMBOS

This report documents how over the past two decades after the civil war, the encroachment of commercial cattle ranchers on the traditional grazing land of Tunda dos Gambos and Vale de Chimbolela has eroded economic, social, and cultural resilience, most notably food security, among the Vanyaneke and Ovaherero people in the Gambos, Angola.

In the southernmost end of Angola's southern province of Huila lies the Gambos municipality, the home of Tunda and Chimbolela, the customary grazing commons for the region's pastoralists. Traditional cattle breeders from all the three provinces that comprise southern Angola – Cunene, Huila, and Namibe – can be found grazing their livestock here, particularly in dry and drought seasons. These traditional cattle breeders are part of two major ethnic groups: The **Vanyaneke** whose branches include Vangambwe, Vakwankwe, Vatyilenge, Vahanda, Vatyipungo, Vandongwena, Vamwila, and Vakumbi; and the **Ovaherero** whose branches include Vakuvale, Vandzimba, Vahakavona, Vahimba, Vakavikwa, and Vakwando.



Map of Angola, Huila Province and Gambos Municipality. ©Amnesty International

The Gambos municipality in Huila province is part of the milk region – so described owing to the local practices of harvesting, processing, and consuming milk and its derivatives (butter, cheese, milk fat, and yoghurt). The word Gambos means land of the Vangambwe people.

Dubbed **the cradle of cattle** by the traditional cattle breeders of southern Angola, Chimbolela has been the backbone of pastoralism as a means and a way of life. The meaning of the name **Chimbolela** itself speaks to the life-sustaining ecological services that accrue to the pastoralists as they interact with their cattle and the local ecosystem. In Ngambwe language, **Chimbolela** is “the place where food goes bad in our possession because of abundance,” “the valley of miracles,” “the cradle of cattle” or “the mother of cattle,” which for generations was a sanctuary that shielded Vanyaneke and Ovaherero herders and their cattle from the cycles of droughts.

METHODOLOGY

We undertook two research missions to the Gambos in February 2018 and March 2019. In the first mission, we interviewed eight civil society representatives and 12 men and 15 women from pastoralist families. These men and women had previously participated in two gender-segregated focus group discussions that we had organized and conducted in the first mission. In the second mission, we interviewed five civil society representatives and eight men and ten women from pastoralist families. In total, we interviewed 45 pastoralists and 13 civil society representatives.

We analysed several documents including national legislation on land tenure and regional and international human rights instruments on the right to food. We also analysed satellite imagery and government-supplied maps to document the progressive increase of land occupation for commercial livestock farming and the respective shrinking of grazing land in the Gambos over time.

We made attempts through local partners to secure meetings with government officials at Huila Governor's Office, Gambos Municipality Administration Office, Ministry of Agriculture and Forests, and Ministry of Territorial Administration, who either declined our requests or were not available. We also wrote letters to several ministries most of which were not answered.

HUNGER IN THE GAMBOS

Hunger and starvation were the starkest human rights problem that we encountered among the Vanyaneke and Ovaherero pastoralists in the Gambos. We found the pastoralist families struggling to produce food for themselves and their cattle. Given the climatic character of southern Angola – semiarid, dry, and low rainfall – this region is prone to cyclical droughts, and currently 2.3 million people are facing food insecurity in Cunene, Huila, and Namibe.³ The drought also affects 500 people in northern Namibia.⁴

We found that *milk, which is the most important life-sustaining product in these communities, was in short supply*, as its production had greatly declined due to the lack of sufficient pastures following the introduction of commercial cattle farming. The cattle were hungry and could not produce enough milk. With less milk for their diet, families faced hunger and malnourishment. As one pastoralist explained:

For a cow to produce milk, it needs to eat a lot of quality grass, grass with good vitamins. The milk is for the baby cows, but it is also for us humans. Without enough quality grass, it is impossible to produce enough milk for baby cows and humans. As you can see, they are skinny. They are hungry. You cannot take all the little milk from the baby cow. That means our children do not drink enough milk anymore – see, all of them are skinny and have big bellies. Children around here used to be fat, shiny, and healthy. They had beautiful shiny skins. Now they are skinny and pale. It is heartbreaking.⁵

All the pastoralists we spoke with told us they had drastically reduced or stopped milk consumption. One pastoralist, for example, said that in his family adults had given up milk so that children could still have a little:

There is not enough milk anymore. So, we the grown-ups have given up drinking milk so that the children can still have some. As you can see, we do not look healthy and strong as we used to be. We are skinny and weak. We eat *lombi* (wild leaves) all the time. When it comes to children, as you can see for yourself, they are also skinny and weak, and they look sick because there is not enough milk for them, even though we the grown-ups have given up drinking it. Our children eat more *lombi* than anything nowadays, which has created health problems. When

³ Unicef (June 2019) UNICEF Angola Humanitarian Situation Report – July 2019. Available at: <https://reliefweb.int/report/angola/unicef-angola-humanitarian-situation-report-july-2019>.

⁴ BBC News (7 May 2019) More than 500,000 at risk in drought-hit Namibia. Available at: <https://www.bbc.com/news/48185946>.

⁵ Mboya, Amnesty interviews in the Gambos, Huila, March 2018.

children eat *lombí* without milk, they get diarrhea. Our children always have diarrhea. We, the adults, also have the same problem.⁶

Another pastoralist explained how the current conditions affected her family:

This time it is very difficult. These days many people are becoming very sick because of hunger. Sometimes we go to Chiange to sell firewood so that we can buy some food. There is someone who died here because of hunger. She was married to my husband's cousin. My husband's auntie was also about to die, but we took her to look after her, and that is what saved her life. She had no food. It was not raining. Without rain, nothing grows. So, she was dying. She lived alone because all her children went away a long time ago to look for jobs. She does not know when they left.⁷

Most pastoralists told Amnesty that heavy reliance on *lombí* consumption resulted in stomach-aches and diarrhoea. Kalela described how the excessive consumption of such leaves affected her family:

The only thing we eat is *lombí*... these leaves that you see here. We do not normally eat some of these leaves. Animals usually eat them. When we eat these leaves by themselves without porridge (pap, ugali, shima) or rice we get sick. But now just to survive, we eat them. *Lombí* causes stomach ache and children get diarrhea; they cry because they cannot handle it. But there is nothing else to eat. It is so tough on the children and the elderly. That grandmother you saw there is also having stomach pain because of *lombí*. She gets sick all the time she eats *lombí*.⁸

We also found that, over the years, the pastoralists had gradually lost their ability to grow food in their fields. Food crops are mainly grown by women. First, the oxen were undernourished due to limited pastures to eat because they had been pushed to the periphery, as vast swaths of arable land went to commercial ranchers. They were therefore weak to pull the ploughs in the fields to grow food. The pastoralists repeated this explanation numerous times during the interviews:

Pulling a plough requires much strength from the oxen. The oxen must eat enough to grow, become fat, and gain strength to be able to pull the plough. Just look at these oxen. Frankly, these oxen should not be pulling the plough because they are malnourished, skinny, and weak. However, we have no options but to force these sickly animals. As you can see, they are tired already. We must release them sooner than we used to when we still had enough grazing land.⁹

Secondly, food production has declined because the area is semiarid and dry with low rainfall. For this reason, in order to grow food, women have always *relied on manure from the cattle to fertilize their fields*. However, with little to eat, the cattle produced less manure. As one pastoralist told us:

To fertilise the land, at the end of the day we keep the herds in one enclosure for about 30 days. Meanwhile, their dung accumulates in the enclosure and becomes manure. The land becomes fertile and ready for growing food. Look at this field where you see massala [millet]¹⁰ growing – we kept the cattle in there for a month. This means the cattle must eat enough grass to defecate and fertilise the land. Back then, 15 days were enough. Now we must keep them in the enclosure for 30 days or even more.¹¹

THE ROOT OF THE PROBLEM

In the case of the Gambos, hunger was not only the result of drought. Here, food insecurity had another more crucial element – commercial cattle farmers had occupied 67% of communal grazing land without any due process, notably the best communal grazing land, which had historically mitigated the impact of drought among the pastoralists of the region. It is worth bearing in mind the classic meaning of Chimbolela in the Vangambwe language – “the cradle of cattle,” “the valley of miracles,” “the place where the food gets rotten in my possession because it is plentiful.” The 67% of the grazing land occupied by commercial cattle farmers include large parts of “the cradle of cattle.” The diversion of more fertile land historically used for grazing undermined economic and social resilience of pastoralist communities, particularly their ability to produce food, to survive droughts.

⁶ Castro, Amnesty interviews in the Gambos, Huila, March 2019.

⁷ Fernanda, Amnesty interviews in the Gmabos, Huila, March 2019.

⁸ Kalela, Amnesty interviews in the Gmabos, Huila, March 2019.

⁹ João, Amnesty interviews in the Gambos, Huila, March 2019.

¹⁰ Millet, locally known as *massala*, is a widely produced and consumed grain in the south.

¹¹ Moises, Amnesty interviews in the Gambos, Huila, March 2019.

Surface area estimates based on the maps supplied by the government show that most of the best parts of the grazing land had been seized for commercial cattle ranching, denying traditional cattle breeders any reasonable chances to survive droughts as they had done in the past. According to the estimates of the surface areas of the grazing land:

- Tunda dos Gambos has an estimated surface area of 3,609km².
- Vale de Chimbolele has an estimated surface area of 319km².
- Combined, Tunda dos Cambos and Vale de Chimbolela have an estimated surface area of 3,928km². In other words, the total grazing area is 3,928km².

According to the Angolan Government, there are 46 commercial livestock farms (ranches) occupying 2,629km² of Tunda dos Gambos and Vale de Chimbolela. That is, of the 3,928km² that comprise Tunda and Chimbolela, 2,629km² have been occupied by ranchers, leaving only 1,299km² of grazing land for the pastoralists. In other words, so far, the ranchers have occupied 67% of the pastoralists' communal grazing land. To put it into perspective, the 2,629km² of the customary grazing land seized for ranching is larger than the country of Luxemburg. This was also the most fertile land. How could the Angolan government and the ranchers expect the pastoralists to survive, knowing that they have historically depended on Tunda and Chimbolela to withstand cycles of droughts? It did not and does not have to be this way. Our investigation concluded that the land was taken away from communities without due process.

THE ECONOMIC VALUES OF CATTLE

The pastoralists were unanimous in describing the economic value of cattle, and their testimonies ranged from “the cattle are our bank, insurance, and social security,” “the cattle is our food,” “the cattle give us education,” “the cattle are our tractors,” “the cattle are our transport,” “the cattle are our medical aid,” “the cattle fertilize our land,” “the cattle are our fathers and mothers,” “the cattle are everything to us,” to “without cattle our personhood is diminished.” As one pastoralist explained:

When we have pressing problems, we rely on the cattle to solve them. When our children want to marry, we slaughter a cow. When someone dies, we slaughter a cow for the funeral ceremonies. When someone is sick, we sell cattle to pay for medical bills. When our children go to school, we sell cattle to pay for school fees. We don't slaughter cattle simply because we feel like eating meat, just as you don't take money out of your bank account or insurance for small things.¹²

Similarly, another pastoralist said:

When we need to purchase something important, we go to the cattle. For example, we sell the cattle to buy things like mattresses, clothes, shoes, and many other things. When someone dies, when someone is sick, we sell the cattle to take him to the hospital and to buy medicines. When we want to buy food in cases of drought, we go to the cattle.¹³

FAILURE TO UPHOLD DOMESTIC LAW

The land seizures for commercial livestock farming in the Gambos represents the government's failure to uphold its own laws, and international standards. While the Angolan law – including the Constitution, land law, and environmental law – protects rural communal lands such as the Gambos communal grazing lands, the Angolan government failed in its duty to uphold the law.

First, the Angolan land law designates rural communal lands as non-grantable lands – that is, the government cannot expropriate them for the benefit of third parties without due diligence. The government may expropriate these lands exclusively for public, not private, benefit on condition of just compensation. According to this classification, Tunda and Chimbolela are rural communal lands that pastoralists from southern Angola – including Cunene, Huila, and Namibe provinces – have used for centuries as grazing commons. However, despite this fact, the Angolan government has enabled the commercial livestock farmers to occupy Tunda and Chimbolela Valley without any form of compensation, clearly violating the Angolan law.

Second, the Constitution and the land law declare that it is mandatory to carry out consultations with the affected communities and interested parties when any projects affecting access to land resources are proposed to be launched. Such consultations ensure the observance of the principle of free, prior, and

¹² Pascoal, Amnesty interviews in the Gambos, Huila, March 2019.

¹³ Antonio, Amnesty interviews in the Gambos, Huila, March 2019.

informed consent. The Angolan government allowed the ranchers to take the grazing land from the pastoralists without free, prior, and informed consent.

Lastly, the environmental law imposes the requirement of environmental and social impact assessment for all projects that impact the environmental and social balance and harmony to determine the likelihood and the extent to which people will be negatively affected. However, the Angolan government violated this law and permitted the ranchers to occupy Tunda and Chimbolela without any environmental and social impact assessment.

FAILURE TO PROTECT THE RIGHT TO FOOD

The normative framework for the right to food is to be found in international instruments such as the Universal Declaration of Human rights (UDHR) as well as the International Covenant on Economic and Social and Cultural Rights (ICESCR).¹⁴ They recognise the right to be free from hunger and to adequate food and place obligations on states to ensure that everyone has access to nutritionally adequate and safe essential food.¹⁵

There are other legally binding treaties that guarantee the right to food, focusing on protecting particularly vulnerable groups. In this case, the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC) are pertinent.¹⁶

At the regional level, Angola has ratified the African Charter on the Right and Welfare of the Child, which offers comprehensive provisions of the right to food.¹⁷ By ratifying it, Angola has committed to ensuring the provision of “adequate food and safe drinking water.”¹⁸ The government must also take measures to assist parents and guardians to feed their children, and to provide material support programs pertaining to nutrition.¹⁹

At the national level, through the Constitution, Angola has committed to progressively create the conditions necessary to realise economic, social, and cultural rights, particularly for the most vulnerable population groups.²⁰ It further asserts that the state shall adopt legislative initiatives and other appropriate measures towards the progressive and effective implementation of economic, social, and cultural rights.²¹

The right to food means regular, permanent, and unrestricted access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient. Such food must correspond to the consumer’s cultural traditions, must fulfil a dignified life free of fear, both physically and mentally, and individually and collectively.²²

In failing to treat Tunda dos Gambos and Vale the Chimbolele as non-grantable communal grazing lands, enabling commercial ranchers to occupy the land without due process and not providing any schemes to mitigate the impact of the commercial farming activities on the right to food, the Angolan government clearly failed in its international and regional obligations to protect the pastoralists’ right to food in the Gambos.

RECOMMENDATIONS

To the Government of Angola:

- Take immediate and urgent steps to address the lack of adequate food in the Gambos including among the pastoralist community documented in this report.
- Conduct a detailed municipality-wide investigation into concerns of malnutrition and hunger in the Gambos with a view to collect disaggregated data including by gender and age, in order to devise appropriate urgent interventions for the immediate and longer term.
- Declare a moratorium on land granting in the Gambos and appoint a commission of inquiry to investigate how large parts of Tunda dos Gambos and Vale de Chimbolela were granted for commercial livestock farming since the end of civil war in 2002.

¹⁴ Articles 25 of the UDHR and article 11 of the ICESCR, respectively.

¹⁵ General Comment No. 12.

¹⁶ Articles 12 and 14, and articles 20 and 23 respectively.

¹⁷ Ratified on 11 April 1991.

¹⁸ Article 14 of the African Charter on the Rights and Welfare of the Child.

¹⁹ Article 20 of the African Charter on the Rights and Welfare of the child.

²⁰ Article 21 of the Angolan Constitution.

²¹ Article 28 of the Angolan Constitution.

²² Special Rapporteur on the Right to food United Nations Document E/CN.4/2001/53, par.14: See also, detailed description in the Report of the Special Rapporteur on the Right to Food, Human Rights Council Session 23, A/HRC/25/57, 2014.

- Carry out a detailed assessment and provide adequate remedies for the human rights violations and losses to which the pastoralists were subject due to the diversion of large parts of Tunda dos Gambos and Vale de Chimbolela to commercial livestock farmers since the end of the civil war in 2002.

To the Ministry of Agriculture and Forests:

- Disclose the process through which the unidentified commercial livestock farmers obtained access to large parts of Tunda dos Gambos and Vale de Chimbolela in the Gambos municipality.
- Restitute the occupied areas of Tunda dos Gambos and Vale de Chimbolela to the pastoralists and provide just compensation for losses incurred.
- Design and build water distribution infrastructure to supply irrigation water for family agriculture and drinking water for the pastoralists and their livestock.
- Assess infrastructure and resource requirements of the pastoralist communities in the Gambos to support pastoralism and improve food security.

To the Ministry of the Environment:

- Enforce the requirement to conduct environmental and social impact assessments on all commercial livestock farmers to protect rural community from adverse human rights impact by commercial livestock farming and other private economic interests.
- Conduct regular environmental and social impact inspections on all commercial farms to determine the extent to which environmental changes are affecting rural communities and make the resulting reports available to the public and all interested parties.

To the Land Registry Institute:

- Work with civil society to demarcate all rural communal lands and issue communal title deeds for occupation, possession and rights of use, as decreed in article 37 of the Land Law (*Lei 9/04*) and in article 18 of Decree 58/07.
- Work with civil society to build an electronic registry of all rural communal lands and commercial farms to ensure transparency and protect rural communities who depend on the land for their livelihoods.

To the international community:

- Provide financial and technical assistance to address food insecurity in southern Angola, including supporting existing food support programmes so that they reach those who are most at risk of starvation.

METHODOLOGY

This report documents the impact on the right to food of large-scale land occupation for commercial livestock farming in the Gambos municipality, Huila province, Angola.

Amnesty International researchers undertook two research missions to the Gambos, Southern Angola, in February 2018 and March 2019. In the first mission, researchers interviewed eight civil society representatives and 12 men and 15 women from pastoralist families. These men and women had previously participated in two gender-segregated focus group discussions we conducted in the first mission. In the second mission, researchers interviewed five civil society representatives and eight men and 10 women from pastoralist families. In total, we interviewed 45 pastoralists and 13 civil society representatives.

We analysed several documents including, national legislation on land tenure – The Constitution, land law and environmental law – and UN guidelines and case law on large scale land occupation and the right to food – *Land and Human Rights: Standards and Applications*; *Land and Human Rights: Annotated Compilation of Case Law*; and various reports on the right to food by the UN Special Rapporteur on the right to food, International and regional human rights instruments, and other UN reports, to frame the issue of largescale land takeovers for commercial livestock farming and the right to food in the Gambos municipality. In addition, we analysed satellite imaging and Google Earth imagery to document the progressive increase use of land for commercial livestock farming and the resulting shrinking of grazing land for livestock at Tunda dos Gambos, between 1990 and 2018.

A group of pastoralists also drew sketches mapping out the areas under commercial livestock farmers' occupation.

We used photography as visual representations of the (1) anthropological, economic, social, and existential value of cattle in the Gambos; and (2) the ecological services of Tunda dos Gambos as ways (cultural rights) and means (economic and social rights) of life.

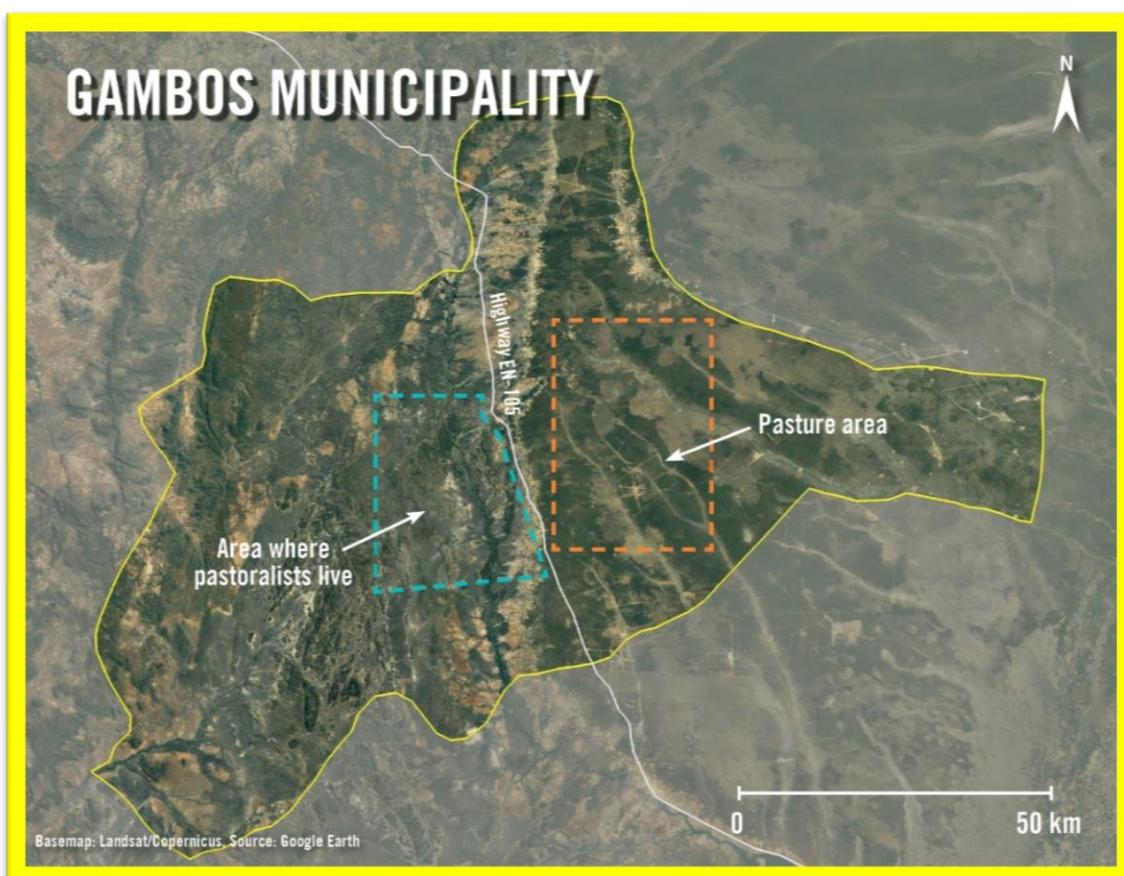
We made attempts through local partners to secure meetings with government officials at Huila Governor's office, Gambos municipality administration office, Ministry of Agriculture and Forests, and Ministry of Territorial Administration, who either declined our requests or were not available. On 18 June 2019, we formally wrote letters to the following 10 government institutions requesting information on how large parts of Tunda dos Gambos and Vale de Chimbolela changed hands from pastoralists to commercial livestock farmers:

- At the central government level in Luanda we wrote to:
 - The Ministry of Agriculture and Forests, Ministry of Territorial Administration, Ministry of the Environment, The Council of Ministers, and National Institute of Geography and Registry.
- At the provincial government level in Lubango we wrote to:
 - Provincial Directorate of Agriculture and Forests, Provincial Directorate of Territorial Administration, Provincial Directorate of the Environment, and Provincial Institute of Geography and Registry.
- At the local government level in Chiange we wrote to:
 - the Gambos Municipality Administration Office.

Of all these government institutions, only two responded: The Ministry of the Environment, and the Office of the State Secretary for Human Rights and Citizenship in the Ministry of Justice and Human Rights on behalf of the Council of Ministers. The rest did not respond.

THE GAMBOS

This report examines the violation of the right to food among the Vanyaneke and Ovaherero pastoralists in the Gambos municipality, Huila province, southern Angola, in the context of grazing land dispossession for commercial livestock farming. Like the rest of southern Angolans, the Gambos is known for its traditional cattle breeders, also called *pastoralists*, and is part of the *milk region*,²³ so described colloquially owing to the traditional cattle breeders' practices of harvesting, processing, and consuming milk and its derivatives (fat, yoghurt and cheese). These pastoralists are part of two major ethnic groups: The **Vanyaneke** whose subgroups include Vangambwe, Vakwankwe, Vatyilenge, Vahanda, Vatyipungo, Vandongwena, Vamwila, and Vakumbi; and the **Ovaherero** whose subgroups include Vakuvale, Vandzimba, Vahakavona, Vahimba, Vakavikwa, and Vakwando.



Map of the Gambos Municipality. © Google Earth

²³ The Milk Region comprises of three provinces of southern Angola: Cunene, Huila, and Namibe.

The word **Gambos** is a Portuguese corrupted rendition of the Ovangambwe word **Oyangambwe**, which means **the land of the Ovangambwe people**.²⁴ After subjugating the Ovangambwe through violence in the early 1900s,²⁵ the Portuguese designated Ovangambwe's grazing land for commercial livestock farming and seized parts of it to benefit Portuguese private interests.²⁶ After independence in 1975, the land reverted to the Vangambwe, the original customary landowners. However, this restitution was short lived because, after the end of the civil war in 2002, the Vangambwe pastoralists saw even larger areas of their grazing land (67%) seized once again for commercial livestock farming, this time by Angolans.

Amnesty International was not able to establish who the commercial farmers were due to the failure of government institutions responsible for land management, including the Geography and Land Registry Institute, to respond to our requests for the information.²⁷ Satellite imaging shows that the gradual encroachment on this grazing land has occurred over a period of the last 25 years. According to the communities interviewed, the latest fencing off happened in the past five years.



HUÍLA PROVINCE: KEY FACTS

Huíla is one of the southern Angola provinces with 75,002km² and an average annual temperature of 20 degrees centigrade. With 2.5 million inhabitants of whom 53% are women, Huíla is the second most populous province. Lubango, Huíla's capital city, is the second largest city after Luanda. Huíla is endowed with abundant natural resources including iron, gold, diamonds, mica, manganese, black granite and mineral water, as well as immense untapped tourism potential. Over 67% of Huíla's population live in rural areas. Huílans are 20 years old on average, and those aged 0-14 make up 50% whereas those aged 65 or more constitute 3% of the population. Only 40% of Huílans have birth registration.²⁸

The province has a 51% literacy rate; 7.5% of people aged 18-24 with secondary education and 1.1% aged 24 and above with higher education. The labour market absorbs 43% of the population aged 15 and above. There were 551,981 children aged 5-11 of whom 69% attended primary schools – of these 49.8% were boys, and 50.2% were girls. Of the 170,303 children aged 12-13, only 7.3% attended junior high school – 47% boys and 53% girls. Of the 195,246 youths aged 14-18, only 3% attended senior high school – of these 50% boys and 50% girls. Even though girls outnumber boys in primary school, by the time they reach high school, the numbers of girls and boys have evened up.²⁹

There are 514,412 family units, 62% of which are headed by men and 38% headed by women. On average, Huíla's family unit has five members. Only 35.5% of the family units have access to clean drinking water. About 87% of family units dispose of their solid waste in the open air; and 16% are connected to the public power grid. About 80% of these family units live in homes with hard soil and mud flooring.³⁰

The Gambos is Huíla's southernmost rural municipality located about 150km south of Lubango, the provincial capital city.³¹ The Gambos, whose government sits in the town of Chiange,³² has 76,000 inhabitants, 3.2% of Huíla's population, of whom 46% are men and 54% are women. The municipality occupies 8,150km² of land with 9.4 inhabitants per km², the third lowest population density in the

²⁴ Padre Jacinto Pio Wacussanga, Amnesty interviews, July 2019.

²⁵ Alves Roçadas (1908) *Relatório das operações de guerra no distrito da Huíla em 1905*. Lisboa: Empresa da Revista Militar.

²⁶ Governo Geral de Angola (4 September 1965) *Portal no 13 906 – Normas gerais para o Planeamento e Ordenamento da Pastoreira nos distritos da Huíla e Moçamedes*. This document was sent to Amnesty International by the Office of the State Secretary for Human Rights and Citizenship on 19 July 2019.

²⁷ On 18 June 2019, Amnesty International sent letters to the following government institutions asking for information about the commercial ranchers in the Gambos: At the central government in Luanda we wrote to the Ministry of Agriculture and Forests, the Ministry of Territorial Administration, the Ministry of the Environment, the The Council of Ministers, and National Institute of Geography and Registry – At the provincial government in Lubango we wrote to the Provincial Directorate of Agriculture and Forests, the Provincial Directorate of Territorial Administration, the Provincial Directorate of the Environment, and the Provincial Institute of Geography and Registry – At the local government in Chiange we wrote to the Gambos Municipality Administration Office.

²⁸ INE (March 2016), *Resultados Definitivos Recenseamento Geral da População e Habitação – 2014: Província Da Huíla*.

²⁹ INE (March 2016), *Resultados Definitivos Recenseamento Geral da População e Habitação – 2014: Província Da Huíla*.

³⁰ Ibid.

³¹ Despite efforts, Amnesty International researchers could not obtain the number of animals in the area for lack of records, February 2018.

³² The other 13 municipalities are Caconda, Cacula, Caluquembe, Chibia, Chicomba, Chipindo, Cuvango, Humpata, Jamba, Lubango, Matala, Quiengues, and Quipungo.

province.³³ This low population density issues from the fact that the Vanyaneke and Ovaherero live in dispersed households (kimbos) to permit herds of cattle to graze with fewer chances of mixing.

The division of labour in the Gambos is gendered and tending cattle is a male occupation. With the increasing commercial livestock farming encroaching on their customary pastures, there has been a migration of men to urban centres searching for employment as they increasingly find pastoralism less viable. In the interviews we conducted, the pastoralists, particularly women, highlighted the migration of men, notably young men, to urban centres to look for employment opportunities, leaving women, children, and the elderly behind. Two thirds of the community members with whom we spoke said their young men had left to seek employment opportunities in Lubango and Luanda. The last census showed that there were 84 men for every 100 women, making the Gambos the municipality with the lowest male/female ratio in the province.³⁴

³³ INE (2014) *Resultados Preliminares Recenseamento Geral da População e Habitação – 2014*. Available at: <https://unstats.un.org/unsd/demographic-social/census/documents/Angola/Angola%202014%20Census.pdf>.

³⁴ Ibid.

FOOD INSECURITY IN THE GAMBOS

Angola is a net importer of food. In April 2019, José de Lima Massano, the Governor of the National Bank of Angola, made grim revelations about the country's spending. In the past three years, he said, Angola spent US\$8.6 billion on food imports, half of which was spent on basic food basket products – US\$2.347 billion in 2016, US\$2.955 billion in 2017, and US\$3.283 billion in 2018. These revelations exposed the precarious state of food security in the country, where agriculture accounts for 6% of GDP.³⁵ In Nigeria, a comparable country, this figure stands at 21%.³⁶

The Gambos presents a stark picture of poverty, inequality, and unemployment. With these three compounding factors, the most striking issue that Amnesty International researchers encountered in the Gambos was food insecurity and starvation among the Vanyaneke and Ovaherero pastoralist communities. Amnesty International found the Vanyaneke and Ovaherero pastoralists struggling to produce their food as a result of their traditional grazing land being seized for commercial cattle farming. Given the climatic character of the Cunene, Huila, and Namibe provinces – semiarid, dry, and low rainfall – this region is prone to cyclical droughts, and currently drought is affecting food availability in the region.³⁷

However, Amnesty International researchers found that, in the case of the Gambos, food insecurity had another crucial element – commercial cattle farmers had taken without consent 67% of the best communal grazing land, which had historically mitigated the impact of drought among the pastoralists of the region. The extent of the encroachment is captured above and in satellite imaging below. It is worth bearing in mind the classic meaning of Chimbolela in the Vangambwe language – “the cradle of cattle,” “the valley of miracles,” “the place where the food gets rotten in my possession because it is plentiful.” The 67% of the grazing land occupied by commercial cattle farmers includes large parts of “the cradle of cattle.” These changes in grazing land tenure and use have undermined economic and social resilience of pastoralist communities, particularly their ability to produce food. Since women are now responsible for producing the food, they spend a lot of time and effort tilling land that is far afield from where they traditionally did so, while expected to maintain their responsibility over domestic work. This has increased their burden tremendously.

DECLINING MILK PRODUCTION

Like in the rest of the milk region, in the Gambos, pastoralism is a way of life in which livelihoods depend on livestock production as well as subsistence cultivation. Marlize Lombard and Isabelle Parsons stressed in

³⁵ *Mercado* (3 April 2019) Angola gastou 8.600 milhões USD a importar produtos nos últimos três anos. Available at: <https://mercado.co.ao/economia/angola-gastou-8600-milhoes-usd-a-importar-produtos-nos-ultimos-tres-anos-MM439718>. *Macau Hub* (4 April 2019) Angola spends US\$8.6 billion over three years on food imports. Available at: <https://macauhub.com.mo/2019/04/04/pt-angola-gasta-8600-milhoes-de-dolares-em-tres-anos-na-importacao-de-bens-alimentares/>.

³⁶ *Observador* (2 April 2019) Angola gastou 7.600 milhões de euros a importar produtos nos últimos três anos. Available at: <https://observador.pt/2019/04/02/angola-gastou-7-600-milhoes-de-euros-a-importar-produtos-nos-ultimos-tres-anos/>.

³⁷ The drought affects both southern Angola and northern Namibia.

their study that milk, not meat, is the most important pastoralist product because it enables pastoralist communities to survive.³⁸ M. J. Nicholson also stressed this fact:

[M]ilk and milk products are the mainstay of the human diet and at times the very survival of the household hinges on their continued production... milk production is a function of season rather than stage of lactation... [S]ince nutritional levels are low and water may be restricted, the ability to produce milk under nutritional stress and to survive adverse climatic conditions may be more important than high yields... [O]wing to the crucial role of milk in the pastoralist diet and society, a delicate balance must be struck between milk offtake for human needs and milk intake by the calf since the calf has no access to either milk substitutes or supplements.³⁹

Amnesty International research found that milk, and not meat is the most important product to sustain livelihood in the Gambos. In the following extract, one pastoralist described the fundamental role of dairy products in their lives:

With milk, you have everything. Milk has all the vitamins you need to survive. We can have little food to eat, but if we have enough milk, there is no problem. So first of all, we just drink milk, and it is especially suitable for children. We use milk to make yogurt. We use milk to make milk fat. We use this fat as cooking oil.⁴⁰

For the same reason, another pastoralist described cattle as life-giving parents to humans:

The cattle are our mothers and our fathers because we depend on them for everything. It is just impossible to imagine our lives without the cattle. Like our parents, the cattle gives us everything – life, food, health, school, clothing, transportation. Ask anyone, and they will tell you. The cattle are life to us.⁴¹

According to the pastoralist communities, the lack of sufficient pastures following the introduction of commercial cattle farming in which large swathes of land were fenced off, has led to cattle going hungry, producing less milk, and families consuming less milk, which in turn resulted in hunger and malnourishment. As one pastoralist explained:

For a cow to produce milk, it needs to eat a lot of quality grass, grass with good vitamins. The milk is for the baby cows, but it is also for us humans. Without enough quality grass, it is impossible to produce enough milk for baby cows and humans. As you can see them, they are skinny. They are hungry. You cannot take all the little milk from the baby cow. That means our children do not drink enough milk anymore – see, all of them are skinny and have big bellies. Children around here used to be fat and shiny and healthy. They had beautiful shiny skins. Now they are skinny and pale. It is heartbreaking.⁴²

The ambiance in the homesteads felt somber and gloomy as if death or some other tragedy had just occurred. The *kimbos* looked neglected and abandoned. People, both young and old, looked thin, pale, and exhausted from their constant battle with hunger. Although there were many children in the homesteads, there were no sounds of children playing and screaming and they looked exhausted and subdued. Except for a few *kimbos*, there were no visible signs of food or means for its production. Perhaps the most striking aspect of all this is that the dogs and cattle looked so visibly thin and emaciated that one could count their ribs from a distance.

During the visit in the Gambos, Amnesty International researchers interviewed a pastoralist milking a cow one morning. When they asked him how often he milked his cows, the pastoralist replied: “In the past, we milked the cows twice a day – in the morning and the afternoon; these days, however, we only milk in the morning.”⁴³ When probed for reasons for these changes, the pastoralist explained:

Nowadays we only milk once a day, in fact, we do not even do it every day because, as you can see for yourself, the cows are skinny and weak because they do not have enough grass to eat. A lot of the grazing land has been

³⁸ Marlice Lombard and Isabelle Parsons (2015) Milk not meat: the role of milk amongst the Khoe peoples of southern Africa, Department of Anthropology and Development Studies, University of Johannesburg. Available at: https://www.researchgate.net/publication/281230075_Milk_not_Meat_The_Role_of_Milk_amongst_the_Khoe_Peoples_of_Southern_Africa.

³⁹ M.J.L. Nicholson (1986) Pastoralism and milk production. Available at: <https://core.ac.uk/download/pdf/132634899.pdf>.

⁴⁰ Mboya, Amnesty interviews in the Gambos, Huila, March 2018.

⁴¹ Ibid.

⁴² Ibid.

⁴³ Jandolo, Amnesty interviews, Gambos, Huila, March 2018.

occupied by the commercial livestock farmers. Before the farmers came here, the cows had enough to eat; they were fat; they were healthy; they were fertile, and they produced much milk. Now we are competing with the baby cows. It is embarrassing to even think of it. We should not compete with the baby cows for the milk.⁴⁴

To further illustrate his point, he added:

You see this container (wooden container). This is a 5ℓ container. I finished milking already but as you can see I only milked about 1ℓ. Back in the days, I could fill this container by milking one cow only. That is when the cattle had enough to eat. That is when there was enough grazing land. But since the commercial livestock farmers came and occupied the Tunda, the cows have been eating less and less, producing less and less milk, especially in the dry seasons like now.⁴⁵



Wooden milk container in the Gambos, Huila. ©Amnesty International

With the lack of milk for domestic consumption, both adults and children appeared physically thin, sickly, weak, and tired. They explained that they now ate *lombí* (wild leaves) as their main source of food. Children appeared worst hit and the adults explained that although they gave up drinking milk so that the children could have some, the milk was still not enough to feed the children. One pastoralist said:

There is not enough milk anymore. So, we the grown-ups have given up drinking milk so that the children can still have some. As you can see, we do not look healthy and strong as we used to be. The children, as you can see, are also skinny and weak, and they look sick because there is not enough milk for them, even though we the grown-ups have given up drinking it. When children eat *lombí* without milk, they get diarrhea. Our children always have diarrhea. We, the adults, also have the same problem.⁴⁶

A teacher in Kampana, who is also a pastoralist, described what he believed to be chronic child malnourishment and its effects. According to him, he had observed a decline in the levels of concentration by school children in classes and attributed it to the hunger they were experiencing. He said that most times the children were tired and sleeping in class.

Concentration for a child is a lot of work. Healthy children are energetic and happy and jumpy all the time. Our children are not. They are hungry. They are weak. They are not energetic, happy, and jumpy.⁴⁷

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Castro, Amnesty interviews in the Gambos, Huila, March 2019.

⁴⁷ Pedro, Amnesty interviews in the Gambos, Huila, March 2018.

So profound is the loss of grazing land for these communities that one pastoralist described to Amnesty International the current situation in this way:

Some cattle have died because cattle cannot eat sand; they eat grass. But there isn't enough grazing land anymore.⁴⁸

The lack of food has had a big impact on women as they bear the burden of tilling the land, taking care of the sick as well as children. They have to travel long distances (about 10km) to Chiange to sell firewood so that they can buy some food. Food is extremely expensive in Angola and for villagers who have very little or no means to make money, the food sold at markets 15 to 60km away from the pastoralist kimbos, is out of reach. In her statement, Fernanda, whose kimbo is located about 10km west of Chiange, told Amnesty International how the current conditions affected her family:

This time it is very difficult. These days many people are becoming very sick because of hunger. Sometimes we go to Chiange to sell wood so that we can buy some food. There is someone who died here because of hunger. She was married to my husband's cousin. My husband's auntie was also about to die, but we took her to look after her, and that is what saved her life. She had no food. It was not raining. Without rain, nothing grows. So, she was dying. She lived alone because all her children went away a long time ago to look for jobs. She does not know when they left.⁴⁹

Pastoralists told Amnesty International researchers that many pastoralist families in the Gmbos relied heavily on *lombí* (wild leaves) consumption without milk which, according to the interviewees, resulted in stomach ache and diarrhea. Kalela, a woman from the community, explained to Amnesty how the excessive consumption of *lombí* without milk affected her family:

The only thing we eat is *lombí*... these leaves that you see here. We do not normally eat some of these leaves. Animals usually eat them. When we eat these leaves by themselves without porridge (*pap, ugali, shima*) or rice we get sick. But now just to survive, we eat them. *Lombí* causes stomach ache and children get diarrhea; they cry because they cannot handle it. But there is nothing else to eat. It is so tough on the children and the elderly. That grandmother you saw there is also having stomach pain because of *lombí*. She gets sick all the time she eats *lombí*.⁵⁰

As Amnesty International researchers entered Kalela's homestead, they found an elderly woman lying down behind one of the several huts and looking extremely exhausted. It was Kalela's grandmother, sick and waiting to die, said Kalela, adding that her children were also sick:

My grandmother back there will die at any moment because there is nothing to eat. She is extremely weak because of hunger. The children do not go to school anymore because sometimes they faint because of hunger. They are weak to walk long distances to school [in Chiange].⁵¹ *Lombí* causes stomach ache and children get diarrhea, they cry because they cannot handle it. But there is nothing else to eat. The situation is so hard on children and the elderly. That grandmother you saw there is also having stomach ache because of *lombí*. She gets sick all the time she eats *lombí*. But when *lombí* is mixed with milk, it is perfectly healthy. With milk, the children eat it, and they do not get sick. Without the milk it causes sickness.⁵²

Another woman, Rita also told Amnesty International researchers that her family consumed *lombí* only once a day just to stay alive:

We harvest *lombí* just to stay alive – these leaves and herbs that you see here. These are the only things that grow if it rains a bit. We collect them from the forest. It is far from here. We eat *lombí* meal in the morning or the

⁴⁸ Tiavela, Amnesty interviews in the Gmbos, Huila, March 2019.

⁴⁹ Fernanda, Amnesty interviews in the Gmbos, Huila, March 2019.

⁵⁰ Kalela, Amnesty interviews in the Gmbos, Huila, March 2019.

⁵¹ From the town of Chiange, where the school is located, to the kimbo where interviewed Kalela it is approximately 10km. However, because there is no road, it took us 30 minutes to reach the kimbo.

⁵² Kalela, Amnesty interviews in the Gmbos, Huila, March 2019.

afternoon or the evening. We eat it once a day. There is no *fuba* or *funge* [maize or millet porridge]. Only *lombí* once a day.⁵³

Fátima, whose sister had died in December 2018, told Amnesty International that she was sick herself due eating *lombí* only:

I am sick because of the *lombí* that I ate. We eat too much *lombí*. Food is scarce. Most of us are sick because of the excessive eating of *lombí*. We have stomachaches and diarrhea. My sister died of hunger in December in Viriambundo. That is why I am wearing these blue beads. Normally we wear black beads for mourning. Without the black beads, the blue ones are advisable.⁵⁴

This inability of cows to produce enough milk for domestic consumption is related to the fact, due to insufficient pastures nearby, the pastoralists must drive their cattle for long distances to graze and drink water. Here is one pastoralist's explanation:

As you can see, the other side of the fence inside the commercial farm, there is much grass, tall grass, sitting there doing nothing. If our cattle get in there to eat that grass, the farm owner takes our cattle. Is that fair when our cows are starving? When we are here in Chimbolela we still must travel about 17km inside the park (Parque de Bicuar) to find pastures. Those who come from as far as Curoca in Cunene or Namibe also must go all the way into the park because here there is no grass. But the cattle must come back here for water. Can you imagine doing that every day? It is exhausting.⁵⁵

Research has shown that the longer the cows walk to eat and drink, the lower their capacity to produce milk.⁵⁶ The presence of private ranchers on the customary grazing land which also blocks the transhumance⁵⁷ corridors, forcing pastoralists to drive their cattle for long distances. Under the current drought, the pastoralists must drive their weak cattle between 50 to 90 kilometres into Bicuar Park, farther to the east beyond Tunda and Chimbolela, a journey that takes between four to six days. The effect of this is that the cattle remain too far from the residential area for longer periods of time. For cows to produce sufficient milk for domestic consumption, they must graze and drink water near the human settlements where they live.

DECLINING FOOD PRODUCTION

According to the Gambos pastoralists, the presence of commercial ranchers at Tunda and Chimbolela has an impact on their ability to grow food in their fields. They explained that the reduction in grazing land had undermined their ability to cultivate their fields to grow food in two ways.

First, with insufficient pastures the cattle were undernourished and too weak to pull the plough in the fields to grow food. The pastoralists repeated this explanation numerous times during the interviews:

Pulling a plough requires much strength from the cows. The cows must eat enough to grow, become fat, and gain strength to be able to pull the plough. Just look at these cows. Frankly, these cows should not be pulling the plough because they are malnourished, skinny, and weak. However, we have no options but to force these sickly cows. As you can see, they are tired already. We must release them sooner than we used to when we still had enough grazing land.⁵⁸

Second, like the rest of the milk region, the Gambos has a semiarid and dry climate with low rainfall, which

⁵³ Rita, Amnesty interviews in the Gambos, Huila, March 2019.

⁵⁴ Fatima, Amnesty interviews in the Gambos, Huila, March 2019.

⁵⁵ Fernando, Amnesty interviews in the Gambos, Huila, March 2018.

⁵⁶ Sumate Pratumsuwan (1994) Effect of Walking Extra Distances on the Performance of Grazing Dairy Cows in Early Lactation, Master of Agricultural Science: Department of Animal Science, Massey University. P d'Hour, A Hauwuy, Jb Coulon, Jp Garel (1994) Walking and dairy cattle performance. *Annales de zootechnie, INRA/EDP Sciences* 43 (4), pp. 369-378.

⁵⁷ The practice of moving livestock from one grazing ground to another in a seasonal cycle, typically to lowlands in winter and highlands in summer.

⁵⁸ João, Amnesty interviews in the Gambos, Huila, March 2019.

makes it prone to droughts and famines. Growing food in this area requires a great deal of effort. Therefore, to produce food in their fields, the women depend on manure from the cattle to fertilize their fields. As one pastoralist told us:

To fertilise the land, at the end of the day we keep the herds in one enclosure for about 30 days. Meanwhile, their feces accumulate in the enclosure and become manure. The land becomes fertile and ready for growing food. Look at this field where you see massala [millet]⁵⁹ growing – we kept the cattle in there for a month. This means the cattle must eat enough grass to defecate and fertilise the land. Back then, 15 days were enough. Now we must keep them in the enclosure for 30 days or even more.⁶⁰

Alvin W. Urquhart of the National Academy of Sciences/National Research Council, who conducted research on patterns of settlement and subsistence in 1958 and 1959 in this area also found this to be the case. In his report, he wrote that the soils in this area “receive little supplementary fertilization – only manure from cattle that graze the fields after the harvest and the slight mineral enrichment derived from burning the remaining stubble and weeds at the end of the dry season.”⁶¹ The pastoralists explained that nowadays it has become increasingly difficult to fertilize their fields.

Another crucial element about the Gambos is that it is rural and its inhabitants, the Vanyaneke and Ovaherero pastoralists, live in dispersed homesteads (*kimbos*) – each of which has 10 to 20 people – that are isolated and difficult to reach. There are no government services or commercial infrastructure on which the pastoralists can rely to mitigate food insecurity – there are no schools, healthcare facilities, water and sanitation facilities, electricity, roads, and telecommunication networks. While there are schools in the Gambos, these are located on the highway, at least 10km away from where the pastoralists live. Most of the pastoralists who participated in this study had no birth registration. In these places, even if the pastoralists had money, they would not be able to buy food. Their interaction with each other, with their cattle, with their land and their surrounding natural environment is the only thing that guarantees their food and life.

HUNGER AND MALNUTRITION

The pastoralists’ testimonies and the living conditions witnessed by Amnesty International in the Gambos correlate with the Angolan government official statistics on chronic malnutrition in Huila province. According to the National Statistics Agency (INE), in the Huila province, including the Gambos, 44% of children under the age of five have chronic malnutrition, which is 6% above the national average of 38%.⁶² All across the country, chronic malnutrition rates are higher in rural areas than in urban areas – in other words, chronic malnutrition rate in the Gambos municipality is higher than the Huila provincial average of 44%.⁶³ These statistics are in line with the deplorable living conditions, most notably the shortage of food, as described in the pastoralists’ testimonies and general poverty, as we found in the pastoralist families in the Gambos.

While there are claims from the government of supplementary feeding schemes, in 2018 and 2019 Amnesty International found no evidence of such feeding schemes among the Gambos pastoralists. According to local civil society organizations, the government feeding scheme, which consists of fortified porridge, is not enough and is not available regularly. The government scheme was reportedly in Cunene, Huila, and Namibe provinces; however, Amnesty International found no evidence of it in the Gambos. Amnesty International requested information on these schemes from the Angolan government; however, as of the publication of this report the Angolan government had not responded.

⁵⁹ Millet, locally known as *massala*, is a widely produced and consumed grain in the south.

⁶⁰ Moises, Amnesty interviews in the Gambos, Huila, March 2019.

⁶¹ Alvin W. Urquhart (1963) *Patterns of Settlement and Subsistence in Southwestern Angola*, p. 84. See also Eduardo Cruz De Carvalho (1974) “Traditional” and “Modern” Patterns of Cattle Raising in Southwestern Angola: A Critical Evaluation of Change from Pastoralism to Ranching, *The Journal of Developing Areas* 8, 199-226.

⁶² INE (2017) *Inquérito de Indicadores Múltiplos e de Saúde em Angola: Principais Resultados*. Available at: <https://dhsprogram.com/pubs/pdf/SR238/SR238.P.pdf>; UNICEF (2015) *Bons hábitos, melhor acompanhamento, crianças bem nutridas*. Available at: <https://www.youtube.com/watch?v=5pzUizMD9Zc>.

⁶³ See also INE and UNICEF (2018) *A criança em Angola: Uma análise multidimensional da pobreza infantil*. Available at: <https://www.unicef.org/angola/relatorios/crian%C3%A7a-em-angola-uma-an%C3%A1lise-multidimensional-da-pobreza-infantil>.

According to the Office of the State Secretary for Human Rights and Citizenship,⁶⁴ the government had programmes to ameliorate widespread hunger in the Gambos, promising to send the evidence to Amnesty International. However, the Office had not presented any evidence prior to the publication of this report. Based on Amnesty International's interactions with local civil society organisations in the Gambos and the pastoralists, it appeared that the government had not taken steps to ensure that everyone in the Gambos was free from hunger. Further, there was no evidence of any immediate measures to guarantee the minimum requirements of freedom from hunger.

On 31 July 2019, Amnesty International called the Huila Provincial Director of Social Welfare to ask whether the government had any food programs to mitigate hunger in the Gambos municipality. The Provincial Director of Social Welfare not only refused to speak but also expressed great displeasure that the Amnesty researcher had called, claiming not to have authorization to speak to Amnesty International.⁶⁵

Because the Office of the State Secretary for Human Rights and Citizenship was more cooperative and responsive than the rest of the government institutions thus far contacted, on 7 August 2019, Amnesty International sent the Office further questions on any schemes to mitigate hunger in the Gambos municipality. As of the publication of this report, Amnesty International had not received a reply.

⁶⁴ Email communication with the Office of the State Secretary for Human Rights and Citizenship in the Ministry of Justice and Human Rights on 29 July 2019, at 9:57am.

⁶⁵ Phone call with Huila Provincial Director of Social Welfare on 31 July 2019, at 12.30pm.

THE ROOT OF THE PROBLEM

In Angola, especially in the rural areas, people have always been able to live independently of the state through family agriculture which always provided them with basic goods for domestic use and exchange for other essential goods they needed. Now, with large scale occupation of land, instead of being protected, agriculture is being destroyed, including family agriculture ~

Rafael Marques de Morais⁶⁶

According to studies and experts, large-scale land dispossession is the most visible topographical transformation and perhaps the single most important driving force behind the profound economic, social, and cultural transformations occurring in rural Angola since the end of the civil war in 2002.⁶⁷ The observers of this phenomenon have singled it out as an existential threat to rural communities as it uproots their livelihoods and ways of life.⁶⁸ The documentary *Land Grabbing in Angola: A Growing Threat*, produced by the non-governmental organisation Lutheran World Federation, provides an overview of the breadth and depth of the problem.⁶⁹ Similarly, the civil society organization Rede Terra produced the documentary *Em Risco o Património Geo-Histórico e Cultural das Comunidades da Cela*, which tells the story of distressed rural communities in the Cela municipality, Kwanza Sul province, after losing their subsistence land to private interests.⁷⁰

⁶⁶ António Rocha (09 February 2015) Deutsche Welle, Rafael Marques denuncia expropriação de terras em Angola. Available: <https://www.dw.com/pt-002/rafael-marques-denuncia-expropria%C3%A7%C3%A3o-de-terras-em-angola/a-18246521>. Rafael Marques de Morais is a renown and award-winning Angolan human rights defender, investigative journalist, and editor of the online publication Maka Angola

⁶⁷ Aharon de Grassi and Jesse S. Ovidia (2017) Trajectories of large-scale land acquisition dynamics in Angola: Diversity, histories, and implications for the political economy of development in Africa, *Land Use Policy* 67, 115–125. Rainer Tum (2019) Estudo sobre sinergias e concorrências entre os sectores agrícolas privado e familiar em Angola.

⁶⁸ Conor Foley (2007) Land rights in Angola: poverty and plenty. Available at: https://www.researchgate.net/publication/266409294_Land_rights_in_Angola_poverty_and_plenty; Klas Lundström (6 November 2014) Who owns Angola's land? A problem that needs quick resolution. Available at: <https://www.theguardian.com/global-development/2014/nov/06/angola-land-rights-civil-war>; LWF (2016) Angola: Community Empowerment for Land Rights. Available: https://www.lutheranworld.org/sites/default/files/lwf-policy_brief_201601_0.pdf. Civil society organizations who monitor land rights issues including – ACC, ADRA, Development Workshop, Rede Terra, LWF – are deeply concerned with the plight of rural communities as they depend on the land for their subsistence.

⁶⁹ The Lutheran World Federation (2017) *Land Grabbing in Angola: A Growing Threat*. Available at: <https://www.dw.angonet.org/forumitem/land-grabbing-angola-growing-threat>.

⁷⁰ Rede Terra (2019) *Em Risco o Património Geo-Histórico e Cultural das Comunidades da Cela*. Rede Terra, Luanda.

The films detail various cases of land seizures in Moxico and Kwanza Sul provinces as examples of a widespread assault on rural existence. They show local communities complaining of the sudden appearance of commercial farmers with government documents claiming to be the new owners of rural community lands. There is no warning, community consultations, compensation or environmental and social impact assessment.⁷¹

These massive land seizures occur in a demographic context where 42% of the country's population lives in rural areas, entirely dependent on the land to fulfil their economic, social, and cultural needs through subsistence agriculture and pastoralism. In this demographic context, land dispossession interferes with the exercise of the right to food.

LAND DISPOSSESSION AND FOOD SECURITY

Lack of, or poor, public and commercial services and infrastructure, neglected agricultural sector, reliance on food imports, and high food prices are structural conditions of food insecurity in Angola. In rural areas, land dispossession aggravates the situation, and this is the case in the Gambos where ranching – as detailed in the chapter “Failure to Prevent Land Dispossession” – has taken over 67% of communal grazing land on which the pastoralists have relied for their livelihoods for generations.⁷²

Rural communities built their resilience and shielded themselves from food insecurity through customary land tenure and use for subsistence agriculture and pastoralism. However, the current economic diversification efforts, which entail large-scale land dispossession of rural communities, tend to drive up food insecurity in rural areas. In other words, land dispossession in rural Angola erodes economic and social resilience.⁷³

In a study by the Lutheran World Federation, in Moxico province, private interests forcibly seized 29,200 hectares from rural families that used them for subsistence agriculture.⁷⁴ In the Lumege Cameia municipality, rural communities lost 5,000 hectares to commercial farming. In Camanongue municipality, 22,400 hectares were seized for private commercial farming while dislodging 250 families from their homes. In the Leua Municipality, rural communities lost 1,800 hectares to commercial farmers. In all these cases, there was no consultation, compensation, resettlement, and environmental and social impact assessment.⁷⁵

According to China-Africa Research Initiative study, in the provinces of Huige, Kwando Kubango, Cunene, Bie, Malange, Zaire, and Moxico combined, rural communities lost, without due diligence, 83,630 hectares of land to Chinese commercial livestock farmers who produce cash crops for export.⁷⁶ In February 2016, commercial farmers forcibly evicted 19 families from their land in Cunene province as part of the government's Agroindustrial Horizonte 2020 megaproject. This project aimed to appropriate 76,000 hectares of fertile land without the free, prior, and informed consent of the affected communities, including land west

⁷¹ The Lutheran World Federation (2018) *Securing Land and Livelihoods in Angola*. Available: <https://www.lutheranworld.org/news/securing-land-and-livelihoods-angola>. In one of its reports, the Lutheran World Federation refers to a subsistence farmer who, in like manner, lost his land and access to water:

“Eduardo C. (name changed), 53, used to cultivate a plot by the river in Moxico province, eastern Angola. One day he saw a fence had been erected, cutting his land off from the river. The soba (village leader) told him his land had been leased to a private investor from the capital, Luanda. Eduardo had no choice but to move to a different area without river access or irrigation. ‘The private investor had already paid and signed all the papers when I learned about it,’ Eduardo said”

⁷² Rainer Tum (2019) *Estudo sobre sinergias e concorrências entre os sectores agrícolas privado e familiar em Angola*.

⁷³ *Angop* (15 December 2014) *Huambo: Defendida gestão racional da terra em prol da subsistência das famílias*. Available at: https://www.angop.ao/angola/pt_pt/noticias/sociedade/2014/11/51/Huambo-Defendida-gestao-racional-terra-prol-subsistencia-das-familias,e7500fad-f23f-41e2-ac8d-404c0e8568c5.html; Iselin Åsedotter Strønen et. al (2017) *Dificuldades Permanentes: Pobreza Feminina em Malanje Rural, Angola*. Available at: <https://www.cmi.no/publications/6215-dificuldades-permanentes>; Cristiane Teixeira (9 December 2017) *Crise económica angolana agravou casos de ocupação ilegal de terras*, *Deutsche Welle*. Available at: <https://www.dw.com/pt-002/crise-econ%C3%B3mica-angolana-agravou-casos-de-ocupa%C3%A7%C3%A3o-ilegal-de-terras/a-41716913>.

⁷⁴ The Lutheran World Federation (2018) *Land Grabbing and Forced Resettlement in Angola*. Available: https://www.afrika-sued.org/files/presentation_land_conflicts_malungo_germano.pdf.

⁷⁵ The Lutheran World Federation (2018) *Land Grabbing and Forced Resettlement in Angola*. Available: https://www.afrika-sued.org/files/presentation_land_conflicts_malungo_germano.pdf.

⁷⁶ China-Africa Research Initiative (2015) *Neither “Friendship Farm” Nor “Land Grab”: Chinese Agricultural Engagement in Angola*, *Policy Brief no 07 | 2015*. Available at: https://static1.squarespace.com/static/5652847de4b033f56d2bdc29/t/568c478fa2bab8d5752045b1/1452033935723/CARI_PolicyBrief_7_Mar2015.pdf.

of Ombadja and Curoca municipalities, which is home to 39 communities consisting of 2,129 families with 10,675 children. These communities have historically relied on agriculture and livestock for their livelihoods. By the end of 2017, a community area of 15,000 hectares had been destroyed, including trees used for food and firewood, grass for cattle grazing, food production, and burial sites.⁷⁷

The communities of Sachitemo, Capunda, and Pungua in Tchicala Tcholoanga municipality, Huambo province, had their agricultural land expropriated by a Chinese company. The communities relied on family agriculture for their subsistence, and since their eviction, they have been subject to food insecurity. The company seized 7,000 hectares, including an access to the Cunene River, which were crucial food production.⁷⁸

Human rights activists in Angola raised concerns regarding the development of agribusiness, mining, and oil and gas projects in rural areas in Angola and how they directly hamper access to safe drinking water. They spoke about the de facto privatisation of rivers (through diversion), lakes and water fountains (through fencing) which cut people's access to water. According to them, in Lunda Norte, the mining industry has diverted Kwango River away from various communities in Kwango, Xamutemba, and Kapenda Kamulemba municipalities. Commercial livestock farmers have fenced off rivers, lakes and fountains in Curoca (Cunene), Savate (Kwango municipality in Kwando Kubango), and Luangundo (Kwando Kubango). According to civil society representatives and community members we interviewed for an unrelated project, where natural water sources are still accessible, they have been polluted or run the risk of being polluted. Oil spills in Cabinda and Zaire provinces have contaminated water sources denying communities of their rights to water and livelihoods.⁷⁹

Alongside these structural transformations is Angola's poor ranking in many economic and social indices. For the purpose of this study, it is worth underscoring the Global Food Security Index (GFSI), which measures country-level food-security considering three categories, including *affordability*, *availability*, and *quality and safety* (see table below). On a scale of 0-100, where 100 is most favourable, Angola scored 33.2 in 2017, which represents a 3.2-point decline from 2016.⁸⁰

About 42% of Angolans live in rural areas and are poorer than their urban counterparts.⁸¹ Rural Angolans depend exclusively on the land and natural resources for their livelihoods, food, nutrition, water, energy (firewood), medicinal plants, and their way of life. Therefore, to dispossess them of their land, their sole source of life, without putting in place any measures to ensure that their economic, social and cultural rights are protected, particularly their right to food, is to put them a risk of hunger.

⁷⁷ Amnesty International, *The State of the World's Human Rights*, 2018. Available at: <https://www.amnesty.org/download/Documents/POL1067002018ENGLISH.PDF>

⁷⁸ Maka Angola, *Empresa Chinesa expropria terras de camponeses no Huambo*, 15 January 2019. Available at: <https://www.makaangola.org/2019/01/empresa-chinesa-expropria-terras-de-camponeses-nohuambo/>

⁷⁹ Amnesty interviews with human rights activists and civil society representatives in Luanda, March 2019.

⁸⁰ The Economist Intelligence Unit (2017), *Global Food Security Index 2017*. Available: [file:///zajb0-vs-dc1ro/users\\$/david.matsinhe/Downloads/EIU%20Global%20Food%20Security%20Index%20-%202017%20Findings%20&%20Methodology.pdf](file:///zajb0-vs-dc1ro/users$/david.matsinhe/Downloads/EIU%20Global%20Food%20Security%20Index%20-%202017%20Findings%20&%20Methodology.pdf).

⁸¹ INE (2016) *Resultados Definitivos Recenseamento Geral da População e Habitação – 2014*.

CATTLE ARE OUR LIFE

Listen, my friend, when you have cows, you live in cows' paradise, and life is so good. I would not have it any other way. I am sad things are changing so drastically. It is all slipping away ~

Jordão, pastoralist in the Gambos ⁸²

In order to situate the erosion of food security among the Gambos pastoralists through land seizures for commercial interests, this chapter describes how the Vanyaneke and Ovaherero fulfill their economic and social needs based on the land and pastoralism – that is, the existential ties that bind the people to the land and animals. In so doing, this chapter shows the delicate balance between life, land, and pastoralism which, if disturbed without any form of human rights due diligence, infringes upon the right to food, if not the right to life itself. In 1974, Eduardo Cruz De Carvalho underscored this problem forcefully after studying the Portuguese colonial imposition of “modern” cattle raising (or ranching) in the same pastoralist area:

The analysis seems to demonstrate that the ranching scheme would not have been implemented in Angola if (1) the structural and statistical data of the traditional systems of cattle keeping had been sufficiently known and objectively analyzed, (2) a more critical study had been made of the general economic success or failure of extensive cattle ranches in ecologically analogous areas, and (3) a greater concern had been given to the effects of such large-scale ranches on the local populations. It would seem evident that when cattle form a fundamental part of a people's culture, the possible sociologically disrupting effects of a cattle-raising “development” program must be carefully studied beforehand – even if the program appears to be economically sound.⁸³

In the Gambos, pastoralism – “animal husbandry... the care, tending, and use of grazing livestock in dry or cold rangeland areas [and] livelihood strategies on less productive lands through livestock herding”⁸⁴ – is the cornerstone of livelihood and cultural identity. Padre Jacinto Pio Wakussanga, a Catholic theologian and anthropologist who specialises in southern Angola, told us:

Together, the provinces of Namibe, Huila, and Cunene form the pastoralist region, and this is what makes the region distinctive in the country. Here the natural conditions are conducive for cattle breeding. These are provinces with lots of cattle. The region is called the “milk region” because it has a lot of cattle. The landscape and vegetation are conducive for growing livestock. In the Gambos we have agro-pastoralists. However, as you move west into Namibe there is little rainfall, so they are strictly pastoralists.⁸⁵

Commenting on national television, the Angolan sociologist João Paulo Ganga made the following statement

⁸² Jordão, Amnesty interviews in the Gambos, Huila, March 2019.

⁸³ Eduardo Cruz De Carvalho (1974) “Traditional” and “Modern” Patterns of Cattle Raising in Southwestern Angola: A Critical Evaluation of Change from Pastoralism to Ranching, *The Journal of Developing Areas* 8, p. 202.

⁸⁴ S. Dong et al. (2016) *Building resilience of human-natural systems of pastoralism in the developing world: Interdisciplinary perspectives*. Cham, Switzerland: Springer, p. 2.

⁸⁵ Padre Jacinto Pio Wacussanga, Amnesty interviews in Lubango, Huila, March 2018.

about the southern region:

We should consider the death of cattle⁸⁶ in the south as a severe problem because it destabilizes people's lives. Their wealth is cattle. Their life is based on cattle. Their livelihood is cattle. When their cattle die, we see the impoverishment of families in that region; we see an increase in the level of poverty; we see an increase in hunger.⁸⁷

The provinces of Cunene, Huila and Namibe have a semi-arid, dry climate, with cyclical droughts. In dry seasons, the pastoralists in Cunene, Huila and Namibe converge in the Gambos to graze their cattle until the drought has passed. This season, however, the drought inflicted severe damage to livestock in the region due to insufficient grazing land as a result of land seizures by commercial livestock farmers.

The 8,150km² of the Gambos land mass is comprised of three parts. The first consists of rugged topography, predominantly rocky with patches of black and red soil in the west of highway EN-105. The second is a sandy topography locally known as Tunda dos Gambos which consists of slopes of grasslands and forests where the pastoralists graze their animals. The third is a valley known locally as Vale de Chimbolela (or **mulola**), located farther east with abundant grass and water.⁸⁸ In the local language, *Chimbolela* means “the place where the food gets rotten in my possession because it is plentiful, and I cannot eat it all.” Historically, Chimbolela had abundant grass and water for the animals to eat and drink year-round, even during prolonged droughts. For this reason, the pastoralist community dubbed Chimbolela as the valley of miracles; the valley of life; and *tyimbelekela tya ngombe*, that is, “the cradle of cattle.”



Vale de Chimbolela, the cradle of cattle. © Amnesty International

According to the pastoralists, historically, from April to August, the pastoralists have kept their cattle around their residential areas on the west side of highway EN-105, and from October to March have grazed their livestock at Tunda dos Gambos and Chimbolela. This practice continues. In dry seasons, the pastoralists move their livestock to Chimbolela as early as August or earlier. When drought and famine strike, the

⁸⁶ The provinces of Cunene, Huila and Namibe have a semi-arid, dry climate, with cyclical droughts. In drought seasons, the pastoralists Cunene, Huila and Namibe converge in the Gambos to graze their cattle until the drought has passed. In this season, however, the drought inflicted severe damage to livestock in the region due to insufficient grazing land because of land seizures by commercial livestock farmers.

⁸⁷ João Paulo Ganga (31 March 2019) Revista Zimbo, *TV Zimbo*. Available at: <https://www.youtube.com/watch?v=4NXYM1kU-q4>.

⁸⁸ Mulolas are “intermittent tributaries, channelized to some extent, which flood during the wet season,” and “due to the extreme flatness of the terrain, much of the water seems to be lost by evaporation rather than by drainage.” See Eduardo Cruz De Carvalho (1974) “Traditional” and “Modern” Patterns of Cattle Raising in Southwestern Angola: A Critical Evaluation of Change from Pastoralism to Ranching, *The Journal of Developing Areas* 8, p. 211.

pastoralists from the entire *milk region* – i.e., Cunene, Huila, and Namibe provinces – converge with their livestock in the Gambos, which explains the description of the Gambos area east of Highway EN-105 as *zona de transumancia* (the transhumance zone).



This is a pastoralist kimbo (homestead) in the Gambos, Huila. © Associação Consturindo Comunidade

Economic, social and cultural life in the Gambos intricately interweaves with the surrounding natural ecosystem. The forests and grasslands of Tunda dos Gambos and Chimbolela provide vital *ecological services* (benefits of nature to people and animals) for *social reproduction*, that is, “the processes that ensure the self-perpetuation of a social structure over time, in rough analogy to biological reproduction for a population.”⁸⁹ The natural environment at Tunda dos Gambos and Chimbolela provides food and nutrition for people and cattle and other means of livelihood. Thus, the pastoral communities living here are wholly dependent on the surrounding natural ecosystem for life sustenance.

THE SPECIAL STATUS OF TUNDA AND CHIMBOLELA

Tunda dos Gambos and Vale de Chimbolela have special status and protections in the Angolan land tenure system. There are two categories of land in the Angolan legal land tenure framework: (1) grantable land and (2) non-grantable land.⁹⁰ The non-grantable land category includes rural community lands defined in *Lei de Terras de Angola - Lei n° 9/04* as:

[L]and used by a rural community in accordance with customary land use, including, as appropriate, complementary areas for mobile agriculture, transhumance corridors for access of livestock to water sources and pastures and crossings, whether or not they are subject to the easement regime, used to access water or roads or access roads to urban agglomerations.⁹¹

Lei de Terras de Angola - Lei n° 9/04 underscores this definition, stating that rural community land is “the land occupied by families in the local rural communities for housing, the exercise of their activity or for other purposes recognised by the custom or the present diploma and its regulations.”⁹² The limits of rural communal lands are determined through hearings with the families, and traditional authorities integrated into those rural communities and lands.⁹³ Rural community lands are “non-grantable,” that is, the government cannot expropriate and grant them to someone else without due process.⁹⁴ The government may expropriate

⁸⁹ “Social Reproduction” (May 26, 2019) *Encyclopedia of Population*. Available at: <https://www.encyclopedia.com/social-sciences/encyclopedias-almanacs-transcripts-and-maps/social-reproduction>.

⁹⁰ *Lei de Terras de Angola - Lei n° 9/04*.

⁹¹ *Lei de Terras de Angola - Lei n° 9/04*, preamble; *Regulamento Geral de Concessão de Terrenos, Decreto n° 58/07*, article 15.

⁹² *Lei de Terras de Angola - Lei n° 9/04*, article 1.

⁹³ *Ibid.*, article 23.

⁹⁴ *Ibid.*, article 19.

it “provided that it is used for a specific purpose of public utility.”⁹⁵

Lei de Terras de Angola - Lei n° 9/04 establishes the principle of respect for, and protection of, customary land tenure by rural communities: “The State respects and protects the land rights of rural communities, including those based on use or custom.”⁹⁶ It recognises “collective rights of ownership, management, use, and enjoyment of the means of communal production” of rural communities.⁹⁷ It further recognises that communal land could be used for “habitation, or for the exercise of their activities, or the attainment of other ends recognised by custom.”⁹⁸ And finally, “no one may be deprived, in whole or in part, of his property rights or his limited land rights, except in cases established by law.”⁹⁹

Tunda dos Gambos and Vale de Chimbolela are rural community lands, for centuries used as communal transhumance lands by southern pastoralists from Cunene, Huila, and Namibe provinces. At this point it is worth recalling the significance the word Gambos – **land of the Vangambwe people** who happen to be pastoralists. Therefore, according to the Angolan legal land tenure system, Tunda and Chimbolela have a special categorization and protection as non-grantable.

ECONOMIC VALUES OF CATTLE

Cattle occupy a central position in the life of the Vanyaneke and Ovaherero pastoralists. All the pastoralists interviewed in this study stressed how their lives depended on cattle. One pastoralist expressed this view with the following words: “Without cows, there is no life. A family without cows is poor. Without cows, our personhood is diminished.”¹⁰⁰ As the pastoralists explained what the cattle meant to them, it became clear that for them, the loss of their grazing land and therefore the loss of their cattle meant the loss of life. What follows, then, is a documentation of the economic, social, and cultural relationship between people, cattle, and land in the Gambos.

“THE CATTLE ARE OUR BANK, INSURANCE AND SOCIAL SECURITY”

The pastoralists were consistent in referring to their cattle as their bank, insurance, and social security. As one pastoralist explained:

When we have pressing problems, we rely on the cattle to solve them. When our children want to marry, we slaughter a cow. When someone dies, we slaughter a cow for the funeral ceremonies. When someone is sick, we sell cattle to pay for medical bills. When our children go to school, we sell cattle to pay for school fees. We don't slaughter cattle simply because we feel like eating meat, just as you don't take money out of your bank account or insurance for small things.¹⁰¹

Similarly, another said:

When we need to purchase something important, we go to the cattle. For example, we sell the cattle to buy things like mattresses, clothes, shoes, and many other things. When someone dies, when someone is sick, we sell the cattle to take him to the hospital and to buy medicines. When we want to buy food in cases of drought, we go to the cattle.¹⁰²

On this point it is worth adding the view of a prominent Angolan political analyst, Victor Fernandes, who said:

People in the south live based on cattle. It is a calamity when the cattle die. We who live in the cities have little

⁹⁵ Ibid.

⁹⁶ *Lei de Terras de Angola - Lei n° 9/04*, art. 9.

⁹⁷ Ibid.

⁹⁸ Ibid., preamble.

⁹⁹ *Lei de Terras de Angola - Lei n° 9/04*, art. 12.1.

¹⁰⁰ Antonio, Amnesty interviews in the Gambos, Huila, March 2019.

¹⁰¹ Pascoal, Amnesty interviews in the Gambos, Huila, March 2019.

¹⁰² Antonio, Amnesty interviews in the Gambos, Huila, March 2019.

appreciation of what it means when one cow dies in these families. Cows are the wealth of these families. Unlike us who live in the cities, in these communities, wealth is not measured by the amount of money in the bank, but by the number of cows.¹⁰³



Cow milk in a wooden cup. Cow milk and its derivatives are part of the diet among the Vanyaneke in the Gambos. The wood used to make the wooden cup is harvested from the surrounding forests. ©Amnesty International



The wooden cup containing milk, gourd containing milk and cheese, and funnel used to pour milk from the wooden cup to the gourd and bottles. The gourd is used to conserve and process milk. Apart from the plastic bottle, the Vanyaneke harvest these domestic utensils from the surrounding forests. ©Amnesty International

“THE CATTLE GIVE US EDUCATION”

With the exception of Chiange and Kampana, all the communities we visited had no government services such as education, and the pastoralists were entirely self-reliant. Only pastoralists who lived closer to Chiange and Kampana were closer to schools. They indicated that they sold cows to pay for school fees and other educational expenses:

¹⁰³ Victor Fernandes (31 March 2019) Revista Zimbo, *TV Zimbo*. Available at: <https://www.youtube.com/watch?v=4NXYM1kU-q4>.

We sell cows to pay for our children's education. Without cows, it is unimaginable for anyone in our communities to send their children to school, especially when they have to go to bigger towns and cities for further education. In those places, you must pay for everything. A friend of mine who lost all his cows and now he cannot pay for his daughter's university fees. I know many people who no longer have cows, and when you see them, they look so miserable. It's heartbreaking.¹⁰⁴

Chiange, Chibemba and Kampana – where the primary schools are located – are 15km to 60km from where many pastoralists live. This is the norm. Most people here do not speak Portuguese because they have never been to school. This is also normal. Most villages with schools have no teachers – teachers have abandoned schools due to isolation and lack of government support. Those who live in or near Chiange and Kampana have easier access to schools, and they can travel between less than 1km to 15km to attend school.

“THE CATTLE ARE OUR TRACTORS”

The Vanyaneke and Ovaherero in the Gambos also cultivate the land to produce food grains, particularly millet (massango). Women occupy themselves with the cultivation of land to grow food. Oxen are used to pull the plough in land cultivation. For this reason, the interviewees referred to the cattle as their tractors. In their own words:

We use cattle as tractors to pull the plough in the fields. Imagine a family without cattle – they must depend on those who have cattle to plough the fields. However, as you can see, the cattle are not fat and robust as they used to be. Look at them. They are skinny and weak because there is not enough for them to eat. Now they cannot pull the plough as good as they used to in the past. Things have really changed around here.¹⁰⁵



Oxen pulling a plough in the Gambos, Huila. © Associação Consturindo Comunidade (ACC)

¹⁰⁴ Frederico, Amnesty interviews in the Gambos, Huila, March 2018. Chiange and Kampana (Tyihepepe) – where there are consistent primary and secondary schools – are 5km to 60km or more distant from where most pastoralists live. Many villages are remote and have no schools, and those with schools have no teachers – teachers have abandoned due to isolation and lack of support. Pastoralists who live in, or near, Chiange and Kampana have easier access to schools, travelling for less than 1km to 15km.

¹⁰⁵ Alberto, Amnesty interview in the Gambos, Huila, March 2018.

“THE CATTLE ARE OUR MEDICAL AID”

As most of the pastoralists live in dispersed groups, with many living in isolated areas which are difficult access, there are often the no healthcare services in the immediate vicinity of where the pastoralists live and graze their cattle in many parts of the Gambos municipality.

Without healthcare services in all the communities we visited, except for Chiange and Kampana, the pastoralists rely on cattle to satisfy this need. Hence, they referred to cattle as medical aid. When asked to elaborate, they explained:

When someone is sick, we usually sell the cattle to pay for medical bills, for medicines, for the ambulance because the ambulance is not free here. When you call the ambulance, you must pay for it. Most of us cannot afford it.¹⁰⁶

On 16 January 2019, the state-owned Angolan News Agency (ANGOP) cited the Governor of Huila province saying the Gambos has seven general-practice medical doctors for the entire population of the municipality.¹⁰⁷ Because the residents are so dispersed, with many living in isolated areas of difficult access, there are no healthcare services in many parts of the Gambos municipality.

“THE CATTLE ARE OUR TRANSPORT”

The pastoralists also told us that the cattle provide transportation services. Cattle are used to transport the sick and heavy objects. A pastoralist explained:

The cattle are our transportation when we need to move heavy things. When we build a house, for instance, we use cattle to transport building material from the forests – in order to do that, the cows must be fat, healthy and robust. When someone is sick, we also use the cattle to take them to the hospital.¹⁰⁸



Pastoralist milking his cow in the Gambos, Huila. ©Associação Consturindo Comunidade

¹⁰⁶ Mboya, Amnesty interviews in the Gambos, Huila, March 2019.

¹⁰⁷ ANGOP (16 January 2019) Município dos Gambos necessita de seis novos medicos. Available at: http://m.portalangop.co.ao/angola/pt_pt/noticias/saude/2019/0/3/Municipio-dos-Gambos-necessita-seis-novos-medicos,f6b007e9-95e9-4942-8290-00dc613a5d92.html

¹⁰⁸ Vasco, Amnesty interviews in the Gambos, Huila, March 2018.

“THE CATTLE FERTILIZE OUR LAND”

The pastoralists told us that, in order to produce food, the land must be treated with manure first. To that effect, they use cattle. At this point it is worth recalling that the Gambos climatic conditions make food production challenging. The area is semiarid and dry with low rainfall. Growing food requires a great deal of effort. Manure from cattle is an absolute necessity. Under the current conditions, without cattle manure the pastoralists cannot grow food.

FAILURE TO PREVENT LAND DISPOSSESSION

Our ancestors have always used this land as a reserve for grazing cattle. In difficult times people have always come from as far as 150km with their cattle. They still do. This place was always a miracle that saved lives from time immemorial. Then the Portuguese came and took the land and pushed our ancestors out. We fought for independence and got our land back only to have our own people become the colonisers, taking our land and pushing us out again. This time the colonisers are our people who have influential positions in the government. They are the ones exploiting us ~

Mboya, pastoralist in the Gambos ¹⁰⁹

Since the end of the civil war in 2002, large-scale land takeovers for commercial use intensified in Huila province, as it happened throughout the country.¹¹⁰ According to civil society organizations, due to their appropriateness for livestock raising, Tunda dos Gambos and Chimbolela were coveted by politically connected private individuals who targeted the areas for ranching.¹¹¹ As one pastoralist lamented:

The fazendeiros (commercial livestock farmers) have taken the best part of Tunda dos Gambos; they have taken the parts where the grass is the best, the grass with the best vitamins and nutrients; and they pushed us out to the worst areas.¹¹²

The land takeovers lacked any consideration of the pastoralists' rights and their legal status as the historical and customary occupants and users of these lands. "As far as we know," said Wakussanga, "people here have been pastoralists for about 600 years; with women breeding goats, and men breeding cows; all the

¹⁰⁹ Mboya, Amnesty interviews in the Gambos, Huila, March 2019.

¹¹⁰ *Maka Angola* contains numerous cases of powerful and politically connected individuals dispossessing people of their land. See <https://www.makaangola.org/?s=terras>.

¹¹¹ Even colonial documents acknowledge that this area is good for breeding cattle. Colonial settlers have also coveted this land for the same reasons. Colonial documents go as far as claiming there are no settlements, the land is free for commercial livestock agriculture.

¹¹² Tyihetekey, Amnesty interviews, Gambos, Huila, March 2019.

community life revolves around pastoralism.”¹¹³ As shown below, these land seizures were carried out without community consultations, compensation, and environmental and socioeconomic impact assessment. These practices shocked the community of pastoralists in the Gambos.

EVIDENCE FROM SATELLITE

We analysed landsat imagery, with 30m resolution, to document the extent to which commercial livestock farming was taking place in the pastoralist reserve of Tunda do Gambos and Chimbolela. The analysis was done in five-year tranches from 1990 to 2015 and in 2018 to determine changes in the land east of Highway EN-105, which has been historically used by pastoralists to graze their cattle. Small-scale farms belonging to local communities appear closer to Highway EN-105 and are delimited with fence lines that are rarely straight, or by trees. Large commercial farms are distinctive with long straight lines in the earth, likely machine formed, and often have a grid-like structure.

Between 1990 and 2005, new scraped areas and roads became visible, but newly demarcated agricultural areas did not become apparent until 2005. Every image analysed from 2005 to 2018 showed an increase in probable commercial agriculture plots.

- On 16 May 1990, imagery shows the Gambos municipality in Angola before significant changes in the grazing area, east of Tyihepepe, could be seen. Large agriculture fields are visible in the north, with an area of approximately 193km².
- On 15 April 1995, satellite imagery does not reveal any significant changes to the area, but new scraped earth is visible in the form of lines, suggesting new roads have been constructed in the area east of Tyihepepe.
- By 12 April 2000, significant changes are not visible, but scraping is visible in more areas.
- In 2005, imagery shows new, large, grid-like areas forming probable agricultural fields. The total area of fields in the area east of Tyihepepe is 340km².
- In 2010, the areas demarcated increased to 520km².
- On 8 May 2015, imagery shows an increase in probable agriculture area. The total area is 774km².
- On 16 May 2018, the total area of land demarcated for probable agriculture fields is 841km²

EVIDENCE FROM THE GOVERNMENT

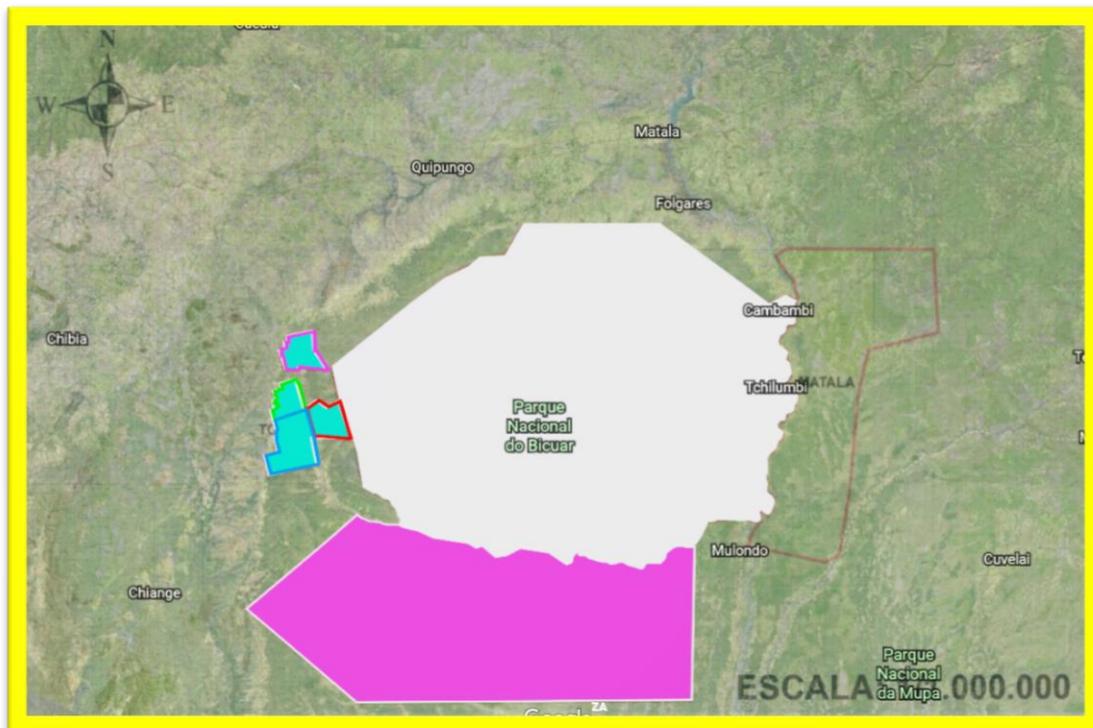
Based on the map of Tunda dos Gambos and Vale de Chimbolela supplied by the Angolan government, the Amnesty International technical team estimated the surface area of the customary grazing land prior and after commercial livestock farming. For the measurements, the technical team stretched the surface area polygons onto Google Earth and aligned natural features – in this case, river – to get closer to the right scale. The team, then, traced the polygons from the images onto the online map and thereby took the measurements. The results were as follows:

- Tunda dos Gambos has an estimated surface area of 3,609km².
- Vale de Chimbolele has an estimated surface area of 319km².
- Combined, Tunda dos Cambos and Vale de Chimbolela have an estimated surface area of 3,928km². In other words, the total grazing area is 3,928km².

¹¹³ Padre Jacinto Pio Wakussanga, Amnesty interviews, Lubango, Huila, March 2018.



Map of Tunda dos Gambos, Vale de Chimbolela and Parque de Bicuar supplied to Amnesty International by the Government of Angola. © Government of Angola

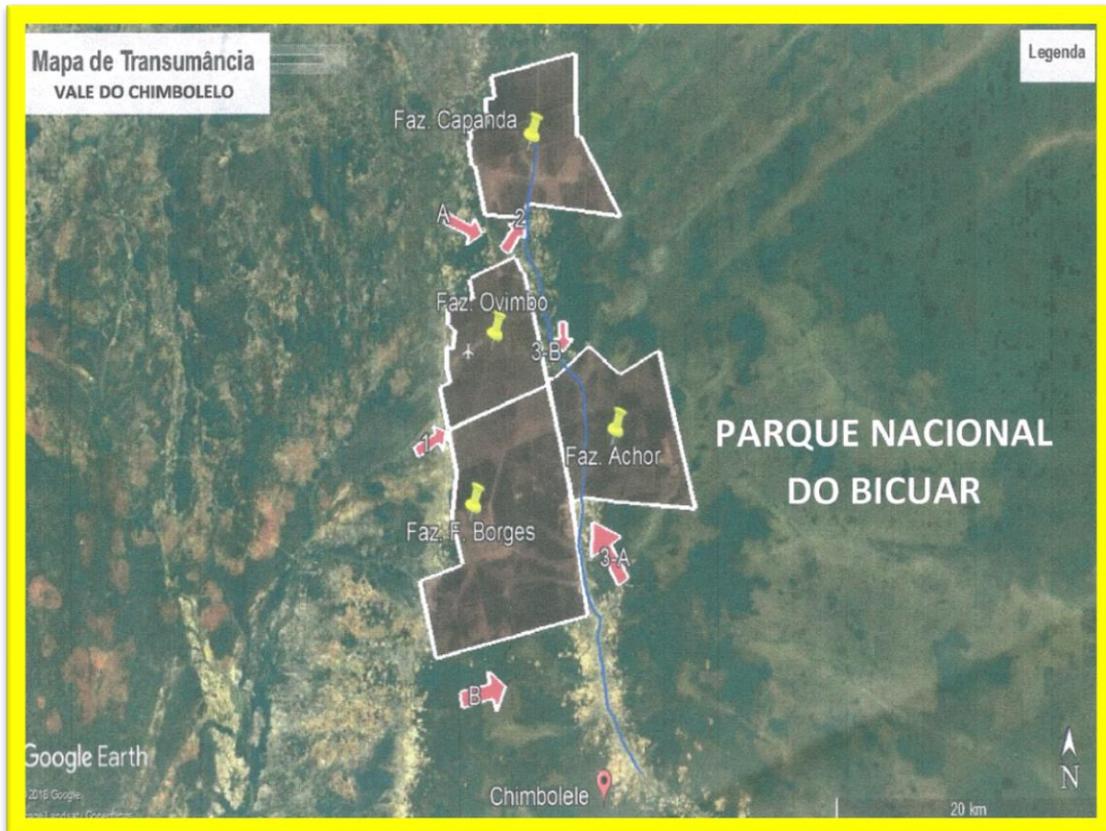


To estimate the sizes of polygons on the map supplied by the Government of Angola, Amnesty International stretched the surface area polygons onto Google Earth and aligned natural features – in this case, river – to get closer to the right scale, and then traced the polygons from the images onto the online map and thereby took the measurements.

According to Angolan Government, there are 46 commercial livestock farms (ranches) occupying 2,629km² of Tunda dos Gambos and Vale de Chimbolela. That is, of the 3,928km² that comprise Tunda and Chimbolela, 2,629km² have been occupied by ranchers, leaving only 1,299km² of grazing land for the

pastoralists. In other words, so far, the ranchers have occupied 67% of the pastoralists' communal grazing land.

To put it into perspective, the 2,629km² of the customary grazing land seized for ranching is larger than the country of Luxemburg. This was also the most fertile land. How could the Angolan government and the ranchers expect the pastoralists to survive, knowing that they have historically depended on Tunda and Chimbolela to withstand cycles of droughts? It did not and does not have to be this way. Our investigation suggests that the land was taken away from communities without due process.



This map supplied by the Government of Angola only shows four commercial livestock farms. It does not show the remaining 42 farms. Although it is entitled “Transhumance Map”, the map does not show the west-east transhumance corridors/pathways used by the pastoralists to reach Chimbolela in dry and drought seasons. © Government of Angola.

EVIDENCE FROM THE PASTORALISTS

1. FAILURE TO CONDUCT COMMUNITY CONSULTATIONS

WHAT DOES THE LAW SAY ABOUT COMMUNITY CONSULTATIONS?

In terms of *Lei de Bases do Ambiente* (environmental law), public consultations are legally mandatory for projects that impinge upon “the interests of the communities, interfere with the ecological balance and use of natural resources to the detriment of third parties.”¹¹⁴ Change in land use must be subject to

¹¹⁴ *Lei de Bases do Ambiente, Lei n° 5/98 de 19 de Junho*, article 10.

Environmental and Social Impact Assessment processes.¹¹⁵ The environmental law clearly states that public consultations with affected communities are legally required.¹¹⁶

The law is clear on what public consultation means:

The consultation of the citizens concerned, residents in the area concerned or affected by the project, their representative associations, in particular, those in the field of environmental protection and local authority bodies in the territorial area concerned, as well as representatives of institutions if the project has an impact on rural communities.¹¹⁷

The satellite image analysis indicates that, by the year 2019, the commercial livestock farmers had occupied over 841km² of Tunda dos Gambos, which has significantly reduced the grasslands for livestock feeding.

Legally, these are rural communal lands and therefore non-grantable to private interests. However, so far, the government has not demarcated, registered, and mapped rural communal lands, which leaves rural communities vulnerable to land seizures by unscrupulous private commercial interests.¹¹⁸ Therefore, to protect rural communities from landlessness, civil society organizations have been calling on the government to demarcate, register, and map rural community lands.¹¹⁹

THERE WERE NO COMMUNITY CONSULTATIONS

Pastoralists and their families informed us that since the end of the civil war in 2002, they had seen the arrival of commercial livestock farmers occupying Tunda dos Gambos and Vale de Chimbolela without any process to seek their free, prior, and informed consent. According to them, all the commercial livestock farmers followed a similar method of operation. They arrived unannounced, claimed the lands, and fenced off the space, without consultation, compensation, and environmental impact assessment.

With these words, an official of a local civil society organisation that works with rural communities in southern Angola, painted a worrying scenario of land seizures in the south:

The biggest problem we have in the south is the massive scale occupation of community lands. What does that mean? The south has a special modus vivendi that depends on the land. When individual farmers want space to establish their farms, they grab community lands. What complicates the situation is that some senior government officials are also farmers and they expropriate community lands as government officials but for their private interest. Because the Constitution says the land is by origin state property, they interpret that to mean they can use their office to grab the land from people. They use an abusive analysis of this article to mean, as representatives of the government, they can take the land from the people unceremoniously at any moment. They forget the rest of what the Constitution says. There is no dialogue whatsoever with the people and civil society before taking the land from the people.¹²⁰

We asked the pastoralists whether there had been community consultations before the commercial livestock farmers occupied their land. In response, the pastoralists said the following:

Community consultations? Man, are you serious? If you knew how the government of Angola operates, you would not ask that question. Of course, they consult no one! The government and their farmer friends do not consult anyone, not the communities, not even the traditional authorities. When they claim to have consulted is when they have told the soba (traditional leader) that they are taking the land. The sobas are useless in most cases. They do not do any community consultations. In all cases of land grabs, we were taken by surprise. They think they own Angola. And they are untouchable.¹²¹

¹¹⁵ Ibid.

¹¹⁶ Ibid., articles. 8, 9 and 10; *Decreto nº 51/04, de 23 de Julho*, article 10.

¹¹⁷ *Decreto n. 51/04*, preamble.

¹¹⁸ Filipa A. Martins (2016) O ordenamento do território em Angola: Uma tarefa em curso e um desafio futuro, LLM Thesis, Universidade de Coimbra. Available at: <https://estudogeral.sib.uc.pt/bitstream/10316/43567/1/filipa%20final%20.pdf>.

¹¹⁹ Rede Terra and COSPE (2019) Manifesto: Insegurança de Posse da Terra: O Desenvolvimento não Pode Ter Lugar em Contexto de Permanente Insegurança de Posse e Déficit de Gestão Estratégica e Vigilância ao Risco e Vulnerabilidade Sócio-espacial e Ambiental. Luanda.

¹²⁰ Amnesty interviews in Lubango, Huila, March 2018.

¹²¹ Tyitiko, Amnesty interviews in the Gambos, Huila, March 2019.

Tyikala said:

The occupation [takeover] of Tunda dos Gambos and Chimbolela began in the late 1990s. After the war in 2002, the occupation [takeover] intensified, and we saw more and more farmers coming and occupying, more and more grazing land fenced off. All these did not speak with us at all. They just came and put fences. We were not consulted; as if we were not there. To them, we are invisible. We are nothing.¹²²

One woman pastoralist concurred,

I am in my old age. I was born and raised here. I have always lived here. There was no consultation whatsoever. These farmers just came and took the land and fenced it off. Now we cannot use it. We cannot feed our cows in there. I do not remember any government people ever coming here.¹²³

Another woman pastoralist corroborated his account:

Maybe the colonial government and their farmers negotiated with our ancestors to occupy some parts of our land, but these farmers, after the civil war, did not speak with anyone. No one from the government has ever come here to speak to us. No one has come here to see how we live, what our problems are. There is no government here. These people do not respect us. I do not think they think of us people.¹²⁴

2. FAILURE TO PROVIDE JUST COMPENSATION

WHAT DOES THE LAW SAY ABOUT COMPENSATION?

The Angolan law respects and protects customary land tenure in rural areas. To that effect, *Lei de Terras de Angola*, *Lei n° 9/04* states categorically: “The State respects and protects the land rights of rural communities, including those based on use or custom.”¹²⁵ It goes on to say: “The lands of rural communities may be expropriated for public use or be requisitioned, *with just compensation*.”¹²⁶ Further, the law prohibits land seizures without compensation – in other words, the new user is required to pay “*fair compensation to the holder of the extinct rights*.”¹²⁷

In tandem with *Lei de Terras de Angola*, *The Constitution of the Republic of Angola* lays out the same principles unequivocally:

Everyone shall be guaranteed the right to private property and its transmission, under the terms of the Constitution and the law; The state shall respect and protect the property and any other rights in rem of private individuals, corporate bodies and local communities, and temporary civil requisition and occupation for public use shall only be permitted upon prompt payment of just compensation under the terms of the Constitution and the law; The payment of the compensation referred to in the previous point shall be a condition of expropriation.¹²⁸

In so doing, the law protects and gives stability to the customary ways, traditional practices, and cultural models of land use and enjoyment in rural communities. Only the state can expropriate rural community land provided it is for public benefit and it is conditional just compensation. This way, the land law establishes the principle of respect for, and protection of, customary land tenure in rural communities.

By allowing commercial livestock farmers to use without compensation over 841km² of the customary pastoralist reserve of Tunda dos Gambos and Vale Chimbolela and without even providing alternative grazing land, the Angolan government violated regional and international human rights law and standards and its own land law. This change in land use has significantly reduced the grazing space for the pastoralists and

¹²² Tyikala, Amnesty interview in the Gambos, Huila, March 2019.

¹²³ Matala, Amnesty interviews in the Gambos, Huila, March 2019.

¹²⁴ Fatima, Amnesty interviews in the Gambos, Huila, March 2019.

¹²⁵ *Lei de Terras de Angola - Lei n° 9/04*, article 9.

¹²⁶ *Ibid.*

¹²⁷ *Ibid.*, article 12.

¹²⁸ *The Constitution*, article 37.

has affected their ability to produce food.

THERE WAS NO COMPENSATION

We asked the pastoralists whether the government or the farmers had offered them any compensation for the loss of their grazing land. In response, the pastoralists said:

As I told you earlier, these people did not talk to us. So how could they understand how our lives are tied to the land and the cattle? Without speaking to us, how could they have known what kind of compensation we needed? The governor said all the land,¹²⁹ and the resources in it belong to the government, and since he is the most senior government official in the province, all the land and natural resources belong to him, and it is up to him to decide what to do with it. These are the kinds of people I am talking about. They do not care how we suffer. They would be happy if we died.¹³⁰

Pinga, a community member who also breeds cattle, responded:

Oh, no! There was no compensation at all, and you can see it for yourself. As you can see, they took the land while we were here, and now we are still here but without the land. I am not aware of any pastoralist who was compensated for this. As you can see, we have nowhere else to go.¹³¹

Another pastoralist, Pascoal, corroborated his account:

What compensation? There was none. The whole notion of Angolan government or any of these farmers giving compensation is laughable. For you to offer compensation, you must have a conscience; you must have a heart, you must be compassionate, you must be human – the government and all these farmers have none of that. You can ask any pastoralist they will tell you that there was no compensation. Not a single commercial farmer gave compensation even though they took the best land.¹³²

Similarly, Tyiteka, a pastoralist based in Chiange are, said:

I can take you to Chiange, or Tyihepepe, or Chimbolela, or Chibiya, or Curoca in Cunene, and you will not find any pastoralist who was compensated when their grazing lands were occupied. None. Zero. These farmers and the government did not negotiate compensation with anyone. There was no compensation. I am serious.¹³³

¹²⁹ Amnesty International sent a letter to the Governor's office on 19 February 2018 asking for an appointment to discuss land and water conflict in the Gambos. On Thursday, 01 March 2018, at 9:59am Johannesburg time (8:59am Luanda time), the Governor's office emailed Amnesty International to inform that the Governor would meet with the Amnesty delegation at 11:00am Johannesburg time (10:00am Luanda time). However, the Amnesty delegation had left Lubango at 6:00am local time and had just arrived in Tyihepepe in the Gambos, 160km (or two hours) away from Lubango where the meeting with the Governor was to happen. Amnesty International issued an automatic reply to the Governor's office informing that the researcher was away in Angola and hence not available. At 9:00am local time, the Director of the Governor's office called Amnesty's partner who was travelling with the Amnesty delegation in the Gambos and asked to speak with the head of Amnesty delegation. The Director of the Governor's office asked the head of Amnesty delegation to meet with the Governor at 10:00am local time. This meant that, from 9:00am to 10:00am local time, the Amnesty delegation would have to be back in Lubango to see the Governor. The trip from Tyihepepe to Lubango takes at least two hours. The request to meet the Governor at 10:00am was not realistic. Therefore, the head of the Amnesty delegation proposed 2:00pm for the meeting. The Director of the Governor's office rejected the proposal. Then the head of the Amnesty delegation proposed Friday, 02 March, anytime to meet with the Governor. The Governor's Office also rejected this proposal alleging that, as the Province's Commander in Chief, the Governor would spend the day (Friday) with the military preparing for Peace Day (4 April) celebrations.

¹³⁰ Jerego, Amnesty interviews in the Gambos, Huila, March 2018. According to a community member interviewed by Voice of America, the Governor made these statements on 7 July 2017 when he was confronted by the community – see VOA (17 October 2017) *Familias nos Gambos recusam projecto do Governo local* at <https://www.voaportugues.com/a/familias-gambos-agua/4073453.html>.

¹³¹ Pinga, Amnesty interviews in the Gambos, Huila, March 2019.

¹³² Pascoal, Amnesty interviews in the Gambos, Huila, March 2019.

¹³³ Tyiteka, Amnesty interviews in the Gambos, Huila, March 2019.

3. FAILURE TO CONDUCT ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT

WHAT DOES THE LAW SAY ABOUT ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT?

Lei de Bases do Ambiente, Lei nº 5/98 – Angola’s environmental law – requires an environmental and social impact assessment to be undertaken for the implementation of any project “which by its size, nature or location, has a significant negative impact on the natural or social environment” – or which “may have implications for environmental and social balance and harmony”¹³⁴ – “is conditioned to a process of *Environmental and Social Impact Evaluation [ASIA] to determine its social, environmental, economic viability, and the methods for neutralizing or minimizing its effects.*”¹³⁵ This requirement is mandatory to “any public or private activity related to the use or exploitation of environmental components, the application of technologies or production processes, plans, programs, legislative, or regulatory acts affecting or likely to affect the environment.”¹³⁶

The environmental law regards ESIA as “an instrument of preventive environmental management and consists of identifying and prior qualitative and quantitative analysis of the beneficial and deleterious environmental effects of a proposed activity.”¹³⁷ Also, the ESIA must be adapted to each specific case and shall contain at least:

a) a non-technical summary of the project; b) a description of the activities to be carried out; c) a general description of the environmental situation of the place of implementation of the activity; d) a summary of the opinions and criticisms resulting from the public consultations; e) a description of the possible environmental and social changes brought about by the project; f) indication of the measures envisaged to eliminate or minimize negative social and environmental effects; g) an indication of the systems planned for the control and monitoring of the activity.¹³⁸

One of the main instruments of environmental management is the ESIA whose fundamental objective is to assess the impact that public and private projects may have on the environment, based on environmental impact studies, as previously discussed. These studies should focus on projects that, by their nature, size, or location, may have implications for environmental and social balance and harmony, so that the environmental impact assessment is a useful instrument for environmental protection and management as a guarantee of fair and balanced decisions by the public administration.

As per the information that Amnesty International obtained, the Angolan government failed to enforce its environmental law, and permitted commercial livestock farmers to use large parts of the traditional grazing land without carrying out the legally mandatory ESIA. Since the end of the civil war in 2002, commercial livestock farmers have been progressively occupying Tunda dos Gambos and Chimbolela, a mix of grasslands, forests and a valley historically used as a grazing reserve by traditional cattle breeders. By the year 2018, commercial livestock farmers had occupied over 841km² of Tunda dos Gambos.

THERE WAS NO ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT

We asked community members whether there had been environmental and social impact assessments before the farmers moved in. The impacts of loss of access to, or eviction from, privately owned or common public lands can be wide-ranging. For example, loss of land can negatively affect people’s livelihoods and food security. All the pastoralists were unanimous that there had been no studies conducted to see how the pastoralist communities would be impacted. Thus, one pastoralist said:

If they had studied the areas before giving the land to the farmers, they would have understood that we depend on the land for everything. When we wake up every morning, we work directly with the land, grazing our cattle, producing food, collecting firewood, collecting water, and they would not have done what they have done. As I said,

¹³⁴ *Lei de Bases do Ambiente, Lei nº 5/98 de 19 de Junho*, article 16.

¹³⁵ *Ibid.*, art. 15.

¹³⁶ *Ibid.*, art. 32.

¹³⁷ *Ibid.*

¹³⁸ *Ibid.*, article 16.

they did not speak with us. I just do not see how a study can be done without speaking with us.¹³⁹

The representative of Associação Construindo Comunidade, a local community-based organisation stated:

They do not conduct an environmental and social impact assessment. When they find kimbos, they destroy them, and there is no compensation offered. They destroy subsistence farms of low-income families.¹⁴⁰

Similarly, a representative of Rede Terra, a civil society organisation that focuses on land governance said:

The “normal” procedure is to arrive in a community and evict the people. There are no studies to understand how people will be affected. Both companies and the government do not bother to find out how the rights of the communities will be affected. In short, there is no due diligence. It is survival of the fittest. The powerful come and take the land. The weak lose the land.¹⁴¹

Finally, another pastoralist said:

No one came here to study the area to see how we would be affected by the farms. No one from the government, and no one from the farms. The most important thing for the government and the commercial livestock farmers is to ensure that the interests of the farmers are served. Our interests, our lives, our cattle, our crops, our kimbos, were not considered at all.¹⁴²

COMMERCIAL RANCHING AT TUNDA AND CHIMBOLELA MAY BE ILLEGAL

Amnesty International is concerned that the use of land in Tunda dos Gambos and Chimbolela by commercial livestock farmers may be inherently illegal, to begin with, because these areas are pastoralist community lands whose customary historical ownership and use are legally recognised and protected. According to the *Constitution of the Republic of Angola* and the land law, these types of lands are non-grantable, and even the government can only expropriate them for the development of public infrastructure.

Moreover *Lei de Terras de Angola - Lei n° 9/04* protects rural community rights to the lands under their occupation, whether for habitation and other uses, whether for self-administration and self-management.¹⁴³ It goes on to assert that the state respects and protects the land rights of rural communities, including those that are based in customary use of land; these lands can be expropriated for the public benefit with *just compensation*.¹⁴⁴

Similarly, *Regulamento Geral de Concessão de Terrenos, Decreto n° 58/07* states that “rural Community land, subject to the customary common property scheme, shall not be granted”¹⁴⁵ as “the customary domain shall be *recognized by the competent authority*.”¹⁴⁶ Recognition and protection of customary land tenure is not conditional to use: “The customary tenure is *perpetually recognized*, without prejudice to its extinction through non-use and free vacancy under customary rules.”¹⁴⁷ It elaborates even further: “Holders of the common customary tenure shall enjoy the rights of occupation, possession, use, and enjoyment of the communal rural lands occupied by them and used in a useful and effective manner according to custom, within the limits of the law and with the observance of the restrictions imposed.”¹⁴⁸

Based on the above and the information shared by pastoralists and representatives of community based organisations, Amnesty International is concerned that the government of Angola failed in its duty to protect the rights of the pastoralists in the Gambos, particularly their right to use and occupy the customary land in

¹³⁹ Amnesty interviews in the Gambos, Huila, March 2019.

¹⁴⁰ Amnesty interviews in Lubango, Huila, March 2018.

¹⁴¹ Amnesty interviews in Luanda, Huila, March 2019.

¹⁴² Josefata, Amnesty interviews in the Gambos, March 2018.

¹⁴³ *Lei de Terras de Angola - Lei n° 9/04*, article 1.

¹⁴⁴ *Ibid.*, article 9.1-2.

¹⁴⁵ *Regulamento Geral de Concessão de Terrenos, Decreto n° 58/07*, article 19.

¹⁴⁶ *Ibid.*, article 71.

¹⁴⁷ *Ibid.*, article 74.

¹⁴⁸ *Ibid.*, article 72.

question for food production.

GOVERNMENT RESPONSE

We have made repeated attempts to obtain information from 10 government entities responsible for land and environmental management to understand what processes were put in place to allow commercial agriculture on land used by the pastoralist community for grazing. At the central government level in Luanda we wrote to the Ministry of Agriculture and Forests, Ministry of Territorial Administration, Ministry of the Environment, Council of Ministers, and the National Institute of Geography and Registry. At the provincial government level in Lubango we wrote to the Provincial Directorate of Agriculture and Forests, Provincial Directorate of Territorial Administration, Provincial Directorate of the Environment, the Provincial Institute of Geography and Registry. At the local government level in Chiange we wrote to the Gambos Municipality Administration Office.

Of all these entities, only the following responded: The Huila Provincial Directorate for the Environment, the Ministry of the Environment, and the Office of the State Secretary for Human Rights in the Ministry of Justice and Human Rights and Citizenship on behalf of the Council of Ministers. In its response, the Ministry of the Environment said:

Agrarian matters (or land issues) as well as questions regarding agriculture and commerce are not under the responsibility of this Ministerial Department. There are other Ministerial Entities dedicated to the domain of land, commerce and agriculture in Angola. Therefore, we cannot issue our opinion on this matter because the questions which “Amnesty International” raises are not part of our portfolio.¹⁴⁹

However, the Ministry of the Environment ignored the questions regarding environmental and social impact assessments which are definitively under its responsibility.

In a letter dated 5 September 2019, the Huila Provincial Directorate for the Environment responded to Amnesty’s letter stating: “For the issue referred to in the epigraph, you must contact the Provincial Office for Agriculture, Cattle and Forests and the IGCA [Instituto de Geografia e Cadastro de Angola – Angola Geography and Registry Agency].”¹⁵⁰ When we wrote to the Provincial Directorate for the Environment, we also wrote to the Provincial Office for Agriculture, Cattle and Forests and the IGCA. As of the publication of this report, the two institutions had not responded.

The Office of the State Secretary for Human Rights in the Ministry of Justice and Human Rights and Citizenship (thereafter, The Office) sent the following responses to Amnesty’s questions:

a) What is the official number of commercial farms at Tunda dos Gambos and Vale de Chimbolela in the Gambos Municipality?

The Office indicated that there are 46 “extensive livestock farms (cattle breeding)” at Tunda and Vale do Chimbolelo” “covering 262,907 hectares, granted in compliance with legal provisions for granting such concessions, as referred to above.” However, local community members and a provincial government official told Amnesty International that there were 54 commercial livestock farms in the area. There is a discrepancy of eight farms between the information from the central and provincial governments.¹⁵¹

b) What was the process by which land in Tunda dos Gambos and Vale de Chimbolela in the Gambos

¹⁴⁹ Email from the Ministry of the Environment (9 July 2019) *A matéria fundiária (ou de terras), bem como as questões sobre a agricultura e comércio não são de competência deste Departamento Ministerial. Existem outros entes (Organismos Ministeriais) que se ocupam do domínio das Terras, Comércio e Agricultura em Angola. Assim sendo, não emitimos a nossa opinião relativamente à matéria, porque não é do nosso Pelouro o assunto que a “Amnesty Internacional” nos coloca.*

¹⁵⁰ Republica de Angola, Governot da Provincia da Huila, Gabinete Provincial do Ambiente, Gestao dos Residuos e Servicos Comunitarios (5 September 2019), *À Amnistia Internacional*, 173/AMB.GR.SC.GAB.DIR/2019.

¹⁵¹ Republic of Angola (July 2019) Reply to Amnesty International on Land Concessions in the Province of Huila, Municipality of Gambos. Luanda.

Municipality allocated for commercial livestock farming and by which authority/ministry?

The Office's answer was:

The process for granting land concessions in Angola is conducted according to law and provides for prior consultation. Before a concession is granted, the administrative authorities carry out an on-site inspection to check the space and consult with traditional local authorities where the land is located to get their opinion. In cases where there are rights of way or transhumance corridors, these are protected, the holder of the concession undertaking to maintain the transhumance right of way/corridor.¹⁵²

The question of Amnesty International is about how the government allocated land to commercial livestock farmers at Tunda and Chimbolela. The Office's answer does not offer any specifics about the process through which the government allocated land to these commercial livestock farmers.

c) When did the competent authorities grant land concessions and title deeds to these commercial livestock farmers at Tunda dos Gambos and Vale de Chimbolela in the Gambos Municipality? Could your Ministry kindly provide copies of documents that confirm that such concessions and title deeds were granted?

The Office offered no answer to this question.

d) What is the size of each commercial farm at Tunda dos Gambos and Vale de Chimbolela in the Gambos Municipality?

The Office did not answer this question.

e) What is the total size of the area occupied by commercial livestock farmers at Tunda dos Gambos and Vale de Chimbolela in the Gambos Municipality?

According to the Office, the total size of the area occupied by commercial livestock farmers is 262, 907 hectares (2,629km²). By its own account, the government indicates that land occupation is more extensive than Amnesty's satellite image analysis suggests. Amnesty International satellite image analysis indicates that by 2018 commercial farmers had occupied 841km.² In other words, the government records indicate that land occupation for commercial livestock farming is three times more extensive than our satellite image analysis suggested.

f) Did the Government of Angola (whether at municipal, provincial, or central level) and the commercial livestock farmers conduct community consultations with the pastoralists of the Gambos Municipality and civil society prior to expropriating large parts of Tunda dos Gambos and Vale de Chimbolela? In the event that consultations were carried out, we request you to kindly provide us with details of the consultation process including dates, location, and minutes of these meetings as well as the number of people (disaggregated by gender) who attended, and the villages/communities that they belong to.

The Office did no answer this question and provided no evidence of community consultations.

g) According to some of the people we spoke to, the pastoralists of the Gambos Municipality were not offered any compensation for the loss of their customary transhumance land to commercial livestock farmers. If your ministry has contradictory information, we request that you kindly send us any documentation that shows that compensation was indeed given?

The Office did not answer this question and provided no evidence of compensation to the pastoralists.

h) Were there any environmental and social impact assessments carried out prior to the allocation of large

¹⁵² Republic of Angola (July 2019) Reply to Amnesty International on Land Concessions in the Province of Huila, Municipality of Gambos. Luanda.

parts of Tunda dos Gambos and Vale de Chimbolela, for commercial livestock farming? If there was such a study conducted, we request you kindly send us a copy of the same.

The Office did not answer this question and provided no evidence that environmental and social impact assessments were conducted prior to commercial livestock farmers occupying the land.

i) We also requested information on any human rights due diligence that the government may have conducted to prevent, mitigate, and remedy adverse human rights impacts on the Gambos pastoralist community prior to the allocation of their grazing land for commercial livestock farming. Further, we requested access to any documentation that identifies the human rights risks and provides details on mitigation measures.

The Office did not answer this question and provided no evidence that the government had conducted due diligence to prevent, mitigate and remedy adverse human rights impacts on pastoralist communities in the Gambos prior to commercial livestock farmers occupying the land. The Office added that: “This zone covers the municipality of Gambos and Chimbolelo in the province of Huila and since 1960 has had a land grazing planning policy that includes a traditional large expanse of common land that has been classified as suitable for organised distribution.”¹⁵³

Amnesty International has seen the “land grazing policy” in question, which also acknowledges that Tunda and Chimbolela are grazing areas. It must not be lost to the reader that the colonial government designed and implemented the grazing land policy, 15 years before Angola’s independence. How could the colonial government officials who drafted the policy have possibly known that Tunda and Chimbolela were grazing lands? Did not the Portuguese settlers find the Vanyaneke and Ovaherero people grazing their herds of cattle at Tunda and Chimbolela? It is worth remembering that Gambos means land of the Ovangambwe people, an ethnic branch of the Vanyaneke people whose main occupation is pastoralism. European explorers in the 1800s testified to have seen traditional cattle breeders grazing their large herds in this region. Therefore, Amnesty International finds it curious and ironic that, decades after independence, the Angolan government evokes a land policy – designed by the colonial power to dispossess the pastoralists in complete disregard of their human rights and dignity – to justify land occupation for commercial cattle farming without any human rights due diligence whatsoever. Surely, it does not have to be this way.

¹⁵³ Republic of Angola (July 2019) Reply to Amnesty International on Land Concessions in the Province of Huila, Municipality of Gambos. Luanda.

FAILURE TO PROTECT THE RIGHT TO FOOD

The normative framework for the right to food is to be found in international instruments such as the Universal Declaration of Human rights (UDHR) as well as the International Covenant on Economic and Social and Cultural Rights (ICESCR).¹⁵⁴ They recognise the right to be free from hunger and to adequate food and place obligations on states to ensure that everyone has access to essential food which is nutritionally adequate and safe.¹⁵⁵

There are other legally binding treaties that have been promulgated on the right to food in order to protect particularly vulnerable groups. The relevant ones for this report are the Convention on the Elimination of All forms of Discrimination against Women and the Convention on the Rights of the Child.¹⁵⁶

At the regional level, Angola has ratified the African Charter on the Right and Welfare of the Child, which offers comprehensive provisions of the right to food.¹⁵⁷ By ratifying it, Angola has committed to ensuring the provision of “adequate food and safe drinking water.”¹⁵⁸ The government must also take measures to assist parents and guardians to feed their children, and to provide material support programs pertaining to nutrition.¹⁵⁹

At the national level, Angola has committed to progressively create the conditions necessary to realise economic, social, and cultural rights, particularly for the most vulnerable population groups.¹⁶⁰ It further asserts that the state shall adopt legislative initiatives and other appropriate measures towards the progressive and effective implementation of the economic, social, and cultural rights.¹⁶¹

The right to food means regular, permanent, and unrestricted access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient. Such food must correspond to the consumer’s cultural traditions, must fulfil a dignified life free of fear, both physically and mentally, and individually and collectively.¹⁶²

This right has been interpreted in a broad and expansive sense that recognises states have a core obligation to take the necessary action to mitigate and alleviate hunger even in times of natural or other disasters. So central is the right to food that the UN Committee on Economic Social and Cultural Rights has recognised its principal role in fulfilment of other rights enshrined in the international bill of rights. It is inseparable from social justice.

¹⁵⁴ Articles 25 of the UDHR and article 11 of the ICESCR, respectively.

¹⁵⁵ General Comment No. 12.

¹⁵⁶ Articles 12 and 14, and articles 20 and 23, respectively.

¹⁵⁷ Ratified on 11 April 1991.

¹⁵⁸ Article 14 of the African Charter on the Rights and Welfare of the Child.

¹⁵⁹ Article 20 of the African Charter on the Rights and Welfare of the child.

¹⁶⁰ Article 21 of the Angolan Constitution.

¹⁶¹ Article 28 of the Angolan Constitution.

¹⁶² Special Rapporteur on the Right to food United Nations Document E/CN.4/2001/53, par.14: See also, detailed description in the Report of the Special Rapporteur on the Right to Food, Human Rights Council Session 23, A/HRC/25/57, 2014.

STATE OBLIGATIONS

The nature of the legal obligations of States parties are set out in article 2 of the International Covenant on Economic, Social and Cultural Rights (ICESCR). Article 2 (1) states “Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.”

The Committee on Economic, Social and Cultural Rights elaborated state obligations on the right to food, in General Comment No. 12. State parties are obliged to respect access to adequate food. This means that state parties cannot take any measures that result in preventing such access. Instead, they have the duty to protect and ensure that individuals or other non-state actors do not deprive individuals or communities access to adequate food. The state must also proactively ensure that people have access and are able to use resources to ensure their livelihood including food security. While all the rights under the Covenant are meant to be achieved through progressive realization, states have some minimum core obligations which are of immediate effect. They have the obligation to refrain from any discrimination in access to food as well as to means and entitlements for its procurement.

When Amnesty International visited the Gambos, many people complained of hunger because of the gradual encroachment on land they had used for a long time to eke out a living. They complained that they had not been consulted on the fencing of productive land. They simply saw people moving in claiming to have obtained from the government the rights to occupy the land. The government failed in its duty to ensure that pastoralist communities were not pushed to the periphery and that the means for procuring food were not tampered with in line with the ICESCR.

In her report in 2017 the Special Rapporteur on the right to food notes that pastoralists and herders are especially vulnerable to losses of livelihood if access for their livestock to feed or drink water is disrupted,¹⁶³ which is precisely what happened in the Gambos municipality.

Amnesty International research found that pastoralist communities were experiencing extreme hunger as they did not have enough to eat and depended on *lombí*. Part of the reason for this lack of food was a result of being pushed away from land where they had access to water and healthy grazing pastures. Amnesty International found that a large part of the land had been fenced off to give way to commercial farming activity.

In its General Recommendation No.34 the Committee on the Elimination of Discrimination Against Women noted that rural women were among those most exposed to hunger. Patriarchal norms contribute to gender inequality, with women facing systemic discrimination in accessing land and natural resources, decision making, education, and healthcare services and experiencing increased vulnerability to violations of their sexual and reproductive rights¹⁶⁴

In the Gambos, women are responsible for much of the cultivation, but Amnesty International found that they disproportionately lacked access to adequate food as the fields they once tilled for food production had been taken away. They were further burdened by having to take care of the sick and children as their male counterparts had moved to urban areas in search of work. We also found that under the current conditions, the oxen are hungry and weak to plough the fields to produce food.

Southern Huila is of semiarid and dry climate in which food production requires a great deal of effort. Therefore, to produce food in their fields, the women depend on manure from the cattle to fertilize their fields. However, Amnesty International research found that with insufficient pastures, the cattle do not eat enough to produce enough manure to fertilize the fields. Consequently, the women pastoralists find it very

¹⁶³ Note on the Right to Food transmitted by the Secretary General the UN General Assembly pursuant to Assembly resolution 70/154, A/72/188 also found at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/224/73/PDF/N1722473.pdf?OpenElement>

¹⁶⁴ General recommendation No. 34 (2016) on the rights of rural women, CEDAW/C/GC/34.

difficult to produce food for their families.

The right to food requires that each individual, alone or in community with others, has physical and economic access at all times to adequate food or means of its procurement.¹⁶⁵ The right to food, particularly for most vulnerable groups, including pastoralists, means “protecting existing access to land, water, grazing or fishing grounds, or forests, all of which may be productive resources essential for a decent livelihood.”¹⁶⁶ Fencing off the land had limited the amount of land the pastoralist communities had traditionally used and severely affected their ability to produce subsistence food, feed their livestock, and feed themselves. Amnesty International research found no evidence that the government had refrained from taking measures that had deprived people access to productive land resources on which they depended to produce food for themselves and feed their cows. There was no evidence that the government sought to strengthen the communities’ access to and use of the land to ensure their livelihoods, including food security.¹⁶⁷

In the dry seasons, the pastoralists in the Gambos now must drive their weak cattle between 15 to 90km, a journey that takes between four to six days because they no longer have access to the grazing land and the transhumance corridors they previously used. The effect of this is that the cattle remain too far from the residential area for longer periods of time and no milk can be harvested for families; and cows produce less milk since they must travel long distances to graze and drink water. For cows to produce sufficient milk for domestic consumption, they must graze and drink water near human settlements. Cows must be healthy and fat to produce enough milk for calves and humans. Research has shown that the longer the cows walk to eat and drink, the lower their capacity to produce milk.¹⁶⁸

According to the Office of the State Secretary for Human Rights and Citizenship,¹⁶⁹ the government had programmes to ameliorate widespread hunger in the Gambos. However, Amnesty International found that that the government had not taken steps to ensure that everyone was free from hunger in the Gambos. Further, there was no evidence of any immediate measures to guarantee the minimum requirements of freedom from hunger.

The growing trend of large-scale land acquisitions for agribusiness megaprojects in the global south prompted the Special Rapporteur on the right to food to examine the threats of these trends on the right to food for the people who rely on the land for their livelihoods. The Special Rapporteur concluded: “The human right to food would be violated if people depending on land for their livelihoods, **including pastoralists, were cut off from access to land, without suitable alternatives.**”¹⁷⁰

The Special Rapporteur on the right to food has called on states to broaden land management frameworks to protect the right to food for people who depend on the land for their livelihoods: “It is... important to recognize other use rights on land such as grazing and gathering wood, which are often critical sources of livelihood, especially for women. The rights of pastoralists in particular are generally neglected in public debates. Yet, as drylands constitute nearly half of the land area of sub-Saharan Africa, pastoralism is of particular importance for the continent.”¹⁷¹ According to the Special Rapporteur, close to half of the world’s 120 million pastoralists live in sub-Saharan Africa. Therefore, “in this context, there is a real risk that land considered ‘empty’ or ‘idle’ will be sold or leased to investors, including foreign investors, without taking into account the important services it renders to the local population.”¹⁷²

¹⁶⁵ Report of the Special Rapporteur on the Right to food (2010) A/65/281.

¹⁶⁶ Report of the Special Rapporteur on the Right to food (2010) A/65/281, p.3.

¹⁶⁷ The state has the obligation to respect, protect, and fulfill the right to food in terms of international standards.

¹⁶⁸ Sumate Pratumswan (1994) Effect of Walking Extra Distances on the Performance of Grazing Dairy Cows in Early Lactation, Master of Agricultural Science: Department of Animal Science, Massey University. P d’Hour, A Hauwuy, JB Coulon, JP Garel (1994) Walking and dairy cattle performance. *Annales de zootechnie, INRA/EDP Sciences* 43 (4), 369-378.

¹⁶⁹ Email communication with the Office of the State Secretary for Human Rights and Citizenship in the Ministry of Justice and Human Rights on 29 July 2019, at 9:57am.

¹⁷⁰ Special Rapporteur on the right to food (2009) *Large-scale land acquisitions and leases: A set of minimum principles and measures to address the human rights challenge*, par. 4, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G09/177/97/PDF/G0917797.pdf?OpenElement>.

¹⁷¹ *Ibid.* par. 23.

¹⁷² *Ibid.* See also FAO (2006) Policy Brief: Policies and Strategies to Address the Vulnerability of Pastoralists in Sub-Saharan Africa: Pro-Poor Livestock Policy Initiative. Available at: <http://www.fao.org/3/a-bp241e.pdf>.

CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

This report set out to analyse how large-scale land diversion for commercial livestock farming interfered with the exercise of the right to food among the Vanyaneke and Ovaherero pastoralist communities in the Gambos municipality, Huila province, southern Angola. The research concluded that, although the ongoing drought in southern Angola undermined the right to food among the pastoralists, the occupation of the customary grazing land for commercial cattle raising made food insecurity severe in the Gambos.

First, the study documented the centrality of pastoralism both as a means of livelihood and as a way of life (culture) in the Gambos pastoralist municipality. It underscored the economic, social, and cultural value and use of cows, showing the ways in which livestock is the centre that holds together all the building blocks of the Gambos' pastoralist community, including the right to food. It showed how, without reliance on non-existing government services, the community fulfills its right to food, entirely by interacting with the surrounding ecosystem (the land) and the animals. Thus, for the pastoralists, the question of land and livestock is an existential one – therefore, the increasing use of land for commercial ranching at Tunda dos Gambos and Chimbolela threatens the very existence of pastoralism as a livelihood and as a way of life.

Second, it brought out serious discrepancies between government and community accounts about the diversion of land for commercial ranches at Tunda dos Gambos and Chimbolela. While the Ministry of Justice claims that consultations took place with the communities, the pastoralists that Amnesty International met said that the diversion took place in the absence of mandatory consultation, compensation, environmental and social impact assessment. This goes against requirements by national law, as well as regional and international standards including the Universal Declaration of Human rights, the International Covenant on Economic and Social and Cultural Rights, the the Convention on the Elimination of All forms of Discrimination against Women, the Convention on the Rights of the Child, and the African Charter on the Right and Welfare of the Child. As per Amnesty International's analysis, the allocation of the customary grazing land in the Gambos to commercial livestock farmers contravened the Constitution of the Republic of Angola, the Land Law and the Environmental Law. In addition, it shows that, within the legal Angolan framework, the allocation should not have happened, because Tunda dos Gambos and Chimbolela are non-grantable lands.

Third, it documented how the use of land at Tunda dos Gambos and Chimbolela by commercial livestock farmers has contributed to the violation of the right to food and the right to participation in cultural life. The occupation reduced the community's ability to produce its own food – the oxen do not eat enough to pull the plough in subsistence farming and the cows do not eat enough to produce sufficient milk, which is an essential food in their daily diet. Because the pastoralists depend on the land and cows for their economic and social needs, the occupation of their grazing land by commercial livestock farmers violates their right to adequate standard of living. And the occupation is slowly but progressively putting an end to pastoralism as a cultural identity and practice in southern Angola.

RECOMMENDATIONS

To the Government of Angola:

- Take immediate and urgent steps to address the lack of adequate food in the Gambos including among the pastoralist community documented in this report.
- Conduct a detailed municipality-wide investigation into concerns of malnutrition and hunger in the Gambos with a view to collect disaggregated data including by gender and age, in order to devise appropriate urgent interventions for the immediate and longer term.
- Declare a moratorium on land granting in the Gambos and appoint a commission of inquiry to investigate how large parts of Tunda dos Gambos and Vale de Chimbolela were granted for commercial livestock farming since the end of civil war in 2002.
- Carry out a detailed assessment and provide adequate remedies for the human rights violations and losses to which the pastoralists were subject due to the diversion of large parts of Tunda dos Gambos and Vale de Chimbolela to commercial livestock farmers since the end of the civil war in 2002.

To the Ministry of Agriculture and Forests:

- Disclose the process through which the unidentified commercial livestock farmers obtained access to large parts of Tunda dos Gambos and Vale de Chimbolela in the Gambos municipality.
- Restitute the occupied areas of Tunda dos Gambos and Vale de Chimbolela to the pastoralists and provide just compensation for losses incurred.
- Design and build water distribution infrastructure to supply irrigation water for family agriculture and drinking water for the pastoralists and their livestock.
- Assess infrastructure and resource requirements of the pastoralist communities in the Gambos to support pastoralism and improve food security

To the Ministry of the Environment:

- Enforce the requirement to conduct environmental and social impact assessments on all commercial livestock farmers to protect rural community from adverse human rights impact by commercial livestock farming and other private economic interests.
- Conduct regular environmental and social impact inspections on all commercial farms to determine the extent to which environmental changes are affecting rural communities and make the resulting reports available to the public and all interested parties.

To the Land Registry Institute:

- Work with civil society to demarcate all rural communal lands and issue communal title deeds for occupation, possession and rights of use, as decreed in article 37 of the Land Law (Lei 9/04) and in article 18 of Decree 58/07.
- Work with civil society to build an electronic registry of all rural communal lands and commercial farms to ensure transparency and protect rural communities who depend on the land for their livelihoods.

To the International Community:

- Provide financial and technical assistance to address food insecurity in southern Angola, including supporting existing food support programmes so that they reach those who are most at risk of starvation.

ANNEX 1



REPUBLIC OF ANGOLA
MINISTRY OF JUSTICE AND HUMAN RIGHTS
OFFICE OF THE SECRETARY OF STATE FOR
HUMAN RIGHTS AND CITIZENSHIP

TO
THE DEPUTY REGIONAL DIRECTOR - RESEARCH
FROM THE SOUTHERN AFRICA REGIONAL OFFICE
OF AMNESTY INTERNATIONAL
Ms. MULEYA MWANAYANDA

SOUTH AFRICA

OF. N° 2280 IMJDH/GSEDHC/19

SUBJECT: RESPONSE TO YOUR REQUEST FOR INFORMATION
ON LAND CONCESSIONS IN THE PROVINCE OF HUILA,
MUNICIPALITY OF GAMBOS VREF: AFR TG 12/2019.006.

Out most sincere regards.

Thank you for your request for information on the process to grant land concessions in the province of Huila, municipality of Gambos. We are at your disposal for a constructive discussion on Human Rights issues in Angola.

Information on the questions submitted are attached. Should you require further information, the Ministry of Justice and Human Rights and the Ministry of Foreign Affairs are ready to provide further clarification on these questions.

Without further ado, we remain yours sincerely.

OFFICE OF THE SECRETARY OF STATE FOR HUMAN RIGHTS AND
CITIZENSHIP, in Luanda, 30 July 2019.

A SECRETÁRIA DE ESTADO

Ana Celeste C. Januário

ANA CELESTE C. JANUÁRIO

Gabinete do Secretário de Estado para os Direitos Humanos; Rua 17 de Setembro, Luanda, Cidade Alta; Telf: 227360030;
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Our values: Transparency, Loyalty and Rigour

ANNEX 2



Republic of Angola

**REPLY TO AMNESTY INTERNATIONAL ON LAND
CONCESSIONS IN THE PROVINCE OF HUILA,
MUNICIPALITY OF GAMBOS**

Luanda, July 2019

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Republic of Angola

REPLY TO AMNESTY INTERNATIONAL ON LAND CONCESSIONS IN THE PROVINCE OF HUILA, MUNICIPALITY OF GAMBOS

Introduction

The Republic of Angola is a Democratic State based on rule of law, and it upholds respect for the rights of its citizens, enshrined in the Constitution and in international instruments ratified by Angola.

The promotion and protection of Human Rights is part of the Government's agenda, evidence of which can be found in the National Development Plan, in action taken by the Ministry of Justice and Human Rights and commitments adopted by Angola when elected to becoming a member of the Human Rights Council 2018 -2020.

I. Legal framework and public policies

The Republic of Angola is party to the principal regional and international Human Rights Treaties. A series of Fundamental Rights and Duties are established in its Constitution and treaties, once ratified, become part of domestic legislation.

Access to land is considered a fundamental right bound to several other rights.

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In Angola land is originally owned by the State but it can be transferred. The Law also recognises that local communities have access to land and the use of it, and it may be expropriated for public use against fair compensation. The State recognises private ownership and it is granted according to Law.

Apart from the Constitution there is legislation that addresses issues related to access to land and use of the same:

Article 15 and 98 of the Constitution of the Republic of Angola;

Law nº 09/04, of 09 November – Land Law ;

Decree nº 58/07, of 13 July – General Regulations on Land Concessions;

Law nº 03/04 of 25 June – Law on Land Planning and Urbanisation;
General Regulations on Urban and Rural Land Planning;

Decree nº13/07, of 26 February - General Regulations for Urban Buildings.

Presidential Decree nº 117/16 of 30 May on Regulations for Rehousing Operations and, the Law on Expropriations is under review, Presidential Decree nº 63/18 of 24 May.

Presidential Decree nº 169/12 of 27 July, on the Regime for the Legal Regulation of Properties destined for housing, commerce and mixed purpose, both public and private.

Presidential Decree nº 216/11 of 8 August, establishing the bases for the National Policy for Granting Land Rights.

Civil Code.

In political terms, Sustainable Development and Eliminating Poverty are two priorities for the Angolan Government. To address this, Angola joined the 2030 Sustainable Development Goals and the African Development Agenda 2063.

The 5th pillar of the National Development Plan 2018-2022 targets the goals of improving harmonised land development, stimulating the activities of Civil Society organisations, mobilising their drive in action taken to improve living conditions and self-esteem in local communities, and encouraging a closer relationship of both State and Government with citizens.

Presidential Order nº 14/18 of 19 February, created a Commission for registering rural land for local communities that is implementing a programme known as "My Land". This programme helped identify more than 239 rural communities marked out by the Institute (IGCA) with the participation of provincial governments, as part of FAO (Food Aid), World Vision and DW, of which 31 were registered with title deeds in the customary section.

The Ministry of Land Planning and Housing is building up a single land registry and developing mechanisms to reduce bureaucracy and simplify the process for granting and recognising land.

II) Questions asked by Amnesty International

We reply below to the priority points raised by Amnesty International:

- a) How many commercial farms are there in Tunda dos Gambos and in the Vale de Chimbolela?***
- b) What process was used to attribute lands in Tunda dos Gambos and Vale de Chimbolela to commercial farming and by which authorities/Ministries?***
- c) When did the competent Authorities grant concessions and land property deeds to these commercial farmers in Tunda***

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dos Gambos and Vale do Chimbolela? Can you provide copies?

- d) What is the size of each commercial farm in Tunda dos Gambos and in Vale de Chimbolela?*
- e) What is the size of the total area under commercial farming in Gambos?*
- f) Did the Government of Angola and the commercial farmers hold consultations with the pastoral farming community in the municipality of Gambos and with Civil Society before expropriating large parts of Tunda dos Gambos and Vale de Chimbolela? If consultations were held, please provide details on consultation procedures, including dates, location and minutes, number of persons present and the villages/communities to which they belong.*
- g) According to some people we have spoken to, no form of compensation was given for the loss of land that was reserved for transhumance for commercial farmers. Should the Council of Ministers have information to the contrary, please send it to us.*
- h) Were any environmental and social impact studies done before distributing large areas of Tunda dos Gambos and Vale do Chimbolela to commercial farming? Please send us a copy of the same.*
- i) Also, please provide us with information on due diligence action taken in the field of Human Rights by the government with a view to preventing, attenuating and correcting negatives impacts on the pastoral communities of Gambos prior to distributing their grazing lands to commercial*

farming. We would also like access to any documentation that identifies Human Rights risks and please send us details on mitigation measures.

j) The report of this investigation will be published in mid-July.

III) Response from Angola

Description of the zone of Gambos and Vale do Chimbolelo

This zone covers the municipality of Gambos and Chimbolelo in the province of Huila and since 1960 has had a land grazing planning policy that includes a traditional large expanse of common land that has been classified as suitable for organised distribution. According to a population census the area covers **8,150 km²** and has around 75,988 inhabitants.¹

In Tunda dos Gambos there are no commercially worked farms as climatic conditions in that municipality are not right for profitable crop production. The farms in Tunda and Vale do Chimbolelo are extensive livestock farms (cattle breeding).

Currently there are 46² concessions, covering 262, 907 hectares, granted in compliance with legal provisions for granting such concessions, as referred to above.

The process for granting land concessions in Angola is conducted according to law and provides for prior consultation. Before a concession is granted, the administrative authorities carry out an on-site inspection to check the space and consult with traditional local authorities where the land is located to get their opinion. In cases where there are rights of way or transhumance corridors, these are protected, the holder of the concession undertaking to maintain the transhumance right of way/corridor.

¹ Source – 2014 INE report

² Source GP Huila and MINAGRI

Angolan legislation provides for compensation to be paid in cases where there is any violation or expropriation of land under ownership.

Depending on the extent of the area requested, land can be granted by the Provincial Government, central authorities, Ministers and municipal Administrators (within urban areas), Provincial Governments, the Ministry supervising land registration (MINOTH) and the holder of Executive Power, as laid down in Land Law.

Cases in which land is granted to private individuals, communities, cooperatives and companies, among others, may be consulted in Municipal Administrations, Provincial Representations of the Angolan Geographic and Land Registration Institute (Instituto Geográfico e Cadastral de Angola -IGCA), Provincial Governments and the Ministry of Land Planning and Housing.

Despite having a claim registered for the pastoral farming community of Gambos, backed by the Community Building Association (Associação Construindo Comunidades - ACC), requesting that 374,000 hectares of Vale do Chimbolela be transferred to the Mulola do Ngodwana, there is no case for land expropriation registered for reasons of farmer occupation.

In regard to the claim, it has already been dealt with as it involves a State land reserve area, part of the Bicuar National Park.

In promoting and protecting the Human Rights of the communities that live in and work in the area, we can say that whenever there are complaints or proof of potential conflict, the local authorities in the Provincial Government seek a peaceful solution to issues that arise. This type of action has been occurring since the closing years of the nineties.

As Amnesty International is aware, the Angolan State voluntarily undersigned several international and regional treaties and apart from submitting reports on the implementation of these treaties, in cases where formal allegations are made legally to the appropriate authorities, they have been dealt with and resolved.

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In these terms, should the organisation be aware of any cases of land being illegally usurped, the respective allegation can be made to the legal authority.

Conclusion

In conclusion, we would like to inform you that the Angolan State is ready to continue with constructive discussions with your Organisation and requests prior access to the report on the issue.

**AMNESTY INTERNATIONAL
IS A GLOBAL MOVEMENT
FOR HUMAN RIGHTS.
WHEN INJUSTICE HAPPENS
TO ONE PERSON, IT
MATTERS TO US ALL.**

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THE END OF CATTLE'S PARADISE

HOW RANCHERS ERODED PASTORALISM AND FOOD SECURITY IN THE GAMBOS, ANGOLA

Food insecurity and starvation are the starkest human rights problem among traditional cattle breeders in the Gambos, Angola. This report documents how the encroachment of commercial ranchers on the communal grazing land eroded food security among the Vanyaneke and Ovaherero pastoralists in this region. This is the milk region where traditional cattle breeders harvest, process and consume milk and its derivatives (butter, cheese, milk fat and yoghurt). However, dairy, their most important food, has been in short supply after commercial cattle ranchers seized the pastoralists' grazing land. Since then, the pastoralists' cows have been going hungry and producing less milk. The oxen have been undernourished and weak to pull the ploughs in the fields to grow food. Because the region is semiarid and dry with low rainfall, the women have always depended on cattle dung to fertilise their fields. However, with little to eat, the cattle produced less fertiliser.

Amnesty International research reveals that the root cause of food insecurity in this region is the seizure of 67% of the pastoralists' communal grazing land by commercial cattle ranchers. Historically, this communal grazing land mitigated the impact of cyclical droughts among the shepherds of the region. How could the Angolan Government and the ranchers expect the pastoralists to survive, knowing that for centuries they have depended on this grazing land to withstand cycles of droughts? It did not and does not have to be this way.