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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **Angola**

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## **I. Report drafting methodology**

1. This report was drafted in accordance with the procedures set out in Human Rights Council Resolution 16/21 (A/HRC/RES/16/21) and annexes, and Decision 17/119 (A/HRC/DEC/17/119).
2. The Drafting of the report was coordinated by CIERDH, the Inter sectorial Commission for Human Rights Reporting, on the basis of contributions by the various public institutions and civil society organizations, represented by FONGA, the Forum for Angolan Non-Government Organisations.
3. Before being submitted, the report was subject of discussion among various public institutions and civil society organizations during a seminar held in Luanda.

## **II. Principal developments from the first UPR**

4. Approval of the Constitution of the Republic of Angola in February 2010 was a milestone as regards the promotion and protection of human rights. The Constitution fully guarantees individual and collective rights and freedoms, and prohibits direct and indirect discrimination in any form.
5. Under Article 26 (3) of the Constitution, Angolan Courts must apply international legal instruments, and notably the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights, and other Treaties to which Angola has acceded.
6. The Constitution incorporates a range of provisions from the relevant international instruments concerning the promotion and protection of human rights, and specifically the right to property, the right to water, housing, education, health, employment, and equal pay for women and men, the right to free enterprise and private initiative, among others.
7. There is undergoing broad reform process of the Justice sector, aimed to strengthen legal mechanism in order to improve the access of people to the Justice system.
8. To that end, a Commission on Justice and Law Reform has been established, tasked with drafting national legislation and bringing it into line with international legal instruments on Human rights. This has already resulted in approval and implementation of, *inter alia*, the Customs Code, the Law on Incorporation of Attorneys, the Law on Mediation and Conflict Resolution, the Framework Law on the Status of Judicial Magistrates, the Framework Law on Public Prosecutions and the State Prosecutor's Office, the Framework Law on the Courts of Law, and the Decree amending the Framework Law on Court Secretariats.
9. In order to strengthen the justice system, a remuneration scale appropriate to justice-sector officials has been approved for judicial magistrates and court officials.
10. The Government has built a new courthouse for the Supreme Court, Constitutional Court and the State Prosecutor's Office.
11. In addition, it is under discussion the Law on Mediation which will establish the mediation as an alternative form of conflict resolution without referring to the courts whenever possible.

### **III. Measures and decisions adopted to promote and protect human rights in Angola since 2010**

#### **A. Strengthening the national system for promotion and protection of human rights (Recommendations 27–32)**

12. The main national institution in Angola working in the field of human rights is the Ministry of Justice and Human Rights, established in 2012 by the merger of the former Ministry of Justice and the Office of the Secretary of State for Human Rights.

13. According to their areas of responsibility, other ministerial departments propose and implement public policies relating to civil, political, economic, social and cultural rights: the Ministry of the Family and for Women, Ministry of Social Reinsertion via the various national institutes, the Ministry of the Interior, Ombudsman's Office (Provedoria de Justiça) and other national institutes.

#### **B. Consultative bodies**

14. The National Family Council (Conselho Nacional da Família) is a consultative body of the Ministry of the Family and for Women, whose composition includes civil society organisations.

15. The National Children's Council (Conselho Nacional da Criança – CNAC) was established by Decree 20/07 of 20 April 2007 as a body for social concertation, supervision and oversight of the implementation of policies to promote and protect the rights of children.

#### **C. Committees**

16. The Inter sectorial Commission for Human Rights Reporting (CIERDH) was established in 2009 to monitor the implementation of recommendations from Human Rights Bodies at national level, and to draft reports.

17. The Tenth Committee of the National Assembly (Parliament) on Human rights, Petitions and Claims established through Articles 67(1) and 76 of Law 5/10 of 6 April 2010, the Framework law for the Legislative process in Parliament, and Law 13/12 of 2 May 2012, in order to address human rights issues.

#### **D. Independent institutions**

18. The Ombudsman's office (Provedor de Justiça) is an independent public body whose role is to defend the individual's rights, freedoms and guarantees, using informal channels to ensure the justice and legality of public administration. The Ombudsman's legal status complies with the Paris Principles relating to competencies, responsibilities and Constitutional status.

19. On average, 14% of the complaints received orally or in writing are filed as unfounded, and 42% follow the normal procedures. The greatest numbers of complaints comes from the provinces of Luanda, Benguela and Cabinda, and are related to issues of land ownership and housing, prisoners' rights, the rights of foreigners and labour questions.

20. Meanwhile, consideration is being given to setting up a National Human Rights Institution (NHRI) which, in accordance with the Paris Principles, would be an essential

partner of the Government for questions relating to the promotion and protection of human rights. In this regard an international conference and round table have been held in 2013 with the participation of specialists from the United Nations High Commission for Human Rights to discuss the creation of this institution.

21. The Angolan Bar Association (Ordem dos Advogados de Angola) is an essential institution in the administration of justice, and has a Committee on Human Rights and Access to Justice which plays an important role in the promotion and protection of human rights.

#### **E. Technical cooperation with United Nations mechanisms (Recommendations 34–45, 134, 164–166)**

22. The Ministry of Justice and Human Rights works closely with UN Country Team in order to strengthen the national human rights institutions as part of the country continuous engagement with the United Nations Human Rights Mechanisms.

23. In this regard, in 2012 the Government signed an agreement with United Nations Development Program (UNDP) which sets up a capacity building program aimed to reconcile and harmonize national regulatory legal framework with key international instruments and regional concerning Human Rights, strengthen the technical and functional capabilities of the Ministry of Justice and Human Rights and institutional partners in this area, and the capabilities of civil society organizations to influence and monitor the implementation framework and protection of Human rights and issues.

24. The UN High Commissioner for Human Rights, Madame Navi Pillay visited Angola in April 2013, and discussed the situation of human rights in Angola with the national institutions and civil society organisations, and examined with several stakeholders the progress achieved and the challenges faced for the full enjoyment of human rights in the country.

25. During the High Commissioner's visit, the Government of Angola took the opportunity to invite the Special Rapporteur on Human Rights of Migrants and the Special Rapporteur on Adequate Housing to visit the country, but due to scheduling reasons the visits have not yet taken place.

26. In 2010, Angola welcomed the Special Rapporteur on Women's Rights in Africa from African Commission on Human and Peoples' Rights, allowing an evaluation of the situation of Women's and Children's rights in Angola.

#### **F. Ratification of International Conventions (Recommendations 1-24)**

27. Since Angola's first UPR review, the Government has signed and ratified the following International instruments on human rights:

##### **1. Instruments ratified**

(a) Convention on the Rights of Persons with Disabilities and its optional protocol;

(b) United Nations Convention against Transnational Organised Crime and its additional protocols, specifically the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air (Palermo Protocols).

## 2. Instruments signed and in the process of ratification

- (a) Additional protocol to the International Covenant on Civil and Political Rights, on the Abolition of the Death Penalty;
- (b) Convention on the Elimination of All Forms of Racial Discrimination;
- (c) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its optional protocol;
- (d) International Convention for the Protection of All Persons from Enforced Disappearance;
- (e) Optional protocol to the International Covenant on Economic, Social and Cultural Rights.

## G. Administration of justice, prison system and human trafficking (Recommendations 26, 33, 72–78, 80, 81, 83–98, 25)

### 1. Administration and access to justice, and judicial reform

28. Angola faces number of challenges that impact the full functionality of the judicial system, including limited infrastructures, qualified human resources and institutional capacity building.

29. Among the steps taken by the Government to deal with these challenges was the establishment of a Commission on Justice and Law Reform, whose work is in three phases.

30. The first phase comprised defining a diagnosis of the judicial system, in which institutional and legislative aspects, human resources, technical and material equipment were examined.

31. The second phase involved drafting proposals for various legislative instruments, which were made available for public analysis and discussion, most notably the Civil and Criminal Codes, and legislation on due process.

32. The process is now in its third phase, involving an evaluation of the aforementioned legal instruments for approval. This will allow the amendment of Law 18 of 1988 on the unified system of justice, in order to strengthen the competencies of Municipal Courts, the creation of Judicial administrator, who will be in charge of administrative and financial management of the Courts. In addition the Labour Procedural, Registration and Notary legislation will also be reformed.

33. Furthermore the reform will modernise and implement computer applications in the Courts, and train officials on information technologies.

34. Finally, attention must be drawn to the changes in the fundamental structure of the Ministry of Justice, now known as the Ministry of Justice and Human Rights, which aimed to ensure harmonisation between issues of Justice and the promotion and protection of Human rights.

### 2. Prison system and persons deprived of their liberty

35. To modernize and develop the prison system the State of Angola prepared a Prison System Development Plan in order to address the excessive number of pre-trial detentions. This plan addresses the following: prison infrastructure maintenance, expansion and construction; improvements in living conditions for inmates; implementation of industrial and agriculture centres; schools for academic and vocational education, training and professional development for prison guards, technical employees and officials.

36. To solve the excessive number of pre-trial detentions, new courthouses were built, a National Judicial Studies Institute was established to train and continuously admit new magistrates to the judiciary and the Office of the Public Prosecutor.

37. Regarding the measures that seek to reduce overcrowding and improve sanitary conditions in the prisons in order to ensure that the rights established in the Constitution and relevant international instruments on human rights are observed, the State of Angola considers that this phenomenon transcends the sphere of action of the penitentiary system.

38. The implementation of a set of integrated judicial, administrative and social measures is now under way to establish a commission in charge of revising the Angolan Penal Code and to place magistrates from the Office of the Public Prosecutor in the Provincial, Municipal and Communal Commands in order to verify the legalization of detentions and carry out a procedural investigation; establish and outfit existing medical posts in all the establishments; build new prison establishments, namely in the localities of Damba-Malange, Cambiote-Huambo, Cambembeia-Luanda, Waco Kungo-K.Sul, Luzia-L.Sul, Kaquila-Luanda, Kindoque-Uíge, and the Luanda Psychiatric Prison Hospital. Several existing prisons facilities are been renovated in different localities throughout the country; the dynamics of preparing proposals and granting parole have improved.

39. To promote easing prison congestion, the main alternative to prison has been parole, provided for in article 120 of the Penal Code; this occurs when sentencing takes place or parole is decided; this system allows the prisoner to serve half the term to which he was sentenced on parole, under conditions imposed by the law and the judge decision.

40. Decree 33/91 provides for sanctions that range from registered censure to demotion and expulsion from the civil service of the employee involved in the acts of extorting money from prisoners and his family members. The accused prisoners are entitled to receive visits from their attorney, family members, friends and representatives of religions and to correspond with them, notwithstanding the provision in subparagraph e) of article 63 and the clause in No. 3 of article 194 of the Constitution of the Republic of Angola (CRA).

41. Under article 73 of the CRA, which establishes the right to petition, denounce, file claims and complaints, systems were established to monitor and investigate this type of conduct by prison officials and the police as well as the conditions of detention, which falls under the responsibility of the Office of the Inspector General and the Legal Office of the Prison System; both are authorized to conduct investigations to determine the veracity of information and responsibility.

### **3. Preventing and combating human trafficking**

42. The fight against criminal Human trafficking is guaranteed by Article 60 of the Constitution, which prohibits abhorrent and violent crime.

43. Resolution 21/10 of the Angolan National Assembly of 22 June 2010 ratified the United Nations Convention on Organised Transnational Crime, and its three additional protocols, in particular the Protocols to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air (Palermo Protocols).

44. In terms of ordinary legislation, Law 3/14 on the Criminalisation of Offences underlying Money Laundering includes the standards relating to the fight against human trafficking.

45. The Ministry of the Interior, in partnership with the International Organisation for Migration, has developed measures for awareness-raising, education, prevention and protection of the victims of trafficking in Angola. There exists a series of inquiries into

alleged cases of human trafficking in Angola, which are being investigated by the competent judicial bodies.

46. Work has also been done with the communities of refugees and asylum-seekers on trafficking and on the process of reuniting families of possible trafficking victims, notably along Angola's northern and southern frontiers.

47. Within the Community of Portuguese Language Countries (CPLP), there exists a working committee of the CPLP conference of Ministers of Justice to prevent human trafficking. One of the objectives of this working group is to draft a proposed concerted strategy and Action Plan against human trafficking.

## **H. Freedom of speech, association and assembly, and freedom to demonstrate (Recommendations 101–110)**

48. Freedom of expression is a constitutionally guaranteed right, transposed into Laws No. 7/06 on Freedom of the Press and No. 14/91 on Associations. Article 44 of the CRA ensures sustainability: 1) freedom of the press is guaranteed, and may not be subject to any prior censure of a political, ideological or artistic nature; 2) the State guarantees pluralism of expression and the diversity of ownership as well as the editorial diversity of the means of communication; 3) the State guarantees the existence of independent and qualitatively competitive operation for public radio and television service; and 4) the law establishes forms of exercising freedom of the press.

49. In the interpretation of the above-mentioned statutory requirements, there is no provision that permits or provides grounds for incarceration, intimidation, or harassment of journalists in terms of the public or private press by the authorities or "unlawful use of freedom of the press." As such, there are no grounds for any act that revokes this freedom.

50. In Angola, every citizen is free to express their thoughts, ideas and opinions, but the exercise of these rights may not conflict with other rights of an equal category. For this reason, there are laws that regulate the exercise of these rights, and when these laws are breached, the State of Angola intervenes with its bodies to restore public lawfulness, peace and security, which are essential for existence of the State itself.

## **I. Freedom of assembly/Legal framework for nongovernmental organizations**

51. Article 47 of the CRA provides as follows: (1) all citizens are guaranteed freedom of assembly and of peaceful and unarmed demonstration, with no requirement for any authorization and under the terms of the law; (2) advance notice to the competent authority is required for assemblies and demonstrations in public places, under the terms of and for the effects established by law.

52. We note that in this article there is no statutory provision that restricts freedom of assembly and demonstration anywhere in the country.

53. The registration and dissolution of NGOs was regulated through Law No. 14/92 of 11 May, the Associations Act, which was revoked by Law No. 6/12 of 18 January 2012, the Private Associations Act. Initial registration, with the issue of a Certificate of Admissibility, was through the Legal Office of the Ministry of Justice and Human Rights, which serves as a basis for public entries in the Notary Registry, which is sent to the National Printing Office for publication in the Official Gazette. Once published, a copy is sent to the Legal Office so that in turn can be sent to the Office of the Public Prosecutor in compliance with the Constitution of the Republic.

## **J. The fight against corruption**

54. The Government has adopted both legislative and administrative measures to prevent and combat corruption. To that end, the National Assembly has ratified the United Nations Convention against Corruption, approved the law on Money-Laundering as well as the law on Public probity, which requires senior government officials to submit a statement of assets to the State Prosecutor's Office.

55. One of the new mechanisms resides in intervention by the Court of Auditors, the body which supervises the General Accounts of the State, by approving all contracts signed by public entities.

56. Each year the National Assembly examines the implementation of the General State Budget, and the Government has implemented training for public officials on the prevention of corruption which has a major impact on the country's economy.

57. Other significant steps have been taken to improve transparency of financial operations and economic transactions with the introduction of new measures on implementation of the Stand By Agreement since in 2009 between Angola, the International Monetary Fund and the World Bank, which resulted in revision of the Law on Public Contracts, strengthening control mechanisms for the approval of social and economic development projects.

## **K. Gender equality and combating violence against women (Recommendations 47–53, 55–66)**

58. The Government of Angola has adopted Law 25/11 of 18 July 2011 on Domestic Violence to prevent, combat, and punish those who commit acts of domestic violence, and to guarantee the rights of the victim regarding psychological, social, medical and legal support. This also complies with the provisions of the International instruments on human rights to which Angola is a State Party.

59. To ensure practical implementation of the Law on Domestic Violence, the Government has adopted the following legal instruments:

- Presidential Decree No 26/13 of 8 May 2013 approved the Action Plan to Combat Domestic Violence 2013-2017, and the corresponding timeline of action aimed at preventing the occurrence of domestic violence, protecting the victims, and adopting and developing multi-sectoral actions to ensure full, humane and quality care for victims of situations of violence;
- Presidential Decree No 124/13 of 28 August 2013 regulates the Law on Domestic Violence, applying standardized operations to family advisory and shelter institutions, and monitor index of domestic violence;
- Presidential Decree No 222/13 of 24 December 2013 approved the National Policy for Gender Equality which seeks to contribute to reducing disparities between genders, and promote gradual change in mentalities and behaviours of both men and women.

60. In the framework of the Law on Domestic Violence, measures have been adopted to give effect to the Principle of Prevention and Combat against Violence, as well as measures to assist and guarantee the rights of the victim in a situation of violence. These measures include social aspects, awareness-raising, prevention, education, attention to the victim, emancipation of women and the fight against crime affecting the family environment, as well as gender equality, respect for human dignity and the freedom of the individual.



61. The principle of equality is enshrined in the Constitution, but Angola recognises the existence of certain bad practices and stereotypes, above all in rural zones, derived from cultural practices which result in discrimination against women and girls. The Constitution prohibits these practices, which diminish the dignity of the individual.

62. Confronted with this, the Ministry for the Family and the Promotion of Women has, together with the Government other stakeholders have been conducting information and awareness-raising campaigns throughout the country. The actions undertaken include:

(a) Holding of a total of 382 seminars and awareness-raising campaigns on the prevention of violence, attended by a total of 143,854 individuals (mainly community leaders) around the country;

(b) Distribution of pamphlets and leaflets with messages on issues relating to children's rights and combating violence in schools, universities, National Police units, hospitals, municipal offices, communities, public and private businesses, civil society organisations, etc;

(c) Setting-up of help lines for reporting violence and supporting its victims;

(d) Establishment and training of family and legal counsellors in every province of the country.

63. In order to assist and protect women victims of violence the Govern has created tens of counselling and shelter centres. These shelters are open to any victim who has neither family nor friends who can offer protection, and whenever the victim's life is in danger.

64. At the same time, to ensure that cases of violence against women are investigated exhaustively, a Domestic Violence Section has been set up within the National Criminal Investigation Directorate, to deal with complaints of domestic violence.

65. It is worth recalling that the increase in the number of cases of domestic violence in Angola in recent years is related to the following reasons:

- Increase in the availability of shelters and reporting services throughout the country;
- Enhanced information campaigns against domestic violence;
- Better coverage by the institutions involved in dealing with cases;
- Greater freedom for women in particular to report cases;
- Greater trust by individuals in the judicial and human rights system.

## **L. Measures for advancement women**

66. The Government has been taking several measures to promote gender equality reduce disparities between men and women and safeguard family values. The implementation of these policies pay special attention to women in rural areas, female heads of household and disabled women to have effective access to health, education, land, housing and microcredit for income-generating activities. These policies include:

(a) The national programme to support women in rural areas, approved by presidential decree No. 138/12, of 20 June, in response to the need to promote integrated rural development and combat hunger and poverty;

(b) The integrated municipal rural-development and poverty-control programmes, encompassing a variety of projects for rural areas, monitored by the national commission on poverty control;

(c) The Water for All programme, which is intended to provide safe drinking water for the population of rural areas and from which some 1.2 million people have already benefited;

(d) The national rehousing programme, run along the lines of supervised self-build, under which new settlements and low-cost housing has been built. As part of the low-cost housing subprogram, the Government's priority is to rehabilitate villages to provide rural families with decent living conditions. The programme's overall aim is to provide housing and to develop low-cost housing for a total of 564,000 families, made up of some 3.3 million persons;

(e) The programme to hand over health services to municipal authorities, which is intended to decentralize the management of health services to the municipal level so as to enable municipal health service managers and providers to improve the management and running of services;

(f) The small firms support programme is designed to encourage family income generation projects and to structure the informal sector of the economy;

(g) The national microcredit programme, with 435,398 direct and 2,176,990 indirect beneficiaries, 80 per cent of whom were women, in 2013;

(h) The rural trade support programme, which is designed to promote the creation or expansion of rural commercial firms, wholesalers and retailers, with a focus on agricultural production and poverty reduction in rural areas by satisfying demand from rural populations for agricultural supplies and basic consumer goods.

## **M. Stereotypes and harmful practices**

67. Concrete measures have been taken to change social and cultural patterns and eliminate stereotypes:

(a) Permanent literacy campaigns;

(b) Scaling up education throughout the country;

(c) Development of the school-meals program to encourage school attendance and prevent pupils from dropping out;

(d) Establishment of cooperatives in rural areas for the benefit of women;

(e) Implementation of the microcredit programme, with a focus on rural women;

(f) Permanent national campaigns to raise awareness by means of conferences on gender equality;

(g) Media campaigns on radio and TV (Education for all).

68. As regards to gender equality in leadership roles, Angolan electoral law guarantees increasing participation by women in decision-making positions at all levels in general, and in particular to attain the 30% SADC quota required for the promotion of equality between men and women.

69. As a result, in the general elections in 2012, a total of 73 women were elected among the 220 members of parliament. However, some of these women did not take over their seats because they also occupied government service posts. The trend of women in leading position in several Government branches has good perspectives.

## N. Rights of the child (Recommendations 54, 67–71, 79, 82, 98)

70. The Constitution of the Republic of Angola guarantees protection of the fundamental rights of the child. With a view to promoting child welfare, the Government established with Decree 20/07 of 20 April 2007 the National Children's Council, which is the coordination and monitoring mechanism of public policy for the promotion and protection of children at national and municipal levels. Resolution 5/8, of 18 January 2008 accepts the 11 commitments fostering the protection and full development of children.

71. The law on the Protection and Full Development of Child was enacted in 2012 which underlines the responsibility for implementing the Government's 11 commitments for children through action plan, coordinated, overseen and evaluated by the National Children's Council.

72. In 2011 the Government adopted the Strategy for the Prevention and Combating of Violence against Children, as a response to all forms of violence found in the country, adopting the following initiatives:

- Establishment of the National Observatory, aimed at harmonising the methods for the collection and processing of statistical data on the situation of children, including the Helpline *SOS-child* which is available for individuals to report cases of violence against children in accordance with the Optional Protocol to the Convention on the Rights of the Child on a communications procedure;
- Expansion and strengthening of Provincial, Municipal, Communal and Local networks for the Protection and Promotion of the Rights of the Child, coordination mechanisms and articulation of actions to prevent and combat violence against children.

73. Currently there are 467 public institutions dealing with early infancy (Community infants' centres and Infants' centres) assisting 92,500 children up to age six.

74. Networks for the Promotion and Protection of the Rights of the Child are particularly useful mechanisms in implementing the Strategy for the Prevention and Combating of Violence against Children which can be found in various forms throughout the country.

## O. Birth registration

75. The Civil Registration is a priority for the Angolan Government. However, due to the difficulties encountered in conventional civil registration process in recent years special civil registration campaigns were conducted. However those campaigns did not reach the expected results due to several factors, including the lack of infrastructure, technical and human resources constraints, limited accessibility to remote areas, among other factors contributed to a significant number of citizens without Civil Registry.

76. Beyond the forth mentioned factors, it is worth to refer that some cultural factors have also contributed to hinder the process of civil registration. For example, in some regions, parents cannot assign a name to a child without the consent of other members of the family, in the broadest sense of the maternal and paternal lineage, who meet to choose a consensus name. This process can take years in some cases. In other regions, the sharp cultural belief does not allow the child to be registered before the age of five years.

77. Considering all these factors and the lack of reliable information about the number of Angolans without civil registration, the Government decided to carry a special civil

registration campaign from 2012 to 2016 with exemption of fees. The Government expects to register up to 8 million citizens throughout the country.

78. The implementation of this program will be possible thanks to mass investment in tens of registration facilities throughout the country. In addition, the Government has decided to expand the opening hours of registration centers from 7:30 a.m to 8:30 p.m, while the regular opening hours of public services is from 8:30 a.m to 3:30 p.m.

79. With the adoption of the above measures, the number of new registrations has risen substantially. As an example, from September 2013 to January 2014, were recorded, a total of 700,000 new civil registration both children and adults nationwide.

80. The program of mass civil registration also covers nationals in the diaspora. For this purpose, the Government has formed a team that is conducting the registration of Angolan citizens living in SADC in the first phase and later the program will cover the citizens living in other regions.

## **P. Assistance to children at risk**

81. The Government of Angola has adopted a range of measures for the protection and assistance of children, based on the Convention on the Rights of the Child and its optional protocols, incorporated in Law 25/12 on the Protection and Integral Development of the Child, amongst other legislation on the question.

82. The Government of Angola has created a programme of social support to families in need with children and vulnerable children, including those affected by HIV/AIDS, young offenders and orphans.

83. For implementation of Joint Executive Decree 18/08 on Community Service as an alternative to imprisonment for young offenders, (provided for in Article 17 (d) of Law 9/96 of 19 April 1996 on juvenile offenders) seminars have been held to enhance the capacity building of various justice administration institutions and other stakeholders.

84. The juvenile courts apply social protection measures to minors of all ages, and criminal prevention measures to those aged between 12 and 16. Their work is complemented by the non-judicial, permanent and independent Commission for Minors. Its five members are responsible in close cooperation with the juvenile courts for monitoring the minors within its jurisdiction and cooperate in implementing the courts' decisions.

85. The system is not fully operational due to the lack of adequate infrastructure and limited human resources on the matter.

86. The Government has adopted actions based on the General Law on Labour and the Framework Law on Social Protection which prohibits child labour for those aged under 17, as well as forced labour and other practices which violate children's rights. Multisectoral subcommittees have been established on child labour and trafficking, physical violence and sexual abuse.

## **Q. Protection of children accused of witchcraft**

87. The accusation of children witchcraft is a troubling phenomenon that arises in Angola especially in rural areas in recent years. It consists of mistreatment; abandonment by family member and communities making the children vulnerable to all kinds of exploitation. After being charged, the children face difficulties to reintegrate within the family and community due to stigma and discrimination.

88. The Government has been working in partnership with UNICEF and civil society organisations to eliminate this harmful practice, by launching awareness campaigns to alert and prevent child abuse opening shelters, providing psychological support and in some cases, a foster family for the victims.

89. On the other hand the Government has established legal mechanisms to hold accountable the perpetrators of such abuses.

## **R. Right to education (Recommendations 140, 147–157)**

90. The Government adopted the Law 13/01 of 31 December 2001, the framework law on the Education System, the National Action Plan for Education for All (PAN/EPT – 2001–2015) and an Integrated Strategy for Improving the Educational System (2001-2015) which aim to ensure that all children have access to basic and compulsory education.

91. The Angola 2025 Strategy and National Action Plan for Education for All set out measures and Action plans for three phases - Emergency (2001–2002), Stabilisation (2003–2006) and Expansion and Development (2007–2015) for each subsystem, by level and type of education, including Literacy and continuing education and vocational education.

92. The education system benefits from the valuable contribution of some programs and specialized agencies and the United Nations system, which develop various complementary programs, highlighting the Child Friendly Schools Initiative to improve access and quality of primary education across the country, developing a set of rules and guidelines for the construction and rehabilitation of infrastructure as well as water and sanitation facilities in Child-Friendly Schools in rural areas throughout the country.

93. In order to strengthen and improve the performance of the national educational system and respond to the Millennium Development Goals (MDGs) the Government has been implementing since 2001 a broad reform to the national educational system which comprises legislative and administrative measures.

94. The main objective of the reform of the educational system is to ensure strategic changes that contribute to the equitable universalization education, elimination of gender disparity, improve teacher's performance, redesign of curriculum, improve and expand the school infrastructures.

95. Due to several programs and policies implemented under the reform of the educational system, the number of students has risen from 2.2 million in 2001 to 7.4 million in 2013.

96. Under the scope of educational reform, the Government adopted its Strategy on Literacy and Recovery of Lost School Years 2006–2015. This instrument is complemented by other measures such as the “Yes, I can” (“Sim Eu Posso”), the literacy programme which registered 1,610,203 Angolans of whom 140,000 finished all three modules of the programme.

97. Encouraging indicators were recorded in reducing illiteracy and implementing Literacy and Recovery of Lost School Years in partnership with UNICEF. The programme seeks to accelerate learning by the use of self-teaching methods and the certification of competencies acquired in various formal and informal educational contexts.

98. Regarding higher education it has registered high increase in number of public and private institutions. Currently the country has 8 public universities and 12 private universities. In 2013 there were enrolled 180,700 students in these universities.

99. The Government is implementing the national system and policy for technology and innovation, together with the national system of public and private scientific and technological research institutes.

100. In last years, Angola has recorded a significant increase in access to Information and Communications Technologies, as result of the favourable social and political context and the falling cost of telecommunications. But there remain shortfalls in terms of skills, content and innovation that limit the access and above all the creation of added value through the use of ICTs in the country's development.

101. The Government is updating the National Plan for the Information Society, with the aim of making good its shortcomings and enhancing the impact of ICTs on economic and social development, so as to foster an inclusive country and facilitate citizens' access to education, health, and opportunities to develop their private and work-related ideas and skills.

102. In this context, concrete policies have been defined to help Angola's growth in the Information Society, based on three essential pillars: promoting e-government and strengthening the capacity of the public service for the entire population, installing digital connectivity across the nation, and developing new ICTs skills to promote Angola's long-term competitiveness.

103. Notwithstanding the major investments undertaken by the Government in this area, the country still lacks ITC infrastructure at both government and private level, in hardware, software, and technological skills among the general population.

104. The Government has established a network of media libraries whose principal aim is to provide the country with modern infrastructure offering information, communications, and the widest possible range of knowledge-sharing and learning technologies available, placing easy access to global knowledge at the disposal of the population.

105. In a first phase, Media libraries have been set up in the provinces of Luanda, Benguela, Huíla, Zaire, Huambo, and Lunda Sul. In 2015 a second phase will see further media libraries in the provinces of Cabinda, Uíge, Malanje, Cunene and Bié, with the remaining provinces during a third phase. By 2017, the Government is expected to build 25 media libraries. Provinces still without a built library have mobile media libraries.

106. The Media libraries are designed to allow the display of information content in audio, video and print format, with specific areas for each: sound library, video library, picture library (photographic archives). There are also electronic archives on many subjects training on IT. The media library is complemented by traditional libraries.

107. The Framework Law on the Educational System also covers Career and technical education of young people of school age seeking employment, and those already working, preparing them for vocational training to meet the country's needs and keeping the pace with technological change. In this regard, the Government is in process of drafting the National Plan for Employment and Job Training.

## **S. Education on human rights**

108. Human rights as a subject is not specifically enshrined in the school curriculum. However, the Ministry of Education in collaboration with other public entities and civil society organizations has established a Coordinating Committee for the Integration of Human Rights in Subsystems Primary and Secondary Education. This committee has developed Methodological Guidelines for Human Rights for Teacher of primary and secondary in view to mainstream of human rights education.

109. In 2013 the Government has begun training teachers on human rights issues in order to introduce this subject to the school curriculum.

110. To complement these efforts, the government and civil society organizations have been organizing training workshops on human rights throughout the country targeted at specific groups of the population: people in rural areas, traditional authorities, women, law officers. These seminars cover several thematic on civil, political, economic, social and cultural rights.

## **T. Right to health ( Recommendations 113–115, 117, 140, 146)**

111. The Government has made great efforts to attain the Millennium Development Goals, notably those relating to health, by improving the people's access to integrated health services at community level.

112. The Government has established a range of programmes to rehabilitate old health units and build new ones, substantially improving the network of health establishments involved in general health care, to promote public health, including:

- (a) Improve sanitation and sewerage system;
- (b) Applying health and safety measures at the workplace, in cooperation with the trade unions;
- (c) Applying preventive and control measures for transmissible diseases, especially those that can be epidemic in nature;
- (d) Improve food security and quality of drinking water.

113. For these actions to be effective and sustainable and ensure universal access to health services, in 2010 the Government has established the Health Services Municipalisation Programme aimed to reducing the main endemic diseases in the country including malaria and tuberculosis.

114. The Municipal Health System is free access. It is built around the provision of basic health services within a system which is organised and functional in terms of human resources, infrastructure, information, logistics and financial management systems, and will allow expansion of coverage and sustainability of service at community level, with decisive involvement and participation of local population.

115. As a direct result of the municipalisation programme, Angola has in recent years recorded a gradual improvement in various health indicators.

116. The improved health indicators resulted from several factors jointly, in particular the greater number of health units offering mother-and-baby services, improved coverage for both routine and campaign immunisation, improvements in the health information system through capacity-building of Community agents, investment in training and capacity-building for healthcare professionals, investment in equipment, etc.

117. Despite the progress registered in last few years, but Angola still faces many challenges in health sector, specially affecting children and women with incidences of infectious and parasitic diseases. On the other hand, there has been in the last few years an exponential increase in non-transmissible chronic diseases.

118. In order to face these challenges, the Government approved The National Health Development Plan 2012-2025 aimed at reforming the National Health System to expand and improve the access of health care services to the population.

## U. HIV

119. The estimated HIV prevalence rate in Angola is estimated to be 2,5% which is the lowest in southern regional of Africa. However, data collected from women attending antenatal clinics (ANC) suggest that the intensity of the HIV epidemic varies greatly among provinces, with the highest rates of HIV infections occurring in the bordering provinces (9%), and the lowest rates in central Angola (less than 1%).

120. Prevention of mother to child transmission (PMTCT) is one of the major priorities in the Angola National HIV Strategic plan, with the goal of achieving 80% coverage rate for HIV-positive pregnant women.

121. The overall infected pregnant women it is estimated to be 3%, with a lower rate of 2% in young pregnant women aged 15–24. In relation to vertical transmission estimates suggest that 25% of children born to HIV-positive mothers contract the disease.

122. However surveys on other vulnerable groups such as injecting addicted drug users, sex workers, and prison population, among others, need to be conducted to have a comprehensive understanding of the dynamics of transmission of the HIV virus.

123. Prevention is one of the most important areas of intervention of the Government which has an active involvement of private sector and civil society organizations. The National Institute for the Fight of AIDS is the regulatory and technical body in charge of implementing the Government Program to prevent and fight HIV. This institute put in place several initiatives aimed at speeding up the response and the quality improvement in service delivery at various levels (national, provincial and municipal).

124. The main prevention interventions have been implemented through television campaigns, radio, events, training workshops with various stakeholders to promote safe behaviors, knowledge of transmission and prevention of HIV, distribution of condoms, etc.

## V. Adequate housing (Recommendations 120, 130, 131, 141)

125. The right to housing is a fundamental right of all citizens under the Constitution of the Republic, which enshrines in its Article 85 that “every citizen has the right to housing and quality of life”. It is a constitutional provision whose implementation depends on mechanisms and policies to promote housing by the Government.

126. Considering the massive displacement of people from rural areas to cities, the Government has defined principles for the promotion of new urban spaces and decent housing construction due to the need of the population according to the rules and principles of planning. In this regard, the Government has adopted various instruments, including:

- (a) Agenda of the National Territorial Planning System;
- (b) Urban Improvement and Renovation Programme
- (c) Land ownership regularisation Programme;
- (d) National Urban Planning and Housing Programme;
- (e) Housing Development Fund.

127. The main focus of the National Urban Planning and Housing Programme is the construction of subsidised housing by the Government, private enterprises and cooperatives. The population itself contributes through guided self-build on pre-equipped plots made available for the purpose.



128. Within this framework, 214 construction zones were designated, totalling some 217,710 hectares in every province. To facilitate people's access to the land, the administrative processes of land ownership registration and housing registration were simplified. Legal provisions were also approved regulating bank loan mechanisms for home ownership, and the legal rules governing the home purchase.

129. The current Housing Programme establishes the construction of 200 dwellings in every municipality of the country, bringing the total to 35,000 dwellings nationwide. Under this program new cities have been built like the city of Kilamba Kiaxi, in Luanda designed to have 80,000 apartments on a 54 km<sup>2</sup> site.

130. The housing programmes currently under way in Angola seek to improve the living conditions for the population, especially the poorest.

## **W. Sustainable development and the fight against poverty (Recommendations 46, 112, 116, 119, 121–129, 132, 133, 139, 144, 145)**

131. The Integrated Municipal Programme of Rural Development and the Fight against Poverty (PMIDRCP) for the period 2012- 2017 is a comprehensive and cross cutting instrument for combating poverty at local level, since it brings together the Government's various social policies, notably those addressing the most vulnerable families.

132. The Programme has four essential axes: the "Strategy to Combat Poverty", the "Water for All Programme", the "Rural Extension and Commercialisation Programme", and the "National Food and Nutritional Security Strategy". The integrated programme is implemented in every municipality of the country, and provides actions and projects in the areas of health, education, sanitation, domestic energy and water supplies, roads and communications infrastructures, agriculture, stock-raising and rural trade.

133. The Programme's main objectives are the integration of vulnerable population groups into the economy; improving access to basic social assistance to the population; giving an incentive to the communities to play an active role in decision-making at local level; strengthening institutional capacity; generation of household incomes from agricultural production in Cooperatives or Land workers' associations and Family Agricultural Enterprises (EAFs).

## **X. Rights of vulnerable groups (Recommendations 24, 42, 99, 100, 118)**

### **Persons with disabilities**

134. According to the Constitution of the Republic, the State promotes and guarantees the measures necessary to ensure for all the right to assistance for illness and disability in any situation of incapacity to work according to the law.

135. Supplementing this constitutional provision, article 83 provides: "citizens with disabilities shall fully enjoy the rights and shall be subject to the duties enshrined in the Constitution, notwithstanding the restriction or exercising or fulfilling them for any persons who are incapacitated or have limitations; the State adopts a national policy of prevention, treatment, rehabilitation and inclusion of citizens with disabilities in order to support their families and to remove the barriers to their mobility; the State adopts policies that seek to raise societal awareness regarding the duties of inclusion, respect and solidarity to citizens with disabilities; The State develops and supports special education and technical and vocational training for citizens with disabilities."

136. In December 2012 Angola ratified the Convention on the Rights of Persons with Disabilities, as well as its Optional Protocol. Thus, legal instruments have already come into effect that guarantee protection under equal circumstances between persons with disabilities and others without disabilities, as indicated in Law No. 21/12 of 30 June, Law No. 6/98 of 7 August, Law No. 07/04 of 15 October, Executive Order No. 105/12 of 1 June, and Decree No. 21/82 of 22 April. The implementation of these legal instruments is bolstered by the implementation of the Strategy to Protect Persons with Disabilities and the accompanying National Policy, adopted by Executive Orders No. 237/11 and 238/11 of 30 August, respectively; Executive Order No. 4/03 regulates the duties of the institution in charge of awarding monetary compensation to citizens with disabilities and permanent incapacities to perform any work-related activity and that are not covered by any other social assistance arrangement, and who do not have their own financial resources, in compliance with Law No. 6/98 of 7 August.

137. Through the implementation of programmes to support persons with disabilities, support was provided to 88,504 persons in this target group through Programs to Provide Means of Transport and Technical Assistance and Community-Based Rehabilitation. Hence, the Program to Provide Means of Transport and Technical Assistance provided services to 73,730 persons with disabilities as well as many devices and means of transport, i.e. 6,290 wheelchairs for adults, 200 wheelchairs for children, 2,004 three-wheeled manual vehicles, 16,560 guides for the blind, 3,698 pairs of crutches, 32,531 pairs of walking canes for adults, 8,254 pairs of walking canes for children, 2,155 canes for the blind, 1,370 walkers, 428 three-wheeled motorized cycles for carrying goods, and 240 three-wheeled motorized cycles for passengers.

138. Angola ratified the Convention on the Rights of Persons with Disabilities and its optional protocol in 2012. Since then the Government has been taking several initiatives to strengthen the participation and contribution of people with disabilities in public, cultural and economic areas, as well as reinforcing the protection and promotion of the rights of people with disability, including the adoption of the National Policy for Persons with Disabilities, the Strategy for the Promotion and Protection of Rights of Persons with Disabilities and the National Council for the Protection of the Persons with Disabilities (CNAPEP) which is the multi-sectorial body in charge to monitor the implementation of the policies adopted.

139. In the last few years the actions benefiting persons with disabilities have given support to 88,504 individuals, including 73,730 through the Programme to Grant Means of Mobility and Technical Aids, and 14,774 through the Community-Based Rehabilitation Programme, throughout the country.

140. The Community-Based Rehabilitation Programme brought a total of 14,774 persons with disabilities onto the labour market in the areas of health, special education, physical rehabilitation, education and justice Services.

141. Being one of the most affected countries by landmines, and in view of implementing the Convention on the Prohibition of the Use, Stockpiling, Production, Transfer and Destruction of Anti-Personnel Mines, the Government is in process of organizing a survey to determine the needs of persons with disabilities and victims of anti-personnel mines in order to ensure adequate assistance to them.

142. Currently the country has specialized medical centres to assist the victims of anti-personnel mines. Within the social and economic reintegration, victims of anti-personnel mines benefit from microcredit to develop projects for income generation.

## **Y. Discrimination against persons based on their sexual orientation**

143. According to the Constitution of the Republic in its article No. 23 No. 2 and article 32, the liberty, privacy and the respect of a person's intimacy are protected. Intimacy between adults is a matter of individual freedom and Government is not are unaware of any cases of legal prohibition or discrimination on the basis of sexual orientation.

### **The elderly**

144. Article 82 of the Constitution establishes rights that elderly persons are entitled to economic security, housing conditions, family and community life. The Government considers that the elderly people are an active part of society and their experience and accumulated knowledge, represents an invaluable contribution to the national reconciliation process, as well as the economic, social and cultural development of the country.

145. In this regard, the government has adopted the Program of Assistance of Elderly Persons which includes a set cross cutting initiatives aimed to improving their quality of life.

146. Among these initiatives, the government has built and renewed care facilities centers in several provinces to improve the living conditions of the elderly persons.

### **Refugees and asylum-seekers**

147. Article 25 of the Constitution gives foreigners and stateless persons the same rights, freedoms and fundamental guarantees, including protection of the State, whilst restrictions remain on their civil and political rights.

148. Law 8/90 of 26 May 1990 on the Status of Refugees implemented the provisions of the Convention on the status of Refugees and its additional protocol. Measures have been adopted for the reception, protection and assistance of refugees on Angolan territory.

149. The programme of protection and assistance for refugees benefits from the collaboration of the UN High Commission for Refugees (UNHCR) the International Committee of the Red Cross (ICRC) and the International Organisation for Migration (IOM). In addition, the programmes for reintegration, social protection and poverty reduction in the country as also opened to refugees.

150. Regarding Angolan refugees, after the end of armed conflict in 2002 the process of voluntary repatriation of former refugees began and continued until 30 June 2012, when countries in SADC region declared the end of the refugee status for Angolans, based on the UNHCR recommendation.

151. During the voluntary repatriation process more than 300 thousand Angolan refugees have returned home since 2002. However more than 100 thousand still remain in the host countries. The reintegration of former refugees is now under way.

152. For those who have remained abroad, the Government has set up an Interministerial committee to examine with the host countries the strategies and solutions for Angolans who have lost their refugee status. This process has the support of the UNHCR, ICRC and IOM.

## **IV. Challenge and perspectives**

153. The 2012 general elections were a further step towards the consolidation of the ongoing democratic process and strengthen the national human rights mechanisms, and the capabilities of civil society organizations to contribute for the promotion and protection human rights.

154. The Government of Angola has been implementing the 2013-2017 National Development Plan (NDP), which starts a new cycle of history and experience of the planning system in Angola. The current plan covers a period of great importance for the future of the country and it is in intermediate phase of the National Strategy for Long-Term Development "Angola 2025".

155. After the great effort that was made to rebuild the country destroyed by decades of war, Angola has entered the stage of modernization and sustainable development. In order to assess the impact of programs and policies implemented the Government organized the General Census of Population in May 2014, which will enable the collection of reliable information to address the challenges.

## V. Conclusion

156. The Republic of Angola considers that education and training on human rights and freedoms are a vital and key element in the promotion and protection of human rights and fundamental freedoms. Despite countless educational activities and initiatives on human rights, we believe that a great deal remains to be done, and the Government of the Republic of Angola will continue to make every effort to go on improving the national system of promotion and protection of human rights.

157. Similarly, the Republic of Angola will continue to enhance the international cooperation with the United Nations Human Rights Mechanisms through a frank and open dialogue based on respect of the country's sovereignty.

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