

Submission by the United Nations High Commissioner for Refugees (UNHCR)

For the Office of the High Commissioner for Human Rights' Compilation Report

– Universal Periodic Review:

ANGOLA

I. BACKGROUND INFORMATION

The Republic of Angola is a signatory to the *1951 Convention relating to the Status of Refugees* (ratified on 31 January 1976, with reservations), the *1967 Protocol relating to the Status of Refugees* (acceded on 23 June 1981) and the *1969 OAU Convention governing the specific aspects of refugee problems in Africa* (acceded to on 30 April 1981). Angola acceded to the *African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa* (Kampala Convention) on 14 June 2013. The Government of Angola maintains reservations to Articles 17 and 26 of the *1951 Convention*. Angola is not a State party to either the *1954 Convention on the Status of Stateless Persons* or the *1961 Convention on the Reduction of Statelessness*.

Article 29 of the *Foreigners Act (Lei sobre o Regime Juridico dos Estrangeiros na Republica de Angola)*¹ provides safeguards against the expulsion of refugees to countries where they may be persecuted for political, racial or religious reasons, or where their lives may be in danger. The same article guarantees refugees “the most favourable treatment under the law or international agreements to which Angola is party”. Despite these protections, refugees and asylum-seekers remain vulnerable in Angola.

The Republic of Angola hosts an estimate 24,000 refugees. Most refugees in the Republic of Angola have been recognized on a *prima facie* basis pursuant to Article 1.2 of the *OAU Convention*. The majority of Angola’s refugees originate from the Democratic Republic of Congo (DRC), amongst which about 13,000 are from the protracted Congolese (DRC) caseload from the Katanga Province. The rest of the refugees are from various nationalities including Rwanda, Sierra Leone and Ivory Coast. Despite UNHCR’s recommendation to invoke cessation of refugee status for Sierra Leoneans (413), Rwandans (458), and Liberian (160), Angola has not implemented it at the national level. According to information provided by the *Serviço de Migração e Estrangeiros* (Service of Migration and Foreigners, SME), Angola hosts a total of 20,039 asylum-seekers.

The Service of Migration and Foreigners, within the Ministry of the Interior (MININT) is the organ responsible for receiving asylum requests and conducts the confidential interviews with the applicants. Following this initial procedure, asylum-seekers cases are then sent to the *Comité de Reconhecimento do Direito de Asilo*

¹ *Law Regulating the Legal Status of Foreigners in the Republic of Angola, Law No. 2/07 of 31 May*, available at <http://www.sme.ao/attachments/article/234/Law%20No.%202-07%20of%2031%20May.pdf>.

(COREDA) for appreciation and decision. COREDA is an Inter-ministerial Committee composed of members of four different Ministries (Assistance and Social reintegration, Ministry of the Interior, Foreign Affairs and the Ministry of Justice) responsible for assessing asylum cases and conducting refugee status determination (RSD). UNHCR has observer status with CORDEA.

Angola has a domestic Law on Refugee Status, Law No 8/90 of May 26, (*Lei sobre o Estatuto do Refugiado*) which regulates the status of refugees and briefly describes the RSD process. Article 4 provides guarantees against *refoulement* and Article 20 prohibits the expulsion of refugees and asylum-seekers from Angola, except for reasons of public order. The Government of Angola formed an inter-ministerial committee to review Law 8/90 in February 2012. While UNHCR never officially received a copy of the draft law, UNHCR was able to present its comments to the committee that prepared it.

II. ACHIEVEMENTS AND POSITIVE DEVELOPMENTS

UNHCR commends the Government and the people of the Republic of Angola for its commitment to comprehensive legal reform of the asylum system.

The Government of Angola should also be commended for setting special procedures that allow former Angolan refugees residing in the Republic of South Africa and Zambia to be issued civil documentation free of charge, including national passports, for the purpose of facilitating their local integration into their former asylum countries, following the cessation of their refugee status.

UNHCR commends the Government of Angola for having signed in September 2013 six important International instruments, including the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* and its *Optional Protocol*, as well as the *International Convention on the Elimination of All Forms of Racial Discrimination* and the *Protocol to the International Covenant on Economic, Social and Cultural Rights*.

UNHCR welcomes the measures adopted by the Government of Angola to offer free birth registration for all Angolan children and free issuance of identification documents for adults, by way of a national campaign that will be carried out until 2016.

The Government of Angola should also be commended for the improvement in the management of migration flows, more specifically at the Democratic of Congo borders within the Province of Lunda Norte. The agreements established with bordering provinces of the DRC are seen as a positive step as they avoid massive expulsion of migrant workers and reduce the risks of sexual and gender based violence.

III. KEY PROTECTION ISSUES AND RECOMMENDATIONS

Issue 1: Reservations to the 1951 Convention

The Government of Angola maintains reservations to Articles 7, 8, 9, 13, 15, 17, 18, 24 and 26 of the *1951 Convention*. The most significant of Angola's reservations are those to Articles 17(right to work) and 26(freedom of movement).

Through reservation to Article 26, the Republic of Angola reserves the right to prescribe, transfer or circumscribe the place of residence of certain refugees or groups of refugees, and to restrict their freedom of movement, whenever considerations of national or international order make it advisable to do so. The limitation of freedom of movement for security reasons is also enshrined in Article 5 of the Foreigners Act and requires foreign citizens to obtain a permit in order to move to restricted areas.

In practice, while refugees and asylum-seekers are not under an obligatory encampment policy, this reservation means that refugees are prohibited from settling or having access to areas of particular economic interest, such as the diamond mining areas. Freedom of movement could further be impeded by lack of documentation. Even for those asylum-seekers who have proper documents, the Immigration Department developed a practice of restricting their freedom of movement if they intend to travel to other provinces in Angola.

Despite reservations to Article 17 of the *1951 Convention*, pursuant to Article 8 of the Angolan Law on Refugee Status, refugees and asylum-seekers are entitled to engage in paid work. However, in practice, few refugees enjoy this right in the formal sector as the vast majority of employers do not accept refugee cards as a legal identity document

Recommendation:

UNHCR recommends that the Government of Angola:

- Remove all reservations to the *1951 Convention* and amend or repeal all restrictions in domestic legislation which impinge upon the rights of asylum-seekers and refugees, including the right to freedom of movement.

Issue 2: Asylum legislation and procedure

The revision of the Law on Refugee Status (Law 8/90) will determine the asylum framework in Angola for many years to come. While the inter-ministerial working group started its work in early 2012, a new draft Law on Refugee Status was only shared with UNHCR in May 2013. Thereafter, UNHCR formally submitted its comprehensive comments to the inter-ministerial working group. The final draft was informally shared with UNHCR in November 2013, ending the work of the inter-ministerial working group. However, a number of important concerns raised by UNHCR have still not been addressed. It is therefore crucial that the drafters of the Asylum Bill agree to resume a dialogue with UNHCR, in order to discuss changes that are necessary to ensure the law complies with basic standards of international law.

Additionally, COREDA sessions were suspended by Ministerial directive immediately after the inter-ministerial committee was formed to review Law 8/90. COREDA only resumed activities in September 2013. This has severely impacted the number of backlogged asylum cases pending resolution.

Recommendations:

UNHCR recommends that the Government of Angola:

- Resume consultations with UNHCR on the draft Law on Refugee Status, with the aim of ensuring that the future Asylum policy framework complies with standards of international law; and
- Commit all necessary resources to ensure that pending asylum cases are resolved in an accurate and timely manner.

Issue 3: Detention of refugees and asylum-seekers

The detention of foreigners has continued to be used as a means to deter irregular migration in Angola. Refugees and asylum-seekers are among those who have been arrested and detained, under suspicion of irregular migration. Foreigners who do not fulfill the conditions for entry into the country, as set out in the Foreigners Act, such as the obligation to have a valid passport with a visa and a yellow fever vaccination, are detained in the Temporary Stay Center at the airport. Those detained in this centre are usually deported from the country on the next available flight, creating a high risk of *refoulement* for those among them who may be in need of international protection. Persons detained in the Detention Centre for Illegal Immigrants in Viana have reported harsh conditions, such as the lack of sufficient water supply as well as poor diet. They have also stated that they have been denied contact with the outside world, including legal assistance.²

UNHCR noted improvements in the access to detention centers for migrants in 2012 and, in 2013, an agreement was reached with the Service for Migration and Foreigners (SME) for UNHCR to have regular access to detention centers. UNHCR submitted a visiting plan to the Ministry of Interior, hoping to initiate visits to all immigration centers of the country in 2013. These visits started in 2014 and thus far UNHCR was able to visit 26 detained asylum seekers. However, at the time this report is being prepared, it is not known how many of those visited and for which an intervention was made, were released.

Additionally, the draft Law on Refugee Status foresees the systematic detention of asylum-seekers without any provision related to alternative measures to detention or individual review of the decision to detain. Article 31 of the *1951 Convention* specifically provides for the non-penalization of refugees (and asylum-seekers) having entered or stayed irregularly (if they present themselves without delay and show good cause for their illegal entry or stay). Under the new draft law, asylum-seekers will be obliged to remain in the immigration retention center until the entire adjudication process is completed, even if they had presented themselves without delay and showed good cause for their illegal entry or stay. This measure is contemplated in an ill-advised effort to discourage illegal immigration and is based on an incorrect interpretation that asylum-seekers are, from the outset, illegal migrants unless their case is being adjudicated positively. The use of arbitrary detention may discourage asylum-seekers who are in need of international protection from formally raising their asylum claims, increasing the likelihood they attempt irregular entry and be put at risk of expulsion or *refoulement*. UNHCR considers that under international law, detention

² Asylum-seekers should be entitled to minimum procedural guarantees while in detention. See, UN High Commissioner for Refugees, *Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention* (Geneva, 2012) page 27, available at: <http://www.unhcr.org/refworld/docid/503489533b8.html>.

that is imposed in order to deter future asylum-seekers, or to dissuade those who have commenced their claims from pursuing them, is inconsistent with international norms.

UNHCR notes that asylum-seekers will be allowed to leave the detention center if able to bring proof of self-sustainability, thus asylum-seekers are not authorized to work. The obligation to remain in the immigration retention center also applies to refugees, albeit only for those not considered as self-reliant.

Recommendations:

UNHCR recommends that the Government of Angola:

- Reconsider restrictions on the freedom of movement for asylum-seekers and refugees, ensure the non-penalization of irregular entry or stay and utilize detention of asylum-seekers only as a measure of last resort; and
- Cooperate with UNHCR in developing alternatives to detention of asylum-seekers and ensuring that, when necessary, detention is used for as short a period as possible. Despite Government concerns regarding abuse of the asylum system, the detention of asylum-seekers should only be used as a matter of last resort.

Issue 4: Access to identification documents

A large number of asylum-seekers and many refugees living in Angola are still undocumented. This is particularly the case for those residing outside Luanda. Many police and immigration officers are unaware or suspicious of undocumented aliens, and asylum-seekers may face detention even if they present an attestation (*recibo*) of their pending asylum application with the SME. In addition, due to the poor quality of the documentation for refugees and asylum-seekers, they often experience difficulties to accessing public services and employment, hampering efforts for local integration and self-reliance. This is due, in part, to the fact that their poor quality has led to many cases of falsifications of refugee cards and asylum-seekers certificates. Police have, in turn, employed a regular practice of arresting and detaining the concerned individual until the veracity of their documentation can be confirmed. This can create significant protection risks for asylum-seekers and refugees who may be reluctant to approach government authorities in fear of possible arrest and detention.

In 2012, the SME, with the support of UNHCR, initiated a nation-wide registration campaign for refugees and asylum-seekers. Full registration would have been instrumental in enhancing the protection of refugees and asylum-seekers in the country. However, due to technical problems, the registration efforts were suspended. As a result, data pertaining to asylum-seekers and refugees also remains incomplete in Angola.

Recommendations:

UNHCR recommends that the Government of Angola:

- Renew efforts to register asylum-seekers and refugees living in Luanda and in rural areas;
- Issue high quality identification documentation to asylum-seekers and refugees that includes improved security features;
- Sensitize police forces, immigration officials and other Government administrations to asylum-seeker and refugee documentation so as to facilitate their access to services; and

- End the practice of arresting and detaining individuals pending the verification of their documentation.

Issue 5: Access to birth registration and issuance of birth certificates

UNHCR would like to express concerns that refugee and asylum-seekers have not been included in Presidential Decree 80/13 of September 5, 2013 in which late birth registration (over 5 years old) have become free of charge for Angolan nationals. Further, pursuant to an Administrative Instruction circulated by the Ministry of Justice (Circular de Execução Permanente) issued in May 2011, issuance of birth certificates to children born of foreigners – including refugee children – has been suspended until the approval of the new nationality law. As a result, a large number of refugee children and asylum-seekers have been unable to register their children and obtain birth registration documents, depriving them to access a wide range of rights.

Birth registration is fundamental to the protection of children. Failure to document a child's legal existence can prevent the effective enjoyment of a range of human rights, including access to education and health care. Due the lack of birth certificates (*cédulas*), refugee children in Angola often face problems enrolling in schools or receiving immunizations and medical attention. Furthermore, birth registration helps to prevent statelessness by establishing a legal record of where a child was born and who his or her parents are. As such, it serves as a key form of proof of the link between the child and the country of nationality of the parents and/or the country of birth, and therefore facilitates acquisition of proof of nationality for the child.

Recommendations:

UNHCR recommends that the Government of Angola:

- Extend the free birth registration campaign to cover all persons in Angola, including refugees and asylum-seekers; and
- Take immediate measures to ensure that refugees and asylum-seekers are able to register their children, in spite of the Circular of May 2011.

Issue 6: Accession to the Statelessness Conventions

Accession by Angola to the *1954 Convention relating to the Status of Stateless Persons* and to the *1961 Convention on the Reduction of Statelessness* would establish a stronger framework to prevent and reduce statelessness and avoid the detrimental effects of statelessness on individuals and society by ensuring minimum standards of treatment for stateless persons.

The *1954 Convention relating to the Status of Stateless Persons* ensures minimum standards of treatment for stateless persons in respect to a number of fundamental rights. These include, but are not limited to, the right to education, employment, housing and public relief. Importantly, the 1954 Convention also guarantees stateless persons a right to identity and travel documents and to administrative assistance.

The *1961 Convention on the Reduction of Statelessness* establishes an international framework to ensure the right of every person to a nationality by establishing safeguards to prevent statelessness at birth and later in life. This treaty is therefore complementary to standards contained in other human rights treaties that address the right to a nationality. An increase in the number of State parties to the two

Statelessness Conventions is essential to strengthening international efforts to prevent and reduce statelessness and ensuring full enjoyment of a number of these rights.

Recommendation:

UNHCR recommends that the Government of Angola:

- Accede to the *1954 Convention relating to the Status of Stateless Persons* and the *1961 Convention on the Reduction of Statelessness*;

Issue 7: Accession to the Kampala Convention

Angola has experienced the phenomenon of internal displacement as a result of the civil war that it has gone through in the past and natural disasters. The government has acceded to the *African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa* (Kampala Convention) on 14 June 2013.³ The Kampala Convention is first continent-wide binding instrument specifically designed for the protection and assistance of internally displaced persons. It reaffirms that national authorities have the primary responsibility to provide protection and assistance to internally displaced people (IDPs).

Recommendation:

UNHCR recommends that the Government of Angola:

- Take steps to implement the *African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa* (“Kampala Convention”) by adopting relevant laws and policies aimed at ensuring the protection of IDPs.

**Human Rights Liaison Unit
Division of International Protection
UNHCR
March 2014**

³See, African Union, *African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa* (“Kampala Convention”), 22 October 2009, available at: <http://www.unhcr.org/refworld/docid/4ae572d82.html>.

ANNEX

Excerpts of Concluding Observations and Recommendations from UN Treaty Bodies and Special Procedures Reports - Universal Periodic Review:

Angola

We would like to bring your attention to the following excerpts from UN Treaty Monitoring Bodies' Concluding Observations and Recommendations relating to issues of interest and persons of concern to UNHCR with regards to Angola.

Human Rights Committee

CCPR/C/AGO/CO/1, 107th Session

29 April 2013

16. The Committee is concerned at reports of torture, ill-treatment and human rights abuses, including sexual violence by police and security forces, on undocumented Congolese migrants during their expulsion from the State party. The Committee is also concerned at reports that such human rights violations have not been effectively investigated and that those responsible were not punished, and victims were not compensated. The Committee is further concerned at reports that undocumented migrants may be subjected to detention without recourse to a court to pronounce on its legality. Moreover, the Committee is concerned at the fact that the State party has stopped its registration procedure for asylum seekers who may therefore be under threat of refoulement (art. 7, 9 and 13).

The State party should take all appropriate measures to guarantee that undocumented migrants are not subjected to ill-treatment and human rights abuses by police or security forces, including during their deportation. In the case of Congolese migrants expelled from the State party between 2003-2011, the State party should thoroughly investigate all cases of human rights abuses, including on cases of sexual violence, prosecute and, if convicted, punish those responsible with appropriate sanctions, as well as provide adequate compensation to victims. The State party should further ensure that undocumented migrants are protected against refoulement and if detained are entitled to bring proceedings before a court that will decide on the lawfulness of their detention. Moreover, the State party should re-establish its asylum procedures and proceed with the registration of asylum seekers.

17. The Committee is concerned that the State party remains a country of origin, transit and destination for trafficking in persons, in particular women and girls for sexual exploitation. The Committee is also concerned at the lack of specific legislation prohibiting trafficking in persons, the absence of statistical data on trafficking in persons in the State party, as well as the absence of concrete results of initiatives taken by the State party to combat trafficking, such as the Child Protection Networks (arts. 8 and 24).

The State party should strengthen its efforts to effectively combat trafficking in persons, in particular of women and girls. In the context of its legislative reform, the State party should include the prohibition of trafficking as a specific offence in its legislation and conduct training of all law officials as well as social workers.

The State party should also investigate cases of trafficking, prosecute, and if convicted, punish those responsible, as well as provide compensation and protection to victims. The State party should further reinforce its cooperation with neighbouring countries and consider adopting a National Action Plan to combat trafficking.

19. While noting efforts implemented by the State Party to reduce overcrowding and improve conditions of detention, the Committee remains concerned at the inadequate conditions of detention and the limited use of alternatives to detentions, such as bail or release on parole. The Committee is further concerned that in some prisons, separation of minors from adults is not always guaranteed. Moreover, the Committee regrets the lack of information on mechanisms set up in prison facilities to receive and address complaints lodged by detainees (art. 10).

The State party should continue to strengthen its efforts to improve detention conditions. In particular, it should take measures to reduce the high percentage of overcrowding, including by using alternatives to detention. It should also ensure that the principle of separation of minors and adults is guaranteed in detention facilities. It should further facilitate complaints by detainees regarding detention conditions or ill-treatment and take appropriate measures to investigate and sanction those responsible.

23. While noting the explanations provided by the State party, the Committee is concerned at reports that only 31 per cent of children under age 5 are registered, and that an estimated number of over two million children aged between 0 to 4 are not registered. The Committee is also concerned at information that less than 1 per cent of parents are aware of procedures to properly register their children. The Committee further notes with concern information by the State party that a great number of adults are not registered as a result of successive wars in the State party (art. 24).

The State party should finalize the adoption of the new decree on free birth registration for all children and adults, and improve its official system of birth registration. It should also conduct awareness-raising campaigns on birth registration procedures within communities, in particular in rural areas.

Committee on the Elimination of Discrimination against Women

CEDAW/C/AGO/CO/6, 54th Session

27 March 2013

17. The Committee expresses its deep concern at the persistence of adverse cultural norms, practices and traditions as well as patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and society. It notes that stereotypes contribute to the persistence of violence against women as well as harmful practices, including early marriage, polygamy, female genital mutilation, levirate, and acts of violence against women of the San Community and against children or old women considered to be witches. The Committee expresses its deep concern that the State party has not taken sufficient sustained and systematic action to eliminate stereotypes and negative cultural values and harmful practices.

18. Recalling that combating negative gender stereotypes is one of the most important requirements for social advancement, the Committee urges the State party to:

(a) Put in place, without delay, a comprehensive strategy, in conformity with articles 2(f) and 5(a) of the Convention, to eliminate stereotypes and harmful practices that discriminate against women, such as early marriage, polygamy, female genital mutilation, levirate, and acts of violence against women of the San Community and against children or old women considered to be witches. Such measures should include concerted efforts, within a clear timeframe, in collaboration with civil society, the school system, the media and traditional leaders, to educate and raise awareness about negative gender stereotypes, targeting women and girls as well as men and boys at all levels of society;

(b) Adopt legal provisions prohibiting polygamy, early marriages, female genital mutilation and levirate, and include adequate sanctions for violations of these provisions.

21. While noting the programme to facilitate the reintegration of children exploited in prostitution and the rehabilitation programme for women sex workers, the Committee remains concerned about reports that the State party is a source and destination country for human beings trafficked for purposes of sexual exploitation and forced labour. The Committee is also concerned about the absence of a comprehensive law and strategy aimed at combating trafficking in human beings. It is further concerned that prostitution continues to thrive, owing to the poverty of women and girls.

22. The Committee recommends that the State party:

(a) Carry out a study to investigate the scope, extent and root causes of trafficking in human beings and forced prostitution, particularly of women and girls, including through the collection and analysis of data on trafficking and exploitation of women in prostitution;

(b) Adopt a law aimed at combating trafficking in human beings and amendments to the Penal Code and ensure that they fully comply with article 6 of the Convention and strengthen mechanisms for the investigation, prosecution and punishment of trafficking offenders;

(c) Increase international, regional and bilateral cooperation with countries of origin, transit and destination to prevent trafficking through information exchange and to harmonize legal procedures aimed at the prosecution and punishment of traffickers;

(d) Address the root causes of prostitution of women and girls, including poverty, in order to eliminate their vulnerability to sexual exploitation and trafficking, and strengthen efforts for the rehabilitation and social reintegration of victims;

(e) Ratify the United Nations Convention against Transnational Organized Crime and the Protocol thereto to prevent, suppress and punish trafficking in persons, especially women and children, as well as the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention).

25. The Committee is concerned about the high number of women without national identity cards, which may prevent them from exercising their rights and gaining access to loans.

26. The Committee recommends that the State party ensure that all women receive national identity cards.

45. The Committee notes that the adherence of the State party to the nine major international human rights instruments* would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages Angola to consider ratifying the treaties to which it is not yet a party, i.e., the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance.

47. The Committee recommends that the State party avail itself of international cooperation, including technical assistance, to develop a comprehensive programme aimed at the implementation of the above recommendations as well as the Convention as a whole. The Committee also calls upon the State party to further strengthen its cooperation with specialized agencies and programmes of the United Nations system. The Committee recommends, in particular, that the State party strengthen its cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR) in the State party through, for instance, the re-opening of an OHCHR country office and the signing of a comprehensive agreement aimed at human rights promotion and protection.

Committee on the Rights of the Child

CRC/C/AGO/CO/2-4, 55th Session

19 October 2010

30. The Committee notes that both the Constitution and the Family Code make reference to the principle that “children deserve special attention inside the family...” and that “...in cooperation with the Government, it is incumbent on the family to provide them with greater protection.” However, the Committee is concerned that the principle of the best interests of the child is not well understood in the family or by State authorities, and that it is not consistently applied in practice.

31. **The Committee recommends that the State party continue and strengthen its efforts to ensure that the general principle of the best interests of the child is appropriately integrated in all legal provisions as well as in judicial and administrative decisions and in laws, projects and programmes that have an impact on children.**

34. The Committee notes with interest that legislation establishes free birth registration for children up to five years of age as well as free identification cards for children up to 11 years of age and that children are admitted to school even if they do not have a birth certificate. However, the Committee remains concerned that there has been no substantial progress on birth registration since 2002 and that a lack of human and financial resources severely constrains the implementation of universal birth

registration. The Committee is also concerned that no guarantees exist for registration of children above the age of five.

35. The Committee recommends that the State party take all necessary measures to ensure that all children are registered at birth. In particular, the State party should ensure the provision of adequate human and financial resources for entities that are responsible for this task. The Committee also urges the State party to make sure that guarantees exist to ensure retroactive registration of children above the age of five who have not yet been registered and that registration is carried out by services which are easily accessible by parents.

63. The Committee notes with concern reports of deportation carried out by the State party of more than 30.000 children, amongst whom, according to information, were unaccompanied children, including children below the age of five, some of which were reportedly suffering from malnutrition. The Committee is concerned that returning children, who had fled to other countries during the war, and refugee children born in Angola may have difficulties having their births registered.

64. The Committee recommends that the State party conduct inquiries into allegations regarding deported children and prosecute perpetrators of abuses against these children. The Committee urges the State party to enter into bilateral agreements with States involved in these deportations in order to organize repatriation in conformity with international law. The Committee further recommends that the State party make sure that all children in Angola, including Angolan children born abroad, are registered and have full access to institutions and services.

69. The Committee notes with interest that Networks for the Protection of Children's Rights and the Prevention of Trafficking are being created, strengthened and expanded within the country. The Committee regrets the absence of information about how the networks cooperate with the Violence against Women and Children Unit in the National Criminal Investigation Division and the National Strategy to Prevent and Mitigate Violence against Children. The Committee notes that the State party has taken measures to prevent child trafficking, including through strengthening controls at airports and borders where many aliens are found, and requiring an INAC document to certify the legality of a child's departure. Nevertheless, the Committee is concerned that human trafficking, including of children, has increasingly become a problem in the State party and that there are reports of children being taken across the border and used for transportation of goods and prostitution. The Committee is further concerned that the legal definitions of these crimes and their sanctions are unclear, so that often perpetrators are not prosecuted.

70. The Committee recommends that the State party explicitly define sale, trafficking and abduction in legislation and provide clear sanctions that ensure the prosecution of perpetrators and that it develop measures, programmes and policies to protect children from sale, trafficking and abduction and to rehabilitate and reintegrate victims of such practices.

1 December 2008

3. The Committee notes with appreciation the ratification by the State party of the United Nations Convention against Corruption and the African Union Convention on Preventing and Combating Corruption, in 2006.

6. The Committee takes note of the programmes carried out by the State party to reintegrate Internally Displaced Persons (IDPs) affected by the armed conflict, such as the programme for reintegrating displaced persons and the Angolan Refugee Repatriation Programme.

8. The Committee notes with concern that the last census in the State party was carried out in 1972 and that, despite the existence of the National Statistics Institute and the Survey on Core Welfare Indicators carried out, the State party did not provide updated disaggregated statistical data in the report, which would have contributed to the adoption of more relevant decisions in the field of domestic social, economic and cultural policies enabling the Committee to better assess the implementation of the Covenant.

The Committee recommends that when carrying out its next census in 2009, the State party adopt rights-based indicators and benchmarks to monitor the progressive realization of the rights recognized in the Covenant and that to this end establish a data collection, and provide in its second periodic report updated statistical data on the enjoyment of economic, social and cultural rights, disaggregated by gender, age, rural/urban population and by refugee/IDPs, HIV/AIDS and disability status.

15. The Committee is concerned about the discrimination against women, migrants, IDPs, poor people, disabled people and persons affected with HIV/AIDS who suffer from inadequate access to basic education, adequate housing, and health services.

The Committee urges the State party to take all appropriate and effective measures, including the adoption of a global policy, to combat and eliminate discrimination against women, migrants, IDPs, poor people, disabled people, persons affected with HIV/AIDS.

27. While noting the facilities provided for the return of persons who were internally displaced by the armed conflicts (IDPs), the Committee notes with concern that the State party has not taken sufficient and efficient measures to assist those who have not returned yet, and that IDPs are among the poorest groups in the State party.

The Committee recommends that the State party provide adequate assistance, including financial, for the resettlement of internally displaced persons and for their reintegration into society, and ensure that those IDPs who have not been resettled or returned to their homes have adequate access to housing and employment in places of new settlements.

34. The Committee notes with concern that the State party has not sufficiently extended the coverage of the civil registration facilities, in particular with respect to

birth registration, and that this fact deprives those not registered of the equal enjoyment of economic, social and cultural rights.

The Committee recommends to the State party to take effective steps to ensure registration of all new children without any discrimination and to extend the coverage of civil status registration to all other persons not yet registered.