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**REPORT OF THE JOINT HUMAN RIGHTS PROMOTION MISSION TO THE  
REPUBLIC OF ANGOLA**

**From 3 to 7 October 2016**

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## ACKNOWLEDGEMENTS

The African Commission on Human and Peoples' Rights (the Commission) expresses its appreciation to the Government of the Republic of Angola for accepting to host the joint human rights promotion mission conducted by a Delegation of the Commission from 3 to 7 October 2016.

The Commission extends its sincere gratitude to the Highest Authorities of the State for providing the Delegation with the necessary means and making available the required personnel for the smooth conduct of the mission.

It expresses its appreciation and deep gratitude to the Ministry of Foreign Affairs (MIREX) for the support in organizing the mission.

The Commission also wishes to thank the various national institutions and international and inter-governmental organizations for accepting to meet with the Delegation and providing relevant information on the human rights situation in the Republic of Angola.

## Acronyms and abbreviations

ACHPR	: African Commission on Human and Peoples' Rights
AIDS	: Acquired Immuno-Deficiency Syndrome
FAO	: Food and Agriculture Organization of the United Nations
NGO	: Non-Governmental Organization
UNDP	: United Nations Development Programme
UNICEF	: United Nations Children's Fund

# PART I

## I. INTRODUCTION

1. The African Charter on Human and Peoples' Rights (the African Charter), adopted on 21 June 1981 by the Assembly of Heads of State and Government in Nairobi, Kenya, became effective on 21 October 1986. Articles 30 et seq. establish the African Commission on Human and Peoples' Rights (the Commission) thereby making it the main organ of the African Union (AU) for the promotion of human rights.
2. Under Article 45 of the African Charter, the Commission is mandated to promote human rights and fundamental freedoms enshrined in the Charter, ensure their protection, ensure the monitoring of its implementation, interpret its provisions and provide legal advice at the request of the Assembly of Heads of State and Government.
3. In addition, the Commission is tasked with collecting documents, undertaking studies and researching on African problems in the area of human and peoples' rights, organizing seminars, symposia and conferences, disseminating information and encouraging national and local institutions dealing with human and peoples' rights.
4. In the implementation of this mandate of the Commission, Honourable **Commissioner Pansy Tlakula**, Chairperson of the Commission and Special Rapporteur on Freedom of Expression and Access to Information in Africa (Head of Delegation) led a joint human rights promotion mission to the Republic of Angola from 3 to 7 October 2016, with Honourable **Commissioner Soyata Maiga**, Vice Chairperson of the Commission, Chairperson of the Committee on the Protection of the Rights of People Living with HIV and Those at Risk, Vulnerable to and Affected by HIV and Chairperson of the Working Group on Indigenous Populations/Communities in Africa. The Delegation was accompanied by Mrs. Estelle Nkounkou Ngongo, Legal Officer at the Secretariat of the Commission.

## II. TERMS OF REFERENCE

5. The general objective of the mission was to enquire about the human rights situation in Angola and monitor the implementation of recommendations made following the presentation of the Combined Periodic Report of the Republic of Angola to the African Commission at its 51<sup>st</sup> Ordinary Session held from 18 April to 2 May 2012 in Banjul, The Gambia. The specific objectives of the mission were as follows:

- Promote the African Charter, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women (Maputo Protocol) and all the other regional and international human rights legal instruments;
- Advocate for the ratification of regional and international human rights legal instruments that are yet to be ratified by Angola;
- Hold discussions with the Government on the legislative and other measures taken to give full effect to the provisions of the African Charter, the Maputo Protocol and the other ratified instruments;
- Share views and experiences with the Government of Angola and the other human rights stakeholders in the country on strategies to improve the enjoyment of these rights;
- Gather relevant information on the level of enjoyment of their rights by women and girls as well as the obstacles they face in exercising these rights in the legal, political, social, economic and cultural spheres;
- Seek information on the laws, plans, policies and programmes adopted by the State Party giving effect to the provisions of the CEDAW and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), and identify affirmative action measures that have an impact on the lives of women, and if any, persistent challenges;
- Engage in constructive dialogue with the Government on issues relating to the right to freedom of expression and access to information;
- Hold discussions with stakeholders on local laws relating to the media as well as policies and programmes regarding freedom of expression and access to information in general and the Declaration of Principles on Freedom of Expression in Africa in particular;
- Assess the impact of HIV/AIDS in the country and consult with authorities and other stakeholders working to prevent the pandemic about the legislative, policy and other measures introduced in terms of prevention, treatment, care and support for people living with HIV (PLHIV) and those at risk, vulnerable to, and affected by the disease;
- Assess the level of enjoyment of the rights of people living (PLHIV) and those at risk, vulnerable to, and affected by the disease and identify progress made as well as obstacles which infringe on the full enjoyment of their rights;
- Gather information on the situation of human rights defenders in the Republic of Angola and, where necessary, make the various stakeholders to understand the challenges faced in the effective enjoyment of their human

rights;

- Gather relevant information on the situation of the rights of indigenous communities, older persons, persons with disabilities, persons in detention and other categories of vulnerable persons living in the Republic of Angola;
- Visit prisons and other detention centres in order to learn about the detention conditions of prisoners;
- Meet with all human rights stakeholders to, among others, hold discussions on their programmes, their assessment of the human rights situation in the country and the challenges faced in the conduct of their activities;
- Monitor the implementation of recommendations made by the African Commission to the Government of Angola contained in the report of the mission conducted to the country from 19 to 26 April 2010 and in the Concluding Observations adopted at the 12<sup>th</sup> Extraordinary Session held from 30 July to 4 August 2012 in Algiers, Algeria following the presentation of its Combined Periodic Report;
- Strengthen relations between the Commission and the State Party in the area of the promotion and protection of the rights guaranteed by the Charter and the other relevant national, regional and international legal instruments.



### **III. HISTORICAL, GEOGRAPHICAL AND INSTITUTIONAL BACKGROUND OF THE REPUBLIC OF ANGOLA**

#### **A. HISTORICAL, SOCIO-ECONOMIC AND GEOGRAPHICAL OVERVIEW**

6. Angola is a country situated on the west coast of Southern Africa with a total surface area of 1,246,700 km<sup>2</sup>. It shares a border with the Republic of Congo to the North, the Democratic Republic of Congo to the North-East, the Republic of Zambia to the East, the Republic of Namibia to the South, and is bordered to the West by the Atlantic Ocean.
7. The country is divided into 18 provinces, 163 municipalities and 547 communes. Languages spoken include Portuguese (official language) and other African languages. Its population is estimated at 25,789,024 inhabitants including 13,289,983 women and 12,499,041 men<sup>1</sup>. It is composed of several ethno-linguistic groups with specific cultural traditions. These include, in particular, the Ovimbundu (37%), Kimbundu (24%), Bakongo (13.2%), Lunda-Tchokwe (5.4%), Nyaneka-Humbé (5.4%), and Ngangela (5%).
8. The country's economy is dependent on mineral resources, in particular, diamonds and iron ore. Angola has oil resources and is the second largest oil producer in Africa after Nigeria. It is the second largest source of diamonds in Africa after Botswana, and the fourth in the world. Though the country is the fifth largest economy in Africa, the standard of living has hardly evolved with 40% of the Angolan population living below the poverty line and this creates wide disparities between Angolans. Only 37.8% of the 25 million inhabitants have access to electricity. According to the World Bank, about half of the population have access to drinking water and only 34% in rural areas. The national unemployment rate is 24%; unemployed persons, particularly those under 25 years, account for 60% of the population.

#### **A. LEGAL FRAMEWORK**

9. Angola is a democratic Republic governed by the principle of separation of the executive, legislative and judicial powers.

#### **A. HUMAN RIGHTS RELATED INTERNATIONAL AND REGIONAL CONVENTIONS AND LEGISLATION RATIFIED AND ADOPTED BY ANGOLA**

##### *Regional instruments*

- African Charter on Human and Peoples' Rights;
- Protocol to the African Charter on Human and Peoples' Rights on the rights of women in Africa;

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<http://www.cadenagramonte.cu/english/show/articles/24797:angola-with-more-than-25-million-inhabitants<sup>1</sup>>

- African Youth Charter;
- African Charter on the rights and welfare of the Child;
- African Union Convention for the protection and assistance of internally displaced persons in Africa (Kampala Convention);
- OAU Convention governing the Specific Aspects of Refugee Problems in Africa.

*International instruments*

- International Covenant on Economic, Social and Cultural Rights;
- International Covenant on Civil and Political Rights;
- Convention on the Elimination of all forms of Discrimination Against women;
- Convention on the Rights of the Child;
- Convention against Torture and other cruel, inhuman or degrading treatment or punishment and its Protocol;
- Convention on the Rights of Persons with Disabilities and its optional protocol;
- Convention on the Rights of the Child.

## **IV. METHODOLOGY**

10. During the mission, the Delegation met with various representatives of the Government and other stakeholders involved in the protection and promotion of human rights in Angola to exchange ideas and gather relevant information in order to assess the human rights situation in the country.
11. As an introduction, each of these meetings invariably commenced with a brief presentation of the Commission, made by the Head of Delegation, describing its organization, composition, mandate, operation and subsidiary mechanisms. The recommendations made by past promotion missions of the Commission and its mechanisms to the Republic of Angola as well as their level of implementation were extensively discussed during the Mission with the various persons met. The Delegation also held discussions with the various stakeholders on the obstacles which effectively prevent the enjoyment of human rights in Angola.
12. The Delegation met the Honourable Ministers of Justice and Human Rights, Health, Interior, Education and Family and Women's Empowerment.
13. The Delegation also met with the Secretary of State for Cooperation at the Ministry of External Affairs, the President of the Supreme Court, the State Prosecutor and the Ombudsman.
14. The Delegation held working sessions with members of the Presidium of the National Assembly and the Tenth Commission in charge of human rights,

petitions, grievances and opinions of citizens, and with representatives of the Ministry of Social Communication, UNDP and civil society.

15. It visited the National AIDS Control Centre, the Sao Paulo prison hospital as well as the Prison of Viana and its halfway house.
16. The mission received press coverage through the State-owned print and broadcasting media. The mission ended with a press conference and the reading of the final communiqué.

## PART TWO

### I. CONDUCT OF THE MISSION

17. This part of the report focuses on the key issues discussed during meetings held with the different stakeholders involved in the protection and promotion of human rights in the Republic of Angola.

#### MEETING WITH THE MINISTER OF JUSTICE AND HUMAN RIGHTS

18. The Delegation was received by the Minister of Justice and Human Rights, **Dr Rui Jorge Carneiro Mangueira** and the Secretary General, **Dr Bento Bembe** as well as some of their collaborators for a working and debriefing session. After presenting the objectives of the mission, one of which was to monitor the implementation of recommendations made by the 2010 mission and those formulated following the presentation of the Periodic Report of Angola in 2012, the questions raised focused mainly on the following: statistical data to evaluate the level of access of citizens to justice; the number of judges, men and women, in comparison to the numbers noted during the 2010 mission; the training programme for judges on the utilisation of human rights instruments; the existence of statistical data on the impact of the law on sexual violence since its adoption; and the measures taken in favour of victims, in terms of psychosocial and legal support.
19. The Delegation then discussed the NGO registration process in Angola, in light of the fact that certain civil society organizations continue to face difficulties in their registration process. The reasons for the lack of a National Human Rights Commission as well as the status of the law relating to freedom of expression and the criminalization of defamation were also discussed.
20. The Minister indicated that the Ministry under its current name has only been in existence for 4 years. Prior to this date, issues relating to human rights were dealt with by another body. The Ministry's mandate is to, inter alia, facilitate access to justice for all citizens and develop legislation relating to various issues. It works in close collaboration with the bar association which receives support to provide citizens with assistance to take legal action. According to him, out-of-court dispute settlement means (mediation) are also used by the Judiciary in certain cases and a mediation centre was established in this regard following the adoption of a law authorizing the settlement of civil disputes in this manner. An information centre for public use was also established.
21. He recalled that Angola submitted its reports to the different committees and treaty bodies (CEDAW, ECOSOC, ICCPR and UPR) and discussions for the implementation of recommendations made by the African Commission (2010 mission and 2012 report) are currently underway. The country has also ratified

certain Conventions, including those relating to torture and its Protocol, children's rights and enforced disappearance. Other ratification processes are underway.

22. In response to the concerns raised by the Delegation on the registration of NGOs, the Minister explained that certain NGOs did not wish to comply with the requirements of the new legislation on the NGO registration process, in particular the provision requiring them to revise their articles of association in order to ensure compliance with the newly established criteria, and this therefore made them unlawful.
23. Regarding the establishment of the National Human Rights Commission (CNDH), the Minister informed that the mission assigned to the CNDH was already part of the mandate of the Ombudsman which assumed all the responsibilities of the CNDH. It therefore was not necessary to duplicate efforts. Moreover, although the Office of the Ombudsman was established by the National Assembly, it was nonetheless an independent body.
24. He stated that freedom of expression is guaranteed by the Constitution, but its exercise was not fully understood by certain media organizations, which had a propensity for misuse. Despite this, no individual was detained for defamation or related cases and brought before the courts despite the numerous complaints against journalists. He however emphasized the need to educate citizens on freedom of expression and the conditions of its enjoyment. The Government has initiated a process to amend various laws so as to ensure their compliance with the 2010 Constitution. The Ministry of Justice is in charge of coordinating the revision of the 1998 Family Code, the Civil Code and the new Election Code.
25. He indicated that statistical data on the level of access of citizens to justice was not available, but significant efforts were deployed for the recruitment of judges, whose numbers increased from 119 in 2012 to 332 in 2016. In general, approximately 800 trials are held per year. The objective is to increase the number from 80 to 100 trials per judge. Also, the Government plans to establish a system, in regions where there are no lawyers, to provide citizens with easier access to justice.
26. Statistical data on the impact of implementing the law on domestic violence is not yet available. Although there is no specific law on combatting other forms of violence, they are dealt with in one section of the Criminal Code.
27. The Minister informed the Delegation that measures were being taken to address issues relating to pre-trial detention and mechanisms put in place to monitor their implementation, including legislative reforms as well as the adoption of a new law in 2015 on prisons with an impact on the life of prisoners. Indeed, the structure of prisons was reviewed and the issue of bail conditions addressed with a view to reducing the prison population. The Delegation invited the Government to make use of the Commission's guidelines in this area, in particular, the Guidelines on the

Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa, Luanda Guidelines Toolkit<sup>2</sup> and the Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa<sup>3</sup>.

28. He stated that the amnesty law Nr. 11/16 of 12 August and the presidential pardons granted pursuant to the Presidential Decree Nr. 173/15 of 15 September would significantly contribute to reducing prison population, along with the new measures which provide for the release of approximately 8,000 people. The amnesty law will only concern prisoners who have not committed murder or similar crimes, rape, been incarcerated for use of firearms, drug trafficking, human trafficking and who were sentenced for less than 12 years. Issues still persist in the treatment of prisoners. Also, budgetary resources are insufficient to satisfactorily address the needs of prisoners.
29. According to the Minister, the opposition had refused to approve the adoption of the Family Code and the Civil Code and wanted to redraft certain articles. He was however confident that the adoption process will be completed by the end of the year.

#### **MEETING WITH THE MINISTER OF EXTERNAL AFFAIRS (MIREX)**

30. The Delegation was received by the Secretary of State for Cooperation at the Ministry of External Affairs (MIREX), **Mrs Maria Ângela Teixeira de Alva Sequeira Bragança**, and discussions held on several topics of interest, including: the state of ratification of regional and international human rights instruments as well as the implementation of ratified instruments; whether the Ministry of External Affairs or the Ministry of Justice was in charge of the ratification process of human rights instruments; the number of women in the diplomatic corps; the involvement of the Ministry of External Affairs in the implementation of recommendations made by human rights bodies; and the functioning of the Committee in charge of preparing related State reports.
31. In response to the concerns raised by the Delegation, the Secretary of State for Cooperation indicated that a law had been adopted determining responsibilities of the various ministries in the ratification of instruments. The ratification process is hence initiated by the Ministry of Justice then submitted to the Cabinet and the National Assembly. However, the translation into Portuguese of certain instruments sometimes delays the process. In certain instances, a significant length of time would elapse between the ratification by the National Assembly and the depositing of the ratification instruments by the Ministry of External Affairs.
32. Regarding the presence of women in the diplomatic corps, she indicated that there were 3 ambassadors, nearly 100 women directors in positions with geopolitical

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<sup>2</sup> [http://www.achpr.org/fr/mechanisms/prisons-and-conditions-of-detention/guidelines\\_arrest\\_detention/](http://www.achpr.org/fr/mechanisms/prisons-and-conditions-of-detention/guidelines_arrest_detention/)

<sup>3</sup> <http://www.achpr.org/fr/mechanisms/prisons-and-conditions-of-detention/Guidelines-police-custody/>

dimensions and numerous women in management positions throughout the country.

33. On the Committee in charge of preparing reports, she specified that it comprised representatives of the different ministries but was not a standing committee and only met when a report was to be prepared. The Committee faces certain difficulties in the collection of statistical data.
34. The Secretary of State indicated that the implementation of recommendations made following the presentation of the State's periodic report in 2012 was discussed by the committee in charge of preparing reports, and that the Ministry of External Affairs also monitors implementation in collaboration with other ministries.

### MEETING WITH THE MINISTER OF HEALTH

35. During this meeting with the Honourable **Dr Luis Gomes Sambo**, Minister of Health and his collaborators, discussions focused on the reduction in the health budget and its impact on the populations, efforts made in the training and recruitment of new doctors and nurses, the Strategic Plan on Maternal and Child Mortality and Morbidity, and the implementation and evaluation of this plan.
36. Other concerns raised included ongoing specific programmes for older persons and persons with disabilities, reproductive health, sexual education for young people in schools and in rural areas, the Ministry's assessment of the family planning policy, and the national policy regarding medical abortion.
37. According to the Minister, the budget reduction was a consequence of a revision of the national budget due to the current economic situation and affected all ministries. Thus, the Ministry of Health had to reduce its budget by 40%. The country was facing an emergency situation with the yellow fever and malaria epidemic, and the Government made an effort by allocating foreign currency to the Ministry. He expressed hope that satisfactory funding levels will be restored in the future.
38. As part of efforts to increase the number of medical facilities across the country, a hospital construction programme was put in place 10 years ago. Nurses and doctors are being deployed to work at these facilities. Doctors are trained locally and some abroad. To address the shortage of doctors and nurses, Angola signed cooperation agreements with countries such as Cuba and Russia. However, according to the Minister, closer attention should be paid to the quality of training and the deployment of medical personnel across the country as they have only covered 71% of their workforce needs. The existing health information system still needed improvement.

39. The fight against maternal and child mortality was considered a priority by the authorities as well as the efforts that remain to be made in terms of staff training. In addition, a survey on maternal and infant mortality rates from 2011 to 2012 was being finalized.
40. In the area of HIV/AIDS, the Delegation enquired about measures taken to fight against discrimination, the impact of the National Strategic Programme to Combat AIDS, particularly in the management of key populations (LGBTI, sex workers and vulnerable persons), measures taken to fight against discrimination in health centres, access to healthcare, reception and screening, measures in place for providing support to young people and women in the fight against HIV/AIDS, the prevalence of mother-to-child transmission, and the availability of Anti-Retrovirals (ARV) for prisoners as well.
41. With regard to HIV/AIDS, access to health services and care is guaranteed for all without discrimination. National legislation on HIV/AIDS addresses the issue of discrimination and a civil society NGO forum is working with the Government to discuss discrimination-related issues in the fight against HIV/AIDS so as to make concrete proposals on relevant solutions. The content of training programmes for doctors and healthcare professionals had been revised to better equip them to combat stigma and discrimination. Mapping of key populations and identification of the most vulnerable groups was also under way.
42. The HIV/AIDS prevalence rate was still around 2.5% based on an ongoing assessment of health system performance. The Minister acknowledged that more significant investments were needed to conduct prevention programmes specifically targeted at young people. A new programme on HIV/AIDS will also be launched shortly.
43. Regarding the treatment protocol, a Recommendation had been made for Angola to provide ARV therapy to all infected persons, namely HIV-positive individuals and those who have already developed the disease, depending on the availability of funds. In this regard, there are currently 500 centres providing ARV therapy. The two key strategic areas developed included prevention of mother-to-child transmission services and the integration of a related module in the training programmes of nurses. The prevalence of mother-to-child transmission was 80%. The protocol under the prevention programme was to provide treatment to all pregnant women without distinction. The collection of relevant data remained a challenge, however available data showed that vertical transmission (mother-to-child) was about 25%.
44. According to him, prisoners had access to testing and condoms were available in prisons. The Global Fund on HIV/AIDS supported part of the programmes while other donors such as the World Bank provided 50% of the funding.



45. There are specific programmes for older persons and persons with disabilities, as well as an inter-ministerial committee responsible for the social and medical status of war veterans, of which the Ministry of Health is a member. With regard to indigenous populations, although the State respects their rights and cultures, there are no programmes specifically targeted at them. They are nonetheless taken into account in the framework of certain development programmes.
46. Regarding the question of whether Angola had programmes to promote traditional medicine, including evidence-based traditional treatments, in order to prevent any negative impacts on existing health programmes that could arise due to lack of control, especially in the fight against HIV/AIDS, the Minister explained that he himself was a traditional healer and that although the Government was promoting traditional medicine, there was still no real control from a legal standpoint. Promotion was done through research on pharmacopoeia. Traditional healers have created a powerful association whose ambition is to build a hospital where traditional medicine will be practiced.
47. The Minister stated that combatting harmful practices that have an impact on women's health, such as early marriage, early pregnancy and female genital mutilation, was within the purview of the Ministry of Family and Women's Empowerment. However, the Ministry of Health also plays a key role in this area and takes part in joint awareness campaigns to put an end to these practices.
48. According to him, medical abortions were permitted only to save a woman's life at the recommendation of a physician and not for social reasons. The decriminalization of abortion under certain circumstances such as rape, incest, etc., is currently being discussed within the framework of the revision of the Criminal Code.

#### **MEETING WITH THE MINISTER OF FAMILY AND WOMEN'S EMPOWERMENT**

49. The Delegation was received by Honourable **Maria Filomena Lobão Telo Delgado**, Minister of Family and Women's Empowerment and her collaborators. Issues discussed revolved around the following areas of interest: existing measures to combat violence against women, including sexual and domestic violence; the impact of programmes aimed at eradicating such violence, and the availability of statistical data; information on centres dealing with cases of violence against women; and efforts made to strengthen these centres since the 2010 mission.
50. The Delegation was also interested in the actions undertaken by the Ministry to promote sexual and reproductive health and to combat harmful practices such as unsafe abortion, early and forced marriage. It also enquired about the obstacles encountered in combating these harmful practices and the measures put in place to address them.

51. The question was raised regarding women's representation in decision-making bodies, particularly the strategies put in place to increase their number and the existence of a law on quotas at the National Assembly.
52. Other issues raised included the measures adopted to ensure access for women to land, in particular, access for women in rural areas to land, inputs, drinking water and loans as well as compliance with gender mainstreaming policies in other ministries and the challenges faced.
53. In response, the Minister commenced by providing a brief overview of the Ministry's mandate. She indicated that the Ministry has two departments, one in charge of family matters and the other of women's rights, and there were various divisions and services within each of these departments. Several programmes have been set up within the global context of the National Programme for Women's Rights focusing, inter alia, on the advancement of women and combating violence against women. There is also a specific programme for women in rural areas.
54. Regarding violence against women, the Minister acknowledged that this was a real challenge. She however stated that the legislation and Action Plan to combat such violence were significant in helping to put an end to this problem. The Action Plan involves civil society, various departments, academics and the Ministry of Justice. It is coordinated by the Ministry of Family and the Ministry of the Interior is also included depending on the severity of the case at hand. The Ministry maintains special relations with civil society organizations working on gender issues as well as with certain women's political organizations. Centres handling cases of violence against women still exist and have been strengthened, with the presence of counsellors. Shelters for women in critical situations have also been set up. In addition, a toll-free number to report violence or seek help was opened the previous year.
55. She indicated that the rate of domestic violence was quite high, particularly against women, and the causes were diverse. They include issues relating to divorce, inheritance, child custody or refusal of paternity. The main objective of the centres is to counsel women on their rights and to provide them with legal assistance.
56. An association of female lawyers provides support for victims to have access to justice and when the case goes beyond their competence, they refer it to the Courts, especially when the case is linked to a crime. The Police has also established a specific section on domestic violence. According to the Minister, the rape of girls and young children was on the rise. They were mostly committed within the family unit and, in many cases, involved incest committed by the father. Efforts must be made in terms of prevention and awareness raising on this issue. In this regard, the Ministry has developed a family skills programme in partnership with UNICEF, churches and civil society.

57. A men's association has also been set up to raise awareness among men on the various issues mentioned above. This association also works with other ministries on various key issues. Ending violence has been one of the objectives of the Ministry's 2013-2017 Action Plan and a specific budget was allocated for this purpose with the support of UNICEF and other partners.
58. The Ministry has also developed various programmes for young people to, inter alia, raise awareness on early pregnancies. As part of efforts to end early marriages, a national campaign was organized under the coordination of the Ministry of Family and in collaboration with other ministries, including the Ministries of Education, Health, Youth as well as UNICEF. There are also other awareness programmes targeted at students, some of which focus on reproductive health and sexual education.
59. On the issue of abortion, she stated that it is considered a crime in Angola. Medical abortion was only performed at the recommendation of a physician and to save the life of the mother. However, this and the issue of the age of marriage will be addressed in the revision of the Family Code and the Criminal Code.
60. Regarding activities to be conducted within the context of the year 2016 as the year of human rights, the Ministry planned to organize a Conference of Ministers in charge of gender prior to the Assembly of Heads of State of the African Union and all the recommendations adopted at this conference would be included in their various ongoing programmes.
61. Improving the situation of women in rural areas is a priority in Angola, as they represent one of the most vulnerable populations and at the same time a key segment of the population with the heavy burden of providing food and ensuring food security. The Ministry organized a National Rural Women's Forum in 2014 with the aim of modernizing the lives of rural women and this afforded them the opportunity to voice their concerns and their needs. More than 80% of rural women were consulted and 200 women took part in the Forum. Fifty-three recommendations were made relating to social, economic and cultural rights, citizenry, training, capacity building, etc. A National Action Plan was developed to implement these recommendations. The National Rural Women's Forum is held every two years and an evaluation will be conducted on the implementation of the recommendations.
62. The Ministry assess its various programmes and their results, as well as its needs so as to effectively meet the objectives it has been assigned. Following these evaluations, a request is submitted to the Ministry of Finance to obtain the necessary financial support. However, funds are yet to be allocated in full and the available funds will not be sufficient to ensure a complete implementation of all programmes.
63. The Ministry has focal points within each of the other ministries to monitor gender mainstreaming in national policies and programmes. Seminars on gender-related

issues are organized for the staff of these ministries. Implementation of the gender programme is done in coordination with the other departments. There is an ongoing programme for women working in the informal sector, implemented in collaboration with the Ministry of Trade and the Ministry of Economy, to help shift their activities from the informal sector to the formal sector and thus empower these women. This programme also has an educational component and the women received training from the National Microcredit Institute. There is also a literacy programme supported by the Ministry of Social Integration with the objective of setting up day care centres so as to enable women to carry out their economic activities.

64. Concerning the reduction of maternal and child mortality and morbidity, traditional midwives were trained to provide better care to women in rural areas. The training was organized by the Ministry of Health who provided them with medical kits as part of efforts to raise the awareness of women on the importance of prenatal consultation.
65. Regarding the representation of women in decision-making bodies, there has been an improvement since 2010 reflected in the higher number of women in office following the 2012 elections. There are currently 36% of women in the National Assembly, 22% in the Government, 17% in the Diplomatic Corps and 20% in local governments. Moreover, 10 to 13% of women were appointed to positions in municipal councils. Public corporations were also invited to appoint women to management positions and two large public companies had a woman as Chief Executive Officer (CEO). Recently, a woman was appointed as head of a Credit Bank. The Ministry is working to increase representation from 30% to 50% to achieve parity. The goal is to reach 40% in the next elections. With regard to women working as house helps, a law was passed to protect them against abuse.
66. The Ministry also developed a poverty reduction programme which includes a component on strengthening the capacities of municipalities and local communities to ensure access to basic services (water, health) and another focusing on rural areas. There is also a nutrition programme with a separate budget transferred directly to the municipalities for implementation. Another programme provides support to women who are heads of households and is coordinated by the Ministry of Trade.
67. On the right to land in Angola, access to land is guaranteed for all. The Ministry of Agriculture, in collaboration with FAO, the European Union and certain NGOs, has developed a programme to support women in rural areas. This programme includes a component on assisting these women to obtain land ownership certificates.

#### **MEETING WITH THE PRESIDENT OF THE SUPREME COURT**

68. The Delegation met with the President of the Supreme Court, **Dr Manuel Aragao**, to discuss the work of the Court, in particular, the handling of human rights-related

cases, and training programmes for magistrates, including specific programmes enabling them to familiarise themselves with human rights instruments and regional and international instruments ratified by Angola. Other questions raised included the laws containing provisions that are discriminatory towards women or marginalised groups and measures taken or considered to address this issue, the role of the Supreme Court in the legislative reform process, the representation of women in the judicial system and in the Supreme Court, and the human rights-related themes discussed at the formal opening of courts and tribunals.

69. In response to the Delegation's questions, the President stated that the Supreme Court is the highest judicial body. He mentioned that it was planned to establish an intermediate court between the Tribunals and the Supreme Court to deal with disputes relating to rule of law, whereas those relating to legal proceedings would be under the jurisdiction of the Supreme Court. It was also planned to create tribunals in each district so as to bring justice closer to the people and ensure increased access for local populations.
70. Gender representation is guaranteed by the presence of numerous women in the judicial system, particularly in regional and civil courts. At the Supreme Court, there are 5 women and 10 men.
71. Concerning the handling of human rights-related cases by the Court, the President indicated that not many of such cases were brought before them and the Delegation encouraged the Supreme Court to use the jurisprudence of the African Commission in their decisions pertaining to human rights.
72. He indicated that although annual events marking the solemn opening of the courts were not organized under the theme of human rights, the Judiciary nonetheless works towards ensuring respect for the fundamental rights of individuals and hence access to justice. To this effect, a recommendation had been made to the various courts and tribunals on the need for speed in the handling of cases. As part of the reform process, an assessment of the legal system was ongoing to identify areas where improvement was needed.
73. Regarding the issue of pre-trial detention, he stated that an assessment of its application is due in order to avoid abuse. Moreover, bail was being granted on a more frequent basis. Pre-trial detention was only necessary if the detainee was considered a flight risk.
74. Measures have been taken to improve the legal aid system, particularly with regard to access to the Supreme Court. Legal aid is managed by the Bar Association. Legal expenses remain an area of concern for the Court and the Government. To address this concern, a programme referred to as "Public Defender" was put in place.

75. The opinion of the Court was sought in connection with ongoing reforms. The in-service training of magistrates is conducted through the National Institute of Judicial Studies in coordination with the Ministry of Justice and several themes relating to human rights are included in the training programmes.
76. He explained that Angolan legislation still included several provisions inherited from colonial law, but the new Constitution allows parties to invoke, before a judge, the provisions of ratified international or regional instruments that are yet to be incorporated into the national legislation and the Court is free to apply these provisions.
77. Defamation continues to be a crime, but defamation laws were among the set of laws that needed to be revised or adopted within the framework of the law reform process. The Delegation informed the President of its advocacy for the repeal of laws criminalizing libel and expressed the hope that the Supreme Court will make use of the jurisprudence of the African Court in the case of *Konaté v. Burkina Faso*<sup>4</sup> which represents a landmark decision on the protection of freedom of speech.

#### MEETING WITH THE PUBLIC PROSECUTOR

78. At the meeting with the Public Prosecutor, **Dr Joao Maria de Sousa**, the Delegation discussed the following points: the functioning and monitoring of the Judicial Police, detention at police stations, the existence of gender units within the Police and their collaboration with other units combatting violence against women, the involvement of the Office of the Public Prosecutor in the NGO registration process, and in particular, the implementation of the 2015 law on the registration of NGOs.
79. The Public Prosecutor stated that he was assisted in his duties by two deputies, one in charge of the Civil Courts and the other of the Military Courts. The Military Court has its Supreme Court and various tribunals. These tribunals only hear cases involving crimes committed by military personnel. However, if a soldier commits a crime which falls under the jurisdiction of the Civil Court, he will be tried before a Civil Court. The Military Court operates in the same manner as the Civil Court, but with military judges. The principle of appeal exists and is permissible before the Constitutional Court.
80. There are 20 assistant public prosecutors including 5 women. A section was established in 2007 within the Office of the Public Prosecutor to deal with human rights issues. The Office of the Public Prosecutor also handles cases of domestic abuse, human trafficking and enforced disappearance. It is a member of the

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<sup>4</sup> In a landmark decision in December 2014, the African Court held that Mr. Konaté's imprisonment for defamation violated the right to freedom of expression in Article 9 of the African Charter on Human and Peoples' Rights, Article 19 of the International Covenant on Civil and Political Rights (ICCPR), and Article 66(2)(c) of the Economic Community of West African States Treaty (ECOWAS Treaty), ordering Burkina Faso to revise its law to be consistent with the Charter, and to pay compensation to Mr. Konaté. The exact amount of compensation owed to Mr. Konaté was deferred to a second phase of the proceedings. <http://arcproject.co.uk/2016/06/the-african-court-establishes-first-jurisprudence-on-the-freedom-of-expression-konate-v-burkina-faso/>

committee in charge of preparing reports. It covers all tribunals in the country with a total of 66 magistrates assigned to the tribunals, all categories included (criminal, labour and administrative).

81. The primary role of the Public Prosecutor in the Angolan judicial system is to ensure the legality of the judicial process and respect by the judicial police of safeguards established by law. It also plays the role of public defender during trials. The State can be the defendant but can also be the plaintiff. The Public Prosecutor represents children, vulnerable groups and the interest of the society. His opinion may be sought on various issues such as impeachment proceedings against the President of the Republic. He informs the President of human rights violations.
82. The Office is also involved in the organization of training seminars for magistrates and civil servants on human rights. Five seminars were organized in the past two years and four magistrates travelled to Israel to attend a human rights training programme. The Office also receives support from UNDP and SADC to organize seminars. A human rights module has been integrated into the programme of the National Institute of Judicial Studies (INEJ). The Office has developed a training programme on how to raise awareness among citizens on their rights and obligations and on how to bring a matter before the courts.
83. A representative of the Public Prosecutor is present during pre-trial detention to ensure respect of safeguards established by law. Domestic violence is no longer considered a private crime since the adoption of the law on domestic violence, which includes all violence-related crimes, and any citizen can now report such crimes without being the direct victim. In this regard, a special tribunal exists which deals with domestic violence cases and the protection of witnesses is guaranteed.
84. The Office of the Public Prosecutor only intervenes in the NGO registration process when its opinion is sought on the legality of the process led by the Ministry of Justice and Human Rights and when it is called upon to ascertain the conformity of the documents and objectives of the NGO with the prevailing laws and to give a legal opinion on the reasons why an NGO may not be authorized to work in Angola. In the event an NGO does not receive a favourable legal opinion, it may request the Office of the Public Prosecutor to give its opinion on the legality of the process within the required deadline, and may also submit a new request.

## MEETING WITH THE OMBUDSMAN

85. The Delegation was received by the Ombudsman, **Mr. Paulo Tjipilika**, with whom they discussed the tasks assigned to him, his mandate and his responsibilities. The amnesty law and the involvement of the Ombudsman in its implementation were also discussed, as well as the existence of a special platform for exchange with NGOs and the lack of an NHRC in Angola.
86. Mr. Tjipilika explained that the Ombudsman is elected by 2/3 of the members of the National Assembly, for a term of 5 years renewable once. He submits a report

to the National Assembly and to the President of the Republic every six months. He also presents a financial report and his budget, which must be approved by the National Assembly. His budget represents 5% of the National Assembly's monthly budget.

87. As for the mandate and responsibilities of the Ombudsman, he receives complaints emanating from all parts of the country and even by telephone from citizens about the illegal actions of certain departments in the civil service. The Ombudsman is represented in the provinces. Most of the complaints filed relate to social disputes, pre-trial detention, etc. The Ombudsman also visits prisons to form an opinion on whether pre-trial detention rules are respected including the period of pre-trial detention as prescribed by law. In his Report, he provides information on public entities that follow up on his requests and those that do not. The deadlines for responding to the recommendations made by the Ombudsman are also specified for all entities without distinction. His Report also mentions the status of implementation of the recommendations. In this regard, he indicated that the rate of implementation is still low and much remains to be done to improve the situation. According to him, challenges include raising the awareness of certain personalities and entities that do not respond to letters and recommendations as well as human and financial resources.
88. Regarding the amnesty law, the Ombudsman stated that he would monitor its implementation and ensure compliance with time limits for detention.
89. Concerning relations with NGOs, he pointed out that they could report to the Ombudsman like any other citizen and with regard to the 2015 Presidential Decree on Registration of NGOs, no complaint to challenge the Decree had been received.
90. In response to the questions on the possible consequences of having to depend on the National Assembly for his budget, and therefore about his independence, the Ombudsman stated that his independence was well established, particularly vis-à-vis the Executive and the National Assembly and especially in administrative matters. To buttress his point, he cited the example of Sweden, which had the same system as Angola.
91. The question was also asked about the existence of statistical data on the most recurrent issues in the complaints (illegality, discrimination, non-compliance, human rights-related violations) and also those submitted by women. The Ombudsman averred that the previous year's statistics showed that, per category, the majority of complaints from women concerned cases of child abandonment and abandonment of the family home by spouses. These complaints are redirected to the Courts but the Office of the Ombudsman continues to support them, notably by inquiring from the Prosecutor about the progress made with the cases.
92. On the absence of the NHRC, he explained that Angola had chosen to have a strong Ombudsman instead of having two institutions with similar mandates. The



Ombudsman works with NGOs and the Ministry of Justice, which has a secretariat working specifically with the Ombudsman. The issue of human rights was included in the Lusaka Protocol<sup>5</sup>, while the Office of the Ombudsman was still a department of the Ministry of Justice from which it was later separated into an independent institution. His mandate is to defend the rights and freedoms of citizens and this is enshrined in the Constitution. The Ombudsman supports justice through non-judicial means and monitors the legality of decisions taken by public service institutions.

### **MEETING WITH THE MEMBERS OF THE PRESIDIUUM OF THE NATIONAL ASSEMBLY AND THE TENTH COMMISSION ON HUMAN RIGHTS, PETITIONS AND CITIZEN OPINIONS**

93. The Delegation had a working session with the Deputy Speaker of the National Assembly, Honourable **Joana Lina Ramos Baptista**, accompanied by the Chairperson of the Human Rights Commission at the National Assembly, the Chairperson of the Foreign Affairs and Angolans Abroad Committee, the Vice-Chairperson of Foreign Affairs Committee and the Director of the Office of the Speaker of the National Assembly. Discussions focused on the role of the National Assembly, particularly in the ratification of regional and international human rights instruments, but also on the role it plays in the implementation of the recommendations made by the Commission, particularly following the presentation of the 2012 periodic report and those relating to the Universal Periodic Review (UPR).
94. The following issues were also discussed: the number of women present in the National Assembly and their representation according to whether they belonged to the majority or the opposition, measures put in place to encourage political parties to choose women as candidates in the upcoming elections, the existence of networks within the National Assembly to discuss issues such as violence against women, the existence of a platform for exchange with NGOs, and challenges faced by parliamentarians in adopting laws.
95. In response to the questions, the Deputy Speaker pointed out that with regard to ratification, the Commission in charge of this issue is tasked by the National Assembly to examine the proposals of the Government and present their conclusions to the plenary. Parliamentarians must prioritize what is relevant for their countries. When the documents are not available in Portuguese, the National Assembly must wait for the official translation before it can proceed to its scrutiny. The National Assembly has passed very important laws such as those establishing a centre for conflict resolution, the one on asylum seekers, the amnesty law, the law on reconciliation, the law on the Bar, and the law on the financing of political

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<sup>5</sup> Signed in Lusaka on 31 October 1994, the agreement was intended to put an end to the Angolan civil war by integrating and disarming UNITA to begin the process of national reconciliation. The two parties to the conflict agreed to a ceasefire completing the protocol on 20 November of the same year. [https://fr.wikipedia.org/wiki/Protocole\\_de\\_Lusaka](https://fr.wikipedia.org/wiki/Protocole_de_Lusaka)

parties. The draft revised Criminal Code has already been submitted to the Commission in charge, and should also be submitted to the leaders of the parliamentary groups prior to its discussion in plenary for adoption.

96. On the representation of women, there is a national policy on gender equality and equity approved pursuant to Presidential Decree Nr. 222/13 of 24 September 2013. It stipulates that 15% to 18% of the seats in the National Assembly are reserved for women, but this does not solve the problem that women face. Out of the 220 seats of the National Assembly, 139 are occupied by men and 81 by women.
97. Since the electoral system is based on the list system, women must feature on the list of political parties to be elected and each political party's list must have 30% of women. The objective is to reach 45% for the next elections and having a specific law will not solve this problem, given the voting method. Women parliamentarians from all political backgrounds belong to different groups, but there are no specific networks.
98. The National Assembly maintains good relations with the Executive with whom it works in accordance with an established framework. Challenges exist, especially in the adoption of new laws, and following the adoption of the new Constitution of 2010, there is a lot of work that needs to be done to bring the entire legislative system into conformity with the new Constitution. There were hence 44 to 45 laws pending at the level of the National Assembly.
99. The debates of the National Assembly are not broadcast on television and this is an area of discord between the opposition and the majority, but discussions are ongoing on this issue. Nevertheless, citizens can access the political statements of all political parties, which are broadcast on television and likewise the presentation of the national budget. Moreover, the National Assembly hosts a weekly programme on television. It also has a magazine, but it is not published on a regular basis. The National Assembly Library is open to the public.

## MEETING WITH THE MINISTER OF INTERIOR

100. The Delegation was received by Honourable **Dr Angelo Tavares**, Minister of Interior, accompanied by his collaborators, including the Police Commissioner, the Deputy Director General of Immigration Services, the Deputy Director General of the Criminal Investigation Service, the Director of Institutional Communication, the Director of Cooperation and International Cooperation, the Deputy Director of Criminal and Penal Affairs and the Director of Prison Services.
101. Information was sought regarding the areas of intervention of the Judicial Police as well as the measures taken to ensure respect for human rights during the preliminary investigation stage, including the presence of a lawyer, cases of torture and the measures taken against the agents who committed these acts, and the protection of vulnerable people, such as women who are domestic violence victims and victims of human trafficking. The Delegation was also interested in knowing

the procedure for controlling places of detention, if this was done under the control of the Office of the Public Prosecutor or through another mechanism, if there was a formal framework between the Police and Judiciary to discuss the challenges that they both face in the implementation of their respective mandates and if police training contained modules on human rights.

102. Other questions focused on statistical data on women in senior positions in the Ministry, the types of crimes that prevail in Angola, the status of torture under national law, especially if it was considered a crime. It also wanted to know if there was a procedure allowing citizens to file complaints of police brutality and whether arrests of journalists and human rights defenders were frequent.
103. The Minister first stated that his Ministry was responsible for the management of prisons, the reintegration of prisoners, the conduct of criminal investigations, immigration issues, civil protection and the free brigade service. Regarding the representation of women in the Ministry, he said that they held various positions of responsibility and many were in the National Police.
104. According to the Minister, the crime rate was not high in the provinces, but was a cause for concern in Luanda where the rate was highest. Due to the circulation of weapons, as a result of the war, some crimes were committed with weapons. There were also cases of rape that occurred within families and cases of domestic violence, but which were fortunately decreasing with the implementation of the law on domestic violence. Car thefts were more frequent in Luanda.
105. On the situation of refugees and asylum-seekers in the country, the Delegation enquired whether they were integrated into the population or residing in refugee camps. In addition, the Delegation had received the information that 40% of the population did not have an identification document and wanted to confirm this and, if necessary, to know the measures put in place to address this situation, in light of the participation of citizens in the forthcoming elections.
106. In response to the question on refugees, the Minister said that Angola had received 16,100 refugees from the DRC, Mauritania, Somalia, Chad, Liberia, Rwanda and Ethiopia. With regard to refugees from Liberia and Rwanda, who had been considered refugees for a long time, discussions were ongoing with UNHCR and the countries of origin of the refugees with a view to signing the cessation of their status as refugees. Concerning immigration, they faced a wave of illegal immigration, the bulk of migrants were economic migrants.
107. He pointed out that identification documents are issued by the Ministry of Justice, which has a programme in place to allow all Angolans to obtain their identity cards as soon as possible. They had encountered technical problems that slowed down the process, but this has been resolved. Also, the Government has put in place several other measures to facilitate the issuance of identity cards, including financial facilities.

108. With regard to police training, the Minister said that police officers were trained in police academies and that a human rights module was included in the curricula. The Ministry collaborates with the UN and some NGOs to train them on human rights, especially on issues relating to torture. The issue of torture is addressed in accordance with the provisions of international instruments and is considered a crime.
109. According to him, citizens can report police violence to the Tribunal or to the supervisor of the accused police officer or the Ministry of the Interior where complaints may be lodged. The Ombudsman and the National Assembly, which has a Commission for this purpose, also receive complaints. There is a disciplinary decree that deals with issues relating to police violence. In the course of 2015, there were 700 sanctions against police officers and 79 police officers were dismissed. There is also a toll-free number that people can use. The Ministry works with other ministries and the Bar Association, to discuss various issues.

#### MEETING WITH THE MINISTER OF EDUCATION

110. Discussions with the Minister of Education, Honourable **Mpinda Simão**, revolved around the following points: the general state of education in Angola; the education budget; the inclusion of human rights studies in school curricula; the study of the African human rights system; efforts made to ensure access to education for indigenous peoples, especially if they had specific programmes to facilitate the retention of indigenous children in school; measures adopted to promote the learning of national languages at school; the Ministry's relationship with the private education sector, particularly as regards controlling the content of private education; existing measures to facilitate access of children with disabilities to school; the existence of literacy programmes for adults; school canteens; and the policy for providing support to pregnant girls at school.
111. Concerning the general state of education, the Minister indicated that in 2012 the literacy rate was 67% and in 2014-2015, there were more than 1.2 million people who followed a school curriculum. According to him, this is the result of awareness campaigns on the importance of education. They hope to reach 80% in the future and if they continue their efforts, they may be able to put an end to illiteracy in 5 to 6 years.
112. Education is compulsory and free and this is enshrined in various laws. There are currently nearly 8 million educated people while in 2012 there were only 7 million. The country has made tremendous progress in the education sector, and is focusing more on the quality of education than on quantity. However, there are still many challenges, including improving the quality of infrastructure, inspection and control as well as at the level of teachers. The university needs to develop new training programmes so as to ensure that education in the country is of the highest quality. The aim is to achieve this goal within 2 years and in this regard, there are plans to improve the working conditions of teachers, teacher training institutes and

to develop the education system in other regions. There are also plans to continue positive discrimination measures with a view to increasing the number of schools in the most remote regions of the country. The goal is to educate every child across the country and thus put an end to illiteracy. Programmes dubbed "areas of pedagogical influence" were set up, which consist in implementing the best strategies and solutions to answer a given problem in the educational domain.

113. The Minister stated that the economic crisis had an impact on the education budget which has been considerably reduced over the years. In 2016, it was reduced to 6%, whereas two years ago it was 8%. Regarding the integration of human rights in the curriculum, a partnership was initiated with their counterparts in Namibia to develop educational tools for the integration of human rights into the educational system. But there was already some form of human rights education in the current programmes teaching tolerance, promotion and respect for values, respect for others, etc. There is also a partnership with UNESCO to develop educational materials and increase the number of qualified teachers who can teach human rights issues.
114. He stated that the languages taught and used in teaching are Portuguese, French, English as well as local languages. However, in the capital, practically everyone speaks Portuguese, whereas in the provinces, priority is given to local languages. This has an impact on the education of children who must learn in a language they do not master and therefore leads to consequences such as dropping out of school. It is in response to this problem that some local languages were introduced as first-year learning languages and learning tools were developed in at least 6 local languages. But very few teachers who can teach in the local languages, whereas there is a real need. There are no specific training programmes for adults, but there are ongoing literacy programmes.
115. The Ministry of Education, which is responsible for issuing authorizations for the establishment of private schools, also controls the curriculum and content of training programmes of private schools. Authorization granted is valid for 5 years and can only be renewed after a satisfactory evaluation conducted by the Ministry. In the event of an irregularity, the Ministry may institute proceedings against the offending establishment.
116. A nutrition programme has been established in schools for the most vulnerable children, which has had a positive impact on the presence of children in school. Another ongoing programme provides a school bus service to children. According to him, one of the causes of school dropout, particularly in rural areas, is the distance between school and the place of residence of children, some of whom must walk 10 km to get to school. The Ministry of Transport envisages the purchase of 1,500 school buses that would be made available to schools and local communities to address this issue.

117. The enrolment rate of indigenous children is very low; two strategies have been put in place, one of which consists of settling the populations in order to give them proper education, and the other providing them with itinerant teachers who move with them. In addition, to better meet the needs of indigenous children, a specific programme was established and its evaluation is underway with UNICEF's support to identify their needs and adapt the programme accordingly. With regard to children with disabilities, special schools have been established. However, the Ministry's policy is to include them in the general education system by training teachers to respond to their specific needs. There are about 28,000 children with disabilities attending school, 3 of whom are currently in postgraduate studies (PhD) in Cuba. The Ministry also produced educational materials in Braille. Pregnant girls were no longer excluded from school since the adoption of a law protecting them. Moreover, the Ministry works in collaboration with the Ministry of Health to provide them with care.

### MEETING AT THE MINISTRY OF SOCIAL COMMUNICATION

118. The Delegation had a working session with the Secretary of State at the Ministry of Social Communication, Honourable **Manuel da Conceisao**, accompanied by the National Director of Information, a representative of the Office of National Affairs in charge of State Information and a legal adviser, to discuss the state of implementation of the Law on Access to Information in Angola and to know the status of freedom of expression, including the content of the law on defamation which allows the State to prosecute journalists.

119. The Delegation was also interested in knowing the level of progress made in the review of the laws on freedom of expression, access to information and other media laws, especially if they were already at the level of the National Assembly. Other issues were also raised about the existence of community radios, the funding of the media by the State, the presence of women in the media, the existence of a structure charged with the regulation of the media and its role in ensuring compliance with the code of professional ethics.

120. In response, the Secretary of State said that the Republic of Angola has a law allowing access to information and another which organizes freedom of the press. The Law on Access to Information does not fall under the Ministry of Social Communication, but rather the Ministries of Justice, Interior and Education depending on the nature of the information requested by the citizen. With respect to access to information, there are several laws on information (radio broadcasting, media, etc.) and the print media.

121. The reform process of laws on information and the media covers a set of laws including a new Press Law, a radio broadcast law, a law on the regulation of the press and a law on the status of journalists. These bills will concern radio broadcasting, television, the independent press, and a regulatory body to govern the activities of media professionals, in order to meet the needs of journalists and enhance their work. The legislative package containing these laws is under

discussion at the level of the National Assembly. As part of the review process, a broad national consultation was held on the decriminalization of defamation. As a result, defamation will no longer fall under the purview of the Press Law, but will be incorporated in the Criminal Code when it is being revised. Thus, if a journalist is guilty of defamation, he will be sanctioned on the basis of the provisions of the Criminal Code.

122. The previous Constitutions in Angola have always guaranteed freedom of expression to its citizens. The State grants accreditation to journalists without restriction and there are about 201 newspapers (print media), 431 magazines, 159 news bulletins, 15 media production companies, 2 TV channels including the national television that covers 85 % of the territory and the television channel Zimbo which covers about 70% of the territory. There are also 5 cable distribution platforms, such as DSTV, Canal Plus, etc. Concerning radio stations, there are about 21 FM radio stations including 3 denominational radio stations and one university radio station that covers all provinces and one public radio network that has 18 stations nationwide. There are also 4 regional radio stations and the State has 4 newspapers in various fields (news, sport, economy and finance and culture).
123. Funding is provided to the press through the Business Financing Law, which contains specific provisions regulating support to media. There is a regulatory body that is also part of the legislative package. Ethical standards will be adopted by journalists themselves and not be imposed by the State. The regulatory body will only be responsible for the implementation of these standards. Women are fairly well represented in the media and even in senior positions. The Ministry intends to create 14 community radio stations, 4 of which are already operational.
124. Since 2005 there have been five journalists' associations, namely the Association of Journalists, the Association of Women Journalists, the Association of Economic Journalists, the Association of News Publications and a Regional Association for the Media.

#### **WORKING SESSION WITH UNDP**

125. During the meeting with the UNDP Representative Mr Paulo Baladelli, the Delegation discussed the UNDP's mission in Angola, particularly the monitoring and implementation of human rights through various programmes, and also through coordination and preparation of reports for United Nations treaty bodies.
126. He indicated that UNDP works on several programmes, including one on access to justice and human rights. It also works on the issue of migrants in partnership with the Ministry of the Interior. Regarding illegal immigration, the Government has demonstrated the political will, but much remains to be done. Migrants and asylum seekers are a real challenge for Angola, which needs support in this regard.

127. He stated that, together with UNFPA and other UN agencies, they are supporting capacity building and are also working on juvenile justice, as the Angolan population is very young. Promoting women's rights is also one of their priorities and they had just ended a campaign against domestic violence. Other programmes focus on reproductive health but this is more in the domain of UNFPA.
128. Social, economic and cultural rights are also one of their areas of interest and they worked to assist the Government in setting up a social protection programme. In his opinion, failure to satisfy economic and social needs has a definite impact on the rise in crime rates, and warrants special attention from the State. Another crucial issue is that of land ownership. Most people do not own land titles and this is problematic, especially when the Government is conducting a development project. The United Nations works with the State to regulate the sector.
129. Another challenge is the realization of civil and political rights. Although efforts continue to be deployed to build democracy, political tolerance still needs to be learned by all. There is also need for education in this area especially among local communities and the Police.
130. UNDP provides support to some NGOs working on specific themes in relation to Agency's programmes, but this funding had to be reduced because Angola is considered an intermediate country.

#### **VISIT TO THE NATIONAL AIDS CONTROL INSTITUTE**

131. During discussions with Ms **Maria Lúcia Furtado**, Director General of the National AIDS Control Institute, questions were raised regarding the Institute's missions, prevention programmes and treatment follow-up, legislative measures taken for providing care to HIV/AIDS patients, particular with regard to stigma and discrimination, the prevalence rate and the existence of a programme for the distribution of ARVs.
132. She said that the Institute was created by presidential decree, to respond to the challenges of HIV/AIDS, under the supervision of the Ministry of Health, which is responsible for planning, implementation, coordination and evaluation of programmes at the national level. In collaboration with the Ministry of Health, the Institute carries out actions in the areas of prevention, testing and treatment. It has a laboratory where the tests are carried out. Several campaigns were organized and communication materials and documentation developed to inform and raise awareness among the populations on HIV/AIDS and how to protect oneself.
133. She disclosed that HIV/AIDS prevalence was around 2.5 %. With a view to reducing the vertical transmission of HIV/AIDS, the Government of Angola had put in place a Programme for Prevention of Vertical Transmission (PTV), which is considered a priority action in the 2013-2017 National Development Plan. This programme includes activities to prevent vertical transmission in key stages,



including pregnancy, childbirth and breastfeeding. The programme focuses on three areas including raising awareness among pregnant women, rapid testing, and the involvement of spouses, partners and family members who also need to do their tests.

134. In 2004 when this programme began, there were just under 7,000 pregnant HIV-positive women, whereas at least 19,000 pregnant women are currently living with the disease and 80% of them should be diagnosed and included in the PTV programme. She said that Angola had adopted a strategy consisting of delegating to nurses the responsibility of administering antiretroviral therapy to HIV-positive pregnant women to increase their chance of access to the PTV programme.
135. Regarding the fight against stigma and discrimination, Angola adopted a law in 2004 aimed, inter alia, at ensuring the protection and promotion of the health of persons, through the adoption of necessary measures for the prevention, control, treatment and research on HIV/AIDS. The law also sets out the rights and duties of infected persons and health care personnel, as well as others at risk of contagion. The law guarantees the provision of free healthcare in public health facilities, and protects their employment, vocational training as well as the confidentiality of information. The law has also criminalized the transmission of HIV in fraudulent form, as well as the infection of third parties by carelessness.

#### VISIT TO THE VIANA PRISON

136. The Delegation visited the Viana Prison where it was received by the Superintendent **Luciano Vicente**, Director of the Prison. The prison services control, at the country level, a prison population estimated at 24,000 prisoners in the 40 existing prisons, including that of Viana. The prison accommodates 4,000 detainees including 455 women. Young people are detained in juvenile prisons.
137. The Prison has a ward for men, a ward for women, and a third one for the administration. The men's ward was divided into 4 blocks that accommodate the detainees according to the types of crimes committed: one block for blood crimes (murder), one for robbery, one for foreign prisoners and another for those who have committed other types of offences not specifically falling into the above categories. There was a health centre within the prison, but the most serious cases are sent to the Sao Paulo prison hospital.
138. The Prison offers education from primary to secondary school, and there is also the Industrial Centre that trains inmates in trades for their reintegration in the society.
139. In the men's ward, the Delegation met and discussed with detainees on their conditions of detention. Many were interested to know what the Commission could do for them so that they could benefit from the amnesty law. The Delegation explained to them that the application of the law was subject to criteria defined by the Angolan legislation and that the Commission could not intervene unless there

were shortcomings in its application. And furthermore, this could only be done if the Commission was formally seized and the alleged violation fell under the African Charter.

140. The women's ward has a capacity of 500 inmates and includes a handicraft centre and a nursery where the children of the detainees are kept until the age of three. The Delegation wanted to know if the detainees were willing to follow the reintegration and rehabilitation programme, especially with the opening of the Industrial Centre within the Prison. Indeed, one of the challenges for the reintegration of the detainees was rejection by their families, a rejection that for some began as soon as they were incarcerated. It was therefore essential that they be equipped to face the challenges they would encounter upon their release. According to the women, some of them were attending the training courses offered by the Industrial Centre and expressed the hope that this attendance would improve.
141. Despite the efforts deployed and improvements noted, overcrowding in prisons remains a concern and appropriate solutions should be provided.

#### **VISIT TO THE INDUSTRIAL CENTRE OF THE VIANA PRISON**

142. The setting up of the Industrial Centre is part of the "New Momentum, New Opportunities" Programme, which was established in partnership with the Special Economic Zone (ZEE). It is a light industry whose goal, in addition to participating in the reintegration and rehabilitation of detainees, is to ensure the self-sufficiency of the prison while contributing to the supply chain of the Ministry of Interior. The Centre can accommodate 300 inmates and it works with the help of some partner enterprises that offer various services which involve work carried out by the detainees.
143. The Centre has an aluminium processing plant, a wood processing plant, a sewing workshop, a section dedicated to technological products (computers) and a pharmaceutical factory under a public-private partnership.
144. During the visit, the Delegation noted the good quality of installations and the involvement of the detainees who worked there. Some sections were not yet fully operational because the Centre only opened in March 2016. Nevertheless, the first results were encouraging and showed signs of a good preparation for a successful reintegration.

#### **VISIT TO THE SAO PAULO PRISON HOSPITAL**

145. The Delegation visited the Sao Paulo Prison Hospital, which was established to respond to the demand and the deficit that the prison sector was facing regarding medical and pharmaceutical assistance to detainees.

146. The hospital receives inmates who need to be hospitalized. It has various services including clinic and nursing services, first aid, radiology and surgery rooms, laboratory and pharmacy. In 2013, a health centre was opened to treat prisoners suffering from mental illnesses. The hospital also has six offices for outpatients and two for emergencies as well as a hospitalization area for employees. The staff consists of 114 health workers, 9 doctors, 10 clinical psychologists, 87 nurses and 15 therapeutic diagnostic technicians.

#### **MEETING WITH CIVIL SOCIETY**

147. The Delegation met with members of civil society to discuss their work, the challenges they faced in their respective fields of action, as well as issues that, in their view, deserved to be brought to the attention of the authorities.

148. They expressed their satisfaction and gratitude to the authorities for having authorized the promotion mission, which offered them the opportunity to interact with members of the African Commission on Human and Peoples' Rights. They exposed the difficulties encountered in the conduct of their activities, particularly with regard to the registration of NGOs since the adoption of the Presidential Decree, which according to their statements, was in contradiction with the already existing administrative law. For some, this represented an obstacle to obtaining observer status with the Commission because they could not justify a proper registration document. For others, the Presidential Decree questioned their very existence because it put them in de facto illegality.

149. Various other issues were discussed including the ongoing expropriations by the State in the context of development projects and the excessive use of force during this process, resulting in the death of a 14-year-old boy, who was trying to protect the family home from being demolished. These cases of expropriation have been brought before the courts, but solutions are yet to be found for the most part. The question of land ownership is quite sensitive in Angola because very few possess land titles which makes compensation very complicated in cases of expropriation.

150. Indeed, according to the Angolan Land Law<sup>6</sup>, unregistered and uncultivated land belongs to the State. And many Angolans do not have land titles due in particular to the absence of an actual entity in charge of this mission. They indicated that in rural areas, entire communities have also been stripped of their land in order to meet the State's development needs. Finally, with the economic crisis, the housing crisis was also accentuated, and many people could no longer access decent housing.

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<sup>6</sup>Land Law No. 9/04, adopted on 9 November 2004, which governs access to land. However, land rights in force are based on colonial land laws, according to which unregistered and uncultivated land belongs to the State. [http://www.fao.org/gender-landrights-database/countryprofiles/listcountries/nationallegalframework/landlegislation/fr/?country\\_iso3=AGO](http://www.fao.org/gender-landrights-database/countryprofiles/listcountries/nationallegalframework/landlegislation/fr/?country_iso3=AGO)

151. The issue of overcrowded prisons was also brought to the attention of the Delegation, as well as the fact that there were acts of torture being perpetrated in the prison and which had been brought to the attention of the authorities for action. The decline in freedom of expression and of the press as well as the significant increase in political violence, particularly within the context of the electoral process, were also mentioned.
152. According to them, the situation of street children, whose numbers have increased considerably as a result of the economic crisis, and the issue of child labour are also worrying. In addition to that, a large number of children did not have identification documents.
153. Problems with the issuance of identity cards were also discussed and it was underscored that indigenous peoples were particularly discriminated against in this area, as the vast majority of them had no identification documents.
154. In terms of access to health, despite the considerable number of health facilities, some communities still do not have a health centre, which partly explains the high rate of maternal and infant mortality. Moreover, the existing centres do not always respond adequately to the real needs of the populations, particularly with regard to the quality of care provided. There are also deficiencies in the protection of women victims of domestic violence, because despite the existence of the law, women still face multiple threats and their perpetrators will continue to escape justice if strong measures are not adopted by prosecuting authorities. Cases of rape within the family unit were also on a constant increase and this should be taken into account by the judicial system.
155. The rights of persons with disabilities are more or less taken into account, with the adoption of the Accessibility Law. However, this law has not yet been enacted and many aspects still need to be improved, particularly with regard to access to employment. There are 12 schools for the deaf throughout the country, which are well equipped to accommodate deaf and the hearing-impaired, but there are not enough qualified teachers. The option of including them in the formal system is a good one, but the same problem of qualified teachers arises. This results in multiple dropouts, leaving these people without adequate training to find a job. Moreover, there are not enough sign language programmes on national television and this contributes to the feeling of exclusion, especially in the electoral process. This information was provided by a deaf activist through an interpreter.
156. Regarding environmental issues, the Delegation was informed of the existence of an oil slick that was polluting the Cabinda waters with a serious impact on the flora and fauna.
157. Concerning their relations with the authorities, some associations insisted on the importance of giving the authorities time to work before judging them. For others, it was necessary for them to review their mode of collaboration with the

State by making use of a better communication strategy. The progress made by the State was also stressed. However, they deplored the failure to implement the recommendations made by the Ombudsman and also the lack of communication of the Office of the Ombudsman with the plaintiffs during the examination of their complaints.

## PART THREE

### I. OBSERVATIONS AND ANALYSIS OF THE HUMAN RIGHTS SITUATION IN ANGOLA

158. This part of the report presents the Mission's observations on the human rights situation in Angola based on information gathered from the exchanges with various stakeholders and the visits undertaken during that mission. These observations are classified into positive and negative aspects. It analyses the implementation of the recommendations made during the previous mission and those made following consideration of the combined periodic reports (2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup>) of the Republic of Angola, at the 51<sup>st</sup> Ordinary Session held from 18 April to 2 May 2012 in Banjul, The Gambia.
159. The Commission commends the efforts made by the Angolan Government to comply with its obligations under the African Charter on Human and Peoples' Rights, particularly through the implementation of the recommendations contained in the report of the 2010 promotion mission and in the Concluding Observations following the presentation of its combined Periodic Reports.
160. The Commission notes the commitment of the authorities to the well-being of the populations. Most of the projects that were ongoing in 2010 have been completed and the city has experienced considerable expansion.
161. At the normative level, Angola's new Constitution was adopted in 2010 and as a result, major reforms have been initiated to ensure that the existing laws are in conformity with the new Constitution. Although the reforms have not yet been completed, the demonstrated will to take these reforms to the end has been quite encouraging. Angola implemented the recommendation to ratify the Kampala Convention. It also ratified the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol as well as the Convention on the Rights of Persons with Disabilities and its Optional Protocol.
162. A law on domestic violence was adopted as well as other measures, action plans and strategies in partnership with NGOs and UN agencies to combat gender-based violence. The capacities of counselling and legal aid centres for women victims of violence were strengthened. In the area of socio-economic rights, significant progress has been made in the education sector. Access to education is improved with the adoption of several measures to enrol and support children from vulnerable groups, indigenous children and children with disabilities.
163. In the health sector, the number of health facilities constructed has increased as well as training programmes for medical doctors and capacity building programmes for paramedics.

164. An amnesty law was also passed to address the issue of overcrowding in prisons and considerable efforts made for the reintegration of detainees through vocational training in various technical trades.

165. However, much remains to be done on freedom of association, particularly with regard to the registration of NGOs, access for persons with disabilities to employment, regulation of the land sector, the issue of street children and child labour. Accompanying measures for victims of domestic violence should be strengthened and the State should show more firmness in the repression of rape within families and incest, in particular.

## A. POSITIVE ASPECTS

### *At the normative level*

166. The following efforts were noted:

- i. The will of the Government to further promote and protect human rights through the ratification of a number of regional and international human rights legal instruments, including:
  - a) *At the regional level*
    - Ratification of the Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention) (2012).
  - b) *At the international level*
    - Ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Protocol (2013);
    - Ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol (2014).
  - c) *At the national level*
    - Adoption of the amnesty law Nr. 11/16 of 12 August and the Presidential Decree Nr. 173/15 of 15 September granting presidential pardons (Amnesty Law);
    - Adoption of the law on domestic violence.

### *Administration of justice*

- Increase in the number of judges recruited from 119 in 2012 to 332 in 2016;
- Existence of legal aid and protection of witnesses;
- Reduction in the use of pre-trial detention in favour of bail;
- Establishment of specific sections on domestic violence in the police stations;
- Existence of special Tribunal dealing with domestic violence;
- Establishment of a toll-free number to denounce cases of domestic violence;
- The good quality of prison facilities;
- Existence of a training programme in the prison system;
- Existence of a prison hospital to provide better care to sick prisoners;
- Opening of an Industrial Centre for the reintegration and rehabilitation of prisoners in society.

### *Health*

- Adoption of a strategy delegating nurses the responsibility of administering antiretroviral drugs to HIV-Positive pregnant women within the framework of the Vertical Transmission Prevention Programme (PTV);
- Administration of preventive treatment to all pregnant women without distinction as part of the prevention programme;
- Promotion of traditional medicine;
- Existence of cooperation agreements with Cuba and Russia to address the shortage of medical doctors;
- Existence of specific programmes on the protection of older persons, persons with disabilities and war veterans;
- Training of traditional birth attendants and distribution of medical kits to promote prenatal consultation.

### *Education*

- Integration of human rights into the curriculum, and development of educational tools for this purpose in partnership with the Ministry of Education of Namibia;
- Introduction of human rights in the training curricula of police officers, magistrates and judges;
- Introduction of local languages as first-year learning languages with the development of learning tools in at least 6 local languages;
- Monitoring of the curricula and content of training programmes of private schools by the Ministry of Education;
- Establishment of a school nutrition programme for the most vulnerable children;
- Training of teachers on the management of pupils and students with disabilities for their inclusion in the general education system;
- Production of educational documents in Braille;
- Retention in school of pregnant girls pursuant to the adoption of a law protecting them.

### *Women*

- Implementation of an action plan for the eradication of violence;
- Organization of national campaigns on combatting harmful practices and denouncing domestic violence;
- Development of an action plan in favour of rural women;
- Adoption of programmes for the empowerment of women.

## **B. AREAS OF CONCERN**

167. In spite of the positive aspects mentioned above, the Delegation is concerned by the many challenges identified in the various areas and which could hinder the full realization and enjoyment of human rights in Angola. These include:



*At the normative level*

*At the regional level*

Angola has still not ratified:

- The African Charter on Democracy, Elections and Governance;
- The Protocol establishing the African Court on Human and Peoples' Rights.

*At the national level*

- Non-compliance of certain domestic laws with regional and international conventions ratified by the country;
- Delays in the revision and adoption of laws at the National Assembly, in particular, the Family Code, Criminal Code and Civil Code;
- Criminalization of abortion in the Criminal Code.

*Administration of justice*

- Overcrowded prisons;
- Weak measures and sanctions against perpetrators of domestic violence.

*Ombudsman*

- Lack of implementation by the Executive branch of the recommendations of the Ombudsman.

*Freedom of expression*

- Abuses in the exercise of the freedom of expression by media professionals;
- Persistent criminalization of defamation.

*Health*

- Inadequate budget allocations;
- Restrictions on access to safe abortion;
- Poor quality of care provided in centres that do not really meet the needs of populations;
- Lack of a legal control on traditional medicine.

*Education*

- Budget restrictions;
- Low enrolment rate of indigenous children;
- Low proportion of qualified teachers for the education of children with disabilities and for teaching in local languages;
- Lack of a school transport service for children living in rural areas.

*Access to land*

- Difficulties in obtaining land ownership certificates due to the non-existence of an entity in charge of issuing land ownership certificates;
- Persistence of forced expropriations without compensation;
- Excessive use of force in the conduct of land expropriation processes led by the State within the framework of development projects.

### *Women*

- Persistent under-representation of women in decision-making spheres;
- High rates of domestic violence;
- Inadequate protection of women against violence;
- Persistence of harmful practices such as early marriage and FGM;
- Inadequate budget allocated to the Ministry of Women's Empowerment to meet the needs of women.

### *Children*

- Large number of children victims of rape and incest;
- Increase in the number of street children as a result of the economic crisis;
- The issue of child labour;
- Difficulties to obtain identification documents.

### *Persons with disabilities*

- Delays in enacting the law on accessibility;
- Lack of accompanying measures to ease access of persons with disabilities to employment;
- Shortage of qualified teachers in schools for people with disabilities such as schools for the deaf;
- Lack of sign language programmes on television.

### *Housing*

- The housing crisis compounded by the difficult economic situation that weighs on the ability of several people to access decent housing.

### *Refugees and migrants*

- Ensure the adoption of a law on asylum seekers and refugees with a view to better protecting refugees and asylum seekers;
- Seek sustainable solutions to adequately address the situation of long-term refugees;
- Ensure the effective delivery of birth certificates to children so as to avoid placing them in a situation of de facto statelessness.

## **II. CONCLUSIONS AND RECOMMENDATIONS**

168. Despite significant progress, many challenges still exist and require the implementation of appropriate measures to ensure the effective protection and respect of human rights in the country. It is for this purpose that the following recommendations are made to the Angolan authorities and their partners.

### **TO THE STATE PARTY**

#### *At the normative level*

#### *At the regional level*

Measures should be taken to ratify:

- The African Charter on Democracy, Elections and Governance;
- The Protocol Establishing the African Court on Human and Peoples' Rights and the Declaration referred to in Article 34 (6).

*At the national level*

- Ensure compliance of domestic laws with regional and international conventions ratified by the country;
- Ensure that the implementation of the NGO Registration Law is in line with the Principles and Guidelines on Freedom of Association and Assembly in Africa of the African Commission on Human and Peoples' Rights;
- Accelerate the revision of the Criminal Code, the Civil Code and the Family Code;
- Accelerate the adoption of laws pending before the Parliament.

*Administration of justice*

- Ensure access to justice for litigants;
- Construct new prisons to address the issue of overcrowded prisons;
- Strengthen measures against perpetrators of domestic violence;
- Decriminalize abortion in the revision of the Criminal Code in accordance with Article 14 of the Maputo Protocol;
- Amend the age of marriage in the revision of the Civil Code;
- Implement the recommendations of the Ombudsman to ensure justice is rendered.

*Ombudsman*

- Take appropriate measures to ensure that the recommendations of the Office of the Ombudsman are implemented.

*Freedom of expression*

- Educate the population and media professionals to make effective use of the freedom of expression while respecting the rights of all persons;
- Decriminalize defamation.

*Health*

- Ensure that the budget allocated to the health sector is significant;
- Authorise access to safe abortion for all women;
- Improve the quality of care provided in health centres by adapting them to the actual needs of the population;
- Establish a legal framework for the control of traditional medicine;
- Speed up the development of the new programme on HIV/AIDS to be launched shortly.

*Education*

- Take measures to improve the education of indigenous children;
- Train more qualified teachers for the education of people with disabilities;

- Speed up the establishment of a school transport service for children, particularly in rural areas.

#### *Access to land*

- Facilitate the issuance of land ownership certificates;
- Abstain from excessive use of force when conducting land expropriation and ensure that this is done in accordance with the law with guarantees of compensation or relocation of expropriated persons.

#### *Women*

- Continue efforts for full representation of women in decision-making bodies in order to achieve parity;
- Strengthen protection measures for women victims of domestic violence.

#### *Children*

- Take the necessary measures to ensure the protection of child victims of rape and incest by providing them with appropriate medical and psychological assistance and condemning the perpetrators according to the penalties provided for by law;
- Adopt measures to remove children from the street and ensure their protection and education;
- Supervise child labour and ensure that those working, do so in accordance with the law;
- Remove obstacles to obtaining identification documents.

#### *Persons with disabilities*

- Accelerate the enactment of the law on accessibility;
- Put in place accompanying measures to facilitate access to employment for persons with disabilities;
- Train qualified teachers to meet the needs of schools for persons with disabilities such as those for the deaf;
- Promote sign language through television by providing for more sign language programming, particularly in relation to information on good governance.

#### *Housing*

- Put in place measures enabling citizens to gain access to decent housing.

#### *Refugees and migrants*

- Ensure the adoption of a law on asylum seekers and refugees with a view to better protecting refugees and asylum seekers;
- Seek sustainable solutions to adequately address the situation of long-term refugees;
- Ensure the effective delivery of birth certificates to children so as to avoid placing them in a situation of de facto statelessness.

## **TO CIVIL SOCIETY ORGANIZATIONS**

- Continue efforts in the protection of human rights;
- Strengthen their capacities to help them better accomplish their mission;
- Prioritize dialogue with the Government.

#### **TO UN AGENCIES**

##### **UNDP**

- Continue and strengthen collaboration with the Government and civil society through various development projects.

169. Finally, the Commission calls upon the Government of the Republic of Angola to ensure implementation of the above recommendations and provide updates on these issues in its next report.