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## Compilation on Angola

### Report of the Office of the United Nations High Commissioner for Human Rights

#### I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

#### II. Scope of international obligations and cooperation with international human rights mechanisms and bodies<sup>1, 2</sup>

2. Angola was invited by several human rights bodies and mechanisms to consider ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,<sup>3</sup> the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,<sup>4</sup> the International Convention for the Protection of All Persons from Enforced Disappearance,<sup>5</sup> the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights,<sup>6</sup> the Optional Protocol to the Convention on the Rights of the Child on a communications procedure,<sup>7</sup> and the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189).<sup>8</sup>

3. Angola contributed financially to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in 2018.<sup>9</sup>

4. In 2018, Angola submitted its midterm report regarding implementation of the recommendations from the second cycle of the universal periodic review, in 2014.<sup>10</sup>

#### III. National human rights framework<sup>11</sup>

5. The Human Rights Committee welcomed the adoption in 2019 of the new Penal Code, which criminalized acts of discrimination based on sexual orientation, and female genital mutilation. It also noted the introduction of specific provisions in the new Code to criminalize acts of corruption.<sup>12</sup> However, the Committee expressed concern about the



criminalization in the new Code of the voluntary termination of pregnancy in all but a few circumstances, with penalties ranging from two to eight years of imprisonment, and about the existence of defamation provisions, which might be used to silence dissent and penalize statements made by members of the media.<sup>13</sup>

6. In 2019, the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity applauded the State's decision to decriminalize same-sex relations by eliminating in the new Penal Code a previous provision on "vices against nature" and reportedly adopting provisions outlawing discrimination on the basis of sexual orientation.<sup>14</sup>

7. The Human Rights Committee expressed concern about the limited mandate and inadequate financial resources currently allocated to the Office of the Ombudsman. Angola should expedite the adoption of the legal framework required for the Office of the Ombudsman to effectively comply with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and ensure that the Office was given the necessary resources to fulfil its mandate throughout the country.<sup>15</sup> The Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and the Special Rapporteur on the human rights of migrants made related recommendations.<sup>16</sup>

8. The Special Rapporteur on migrants recommended that Angola establish a national preventive mechanism to undertake regular unannounced visits to all places of deprivation of liberty.<sup>17</sup> The Human Rights Committee stated that Angola should establish an independent mechanism to investigate all allegations of torture.<sup>18</sup>

## **IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

### **A. Cross-cutting issues**

#### **1. Equality and non-discrimination<sup>19</sup>**

9. The Human Rights Committee reiterated its concern that Angola had not yet adopted a general law on equality and non-discrimination and stated that it should take the necessary measures to enact comprehensive legislation providing full and effective protection against discrimination in all spheres and containing a comprehensive list of prohibited grounds of discrimination.<sup>20</sup> The Committee on the Elimination of Discrimination against Women recommended that Angola adopt a comprehensive definition of discrimination against women.<sup>21</sup>

10. The Human Rights Committee stated that Angola should take measures to effectively protect indigenous peoples, foreign nationals, persons living with HIV/AIDS, persons with disabilities, persons with albinism and lesbian, gay, bisexual and transgender persons and safeguard their fundamental rights, while ensuring that all cases of discrimination were duly addressed; and to carry out broad education and awareness-raising campaigns that promoted equality, tolerance and respect for diversity.<sup>22</sup>

#### **2. Development, the environment, and business and human rights<sup>23</sup>**

11. The Committee on the Rights of the Child recommended that Angola establish and implement regulations to ensure that the business sector complied with international and national human rights, labour, environmental and other standards, particularly with regard to children's rights; and establish a clear regulatory framework for the industries operating in the State, in particular the oil, gas, diamond, fishing and farming industries, to ensure that their activities did not endanger environmental and other standards.<sup>24</sup>

12. The United Nations Children's Fund (UNICEF) stated that during 2017, Angola had continued to be affected by natural and human-made disasters including floods, droughts

and disease outbreaks, noting that droughts related to the El Niño phenomenon had left 756,000 people in need of food assistance.<sup>25</sup>

## **B. Civil and political rights**

### **1. Right to life, liberty and security of person<sup>26</sup>**

13. The Committee on the Rights of the Child expressed concern that there were still landmines in all 18 provinces of Angola, in particular in rural areas, and that there had been 44 mine casualties in 2016, of whom 30 were children.<sup>27</sup> The Committee recommended that Angola intensify its efforts to protect children against landmines, including by carrying out military, commercial and humanitarian mine clearance programmes, programmes for mine awareness and physical rehabilitation of child victims, and seek technical assistance and cooperation from appropriate international agencies.<sup>28</sup>

14. The Human Rights Committee expressed concern that Angola had not yet succeeded in adequately reducing the large quantities of small arms illegally possessed by residents, and indicated that it should strengthen efforts to collect small arms held by the population and reduce insecurity in its territory.<sup>29</sup>

15. The Committee noted that the legal framework regulating the maintenance of public order, in particular the National Police Discipline Regulations of 1996, was not in line with international standards. It also expressed concern about credible reports that excessive force was often used by law enforcement officers, especially during demonstrations, which had resulted in injuries and deaths. Angola should ensure that the principles of necessity and proportionality in the use of force were adequately reflected in legislation and policies and complied with in practice.<sup>30</sup>

16. The Committee expressed concern about reports of torture and ill-treatment by the police or security forces during arrests, in police stations during interrogation, as well as in other detention facilities. Angola should review its legislative framework to ensure that the act of torture defined in the Penal Code was in full compliance with article 7 of the International Covenant on Civil and Political Rights; and ensure that all suspected cases of torture or ill-treatment were thoroughly investigated and that the alleged perpetrators were prosecuted.<sup>31</sup>

17. The Committee expressed concern at the lack of information provided by the State regarding alleged cases of arbitrary arrests and detentions, incommunicado detention and detention in military custody, in particular of sympathizers with the Front for the Liberation of the Cabinda Enclave, as well as human rights activists. The Committee encouraged Angola to take appropriate measures to ensure that no one under its jurisdiction was subject to arbitrary arrest or detention and incommunicado detention; and ensure that detained persons enjoyed all legal guarantees, in compliance with articles 9 and 14 of the Covenant.<sup>32</sup>

18. While noting the measures taken to reduce overcrowding and improve conditions of detention, the Committee expressed concern about reports that prisons remained overcrowded, in part because of the large number of detainees awaiting trial, and that the conditions of detention were extremely harsh, particularly with regard to access to food, sanitation and health care. Angola should effectively implement measures to reduce overcrowding, in particular through the promotion of alternatives to detention; ensure that pretrial detention was used solely as an exceptional measure; and ensure that detention conditions in all facilities met the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).<sup>33</sup> In 2017, Angola pledged to adhere to the Nelson Mandela Rules.<sup>34</sup>

### **2. Administration of justice, including impunity, and the rule of law<sup>35</sup>**

19. The Human Rights Committee remained concerned about reports claiming persistent shortcomings in the administration of justice, particularly the lack of independence of the judiciary and the insufficient number of trained judges, prosecutors and lawyers.<sup>36</sup> The

Committee on the Rights of the Child remained concerned that about 95 per cent of the State's lawyers were concentrated in the capital.<sup>37</sup>

20. The Human Rights Committee stated that Angola should strengthen the independence of the judiciary and the prosecution service, intensify its efforts to eliminate corruption in the judiciary, continue efforts to increase the number of trained judges, prosecutors and lawyers, and accelerate implementation of the judicial reform with a view to ensuring that the newly established tribunals and courts (municipal and provincial) were fully staffed and operational.<sup>38</sup> The Committee on Economic, Social and Cultural Rights reiterated its recommendation that Angola intensify its efforts to improve the administration of justice, in particular regarding access to justice, availability of legal aid, resources allocated to the justice system and capacity-building.<sup>39</sup>

21. The Committee on the Elimination of Discrimination against Women expressed concern that women continued to face multiple barriers to obtaining access to justice. It recommended that Angola provide targeted capacity-building on the Convention on the Elimination of All Forms of Discrimination against Women and women's rights to actors involved in traditional conflict resolution mechanisms, and ensure that all necessary safeguards were provided to prevent violations of the rights enshrined in the Convention by customary judicial mechanisms.<sup>40</sup>

22. While noting the various anti-corruption measures taken by Angola, the Human Rights Committee expressed concern at reports that corruption in the State remained widespread. The Committee stated that Angola should strengthen its efforts to combat corruption and illicit financial flows and reinforce good governance practices, and strengthen the capacity of the prosecution service and law enforcement agencies to combat corruption.<sup>41</sup> The Committee on Economic, Social and Cultural Rights urged Angola to carry out awareness-raising campaigns on the economic and social costs of corruption among politicians, members of parliament, national and local government officials and the population in general.<sup>42</sup>

23. The Committee on the Rights of the Child remained concerned that the juvenile justice system only applied to children up to the age of 16 years, that children at times were tried as adults and at the lack of availability of alternatives to detention. It recommended that Angola ensure that the juvenile justice system applied to children up to 18 years of age and was equipped with adequate human, technical and financial resources.<sup>43</sup>

### **3. Fundamental freedoms and the right to participate in public and political life<sup>44</sup>**

24. The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted that the Press Law, which was part of the social communication legislative package of 2017, gave the Ministry of Social Communication the authority to oversee how media organizations carried out editorial decisions, and to fine or suspend the activities of violators. It also criminalized the publication of a text or image that was "offensive to individuals", punishable under the Penal Code as defamation and slander, with fines. UNESCO also noted that the new Press Law enabled the Government to control information posted on social media or elsewhere online.<sup>45</sup>

25. The Human Rights Committee expressed concern at reports that the Angolan media was largely controlled by the Government and the Movimento Popular de Libertação de Angola. It was also concerned at reports that the social communication legislative package had been approved with minimal debate, despite opposition from the journalists' union and others, and that it actually limited freedom of expression.<sup>46</sup>

26. The Committee stated that Angola should ensure that all provisions of its legislation were brought into conformity with article 19 of the Covenant, and protect journalists and the media against any form of undue interference, harassment and attack and promptly investigate all such attacks.<sup>47</sup> UNESCO recommended that Angola decriminalize defamation and place it within a civil code that was in accordance with international standards.<sup>48</sup>

27. While noting the Constitutional Court decision of July 2017 declaring Presidential decree No. 74/15 on the regulation of non-governmental organizations to be

unconstitutional, the Human Rights Committee expressed concern at reports of delays in registration of non-governmental organizations and about pressures brought to bear against those that raised sensitive political issues.<sup>49</sup>

28. The Committee expressed concern about the alleged use of excessive force, including the use of dogs, intimidation and arbitrary detention, against peaceful protesters, and recommended that Angola ensure that all restrictions on peaceful demonstrations that were not strictly necessary and proportional within the meaning of article 21 of the Covenant were lifted.<sup>50</sup>

#### **4. Prohibition of all forms of slavery<sup>51</sup>**

29. The Committee on the Elimination of Discrimination against Women and the Human Rights Committee expressed concern at the protracted delay in the adoption of a plan of action to combat trafficking in persons, and recommended that Angola: expedite the adoption of the national plan of action to combat trafficking in persons and allocate adequate resources for its implementation; and enforce anti-trafficking legislation by conducting gender-sensitive investigations and ensuring the prosecution and punishment of perpetrators, including public officials, who were complicit in trafficking and the exploitation of women and girls in prostitution.<sup>52</sup>

### **C. Economic, social and cultural rights**

#### **1. Right to work and to just and favourable conditions of work<sup>53</sup>**

30. The Committee on Economic, Social and Cultural Rights expressed concern about the high unemployment rate, especially among youth and in rural areas, and that the economic growth witnessed in recent years had not generated sufficient employment opportunities. The Committee recommended that Angola intensify its efforts towards diversification of the economy, with a view to creating a sustainable economy that was resilient to shocks, and pay due consideration to those groups and individuals that were more vulnerable to unemployment.<sup>54</sup>

31. The Committee noted the adoption in 2015 of the new Labour Law, which regulated the participation of children aged 14–16 years in light work, but expressed concern that the new law lacked implementation mechanisms and that child labour, including in its worst forms, was still prevalent, especially in the informal economy.<sup>55</sup> The Committee recommended that Angola take immediate measures to adopt implementation mechanisms for the new Labour Law, and ensure that the labour rights of all workers were protected.<sup>56</sup>

32. The Human Rights Committee stated that Angola should take all necessary measures to eliminate forced labour and all forms of child labour exploitation, in particular in the mining sector, including by increasing the capacity of labour inspectors and allocating appropriate resources to labour inspection.<sup>57</sup>

33. The Committee on Economic, Social and Cultural Rights remained concerned about the concentration of the labour force, notably women, in the informal economy, which was characterized by poor working conditions, including low salaries and a lack of labour rights and social protection coverage. It recommended that Angola redouble its efforts to gradually decrease the number of workers in the informal economy by integrating them in the formal labour force, and give priority to the extension of social protection coverage to workers in the informal economy.<sup>58</sup> The Committee on the Elimination of Discrimination against Women recommended that Angola adopt a gender-sensitive and adequately resourced employment policy.<sup>59</sup>

#### **2. Right to social security**

34. The Committee on Economic, Social and Cultural Rights noted the existence of conditional cash transfer programmes but expressed concern that Angola still lacked a universal social protection system. It recommended that Angola step up its efforts to develop a social security system that would guarantee coverage and appropriate benefits for all workers and non-contributory benefits to all disadvantaged persons and families so that

they were able to enjoy an adequate standard of living, and that it should seek, if necessary, technical assistance from ILO.<sup>60</sup>

### **3. Right to an adequate standard of living<sup>61</sup>**

35. The Committee on Economic, Social and Cultural Rights remained concerned that a large proportion of the State's population still lived in poverty, including extreme poverty. The Committee was also concerned about the persistence of high social inequalities and that poverty-reduction programmes had had limited impact. It urged Angola to ensure that economic growth was prioritized to decrease poverty, and recommended that it develop specific strategies to address social inequalities and that, as a matter of priority, it increase its efforts and take targeted measures to combat poverty among marginalized and disadvantaged groups and individuals.<sup>62</sup>

36. Noting that Angola had tightened public spending owing to an economic downturn, the Committee on the Rights of the Child recommended that Angola ensure that gains realized from its economic growth, in particular the benefits from oil, gas and diamond industry revenues, were directed towards poverty reduction, especially among children.<sup>63</sup>

37. The Committee on the Elimination of Discrimination against Women expressed concern about the high rate of poverty among rural women, and recommended that Angola strengthen efforts towards the economic empowerment of all rural women, including by reinforcing the provision of microcredits and enhancing skills development.<sup>64</sup>

38. The Committee on Economic, Social and Cultural Rights recommended that Angola adopt a framework law on the right to food and collect disaggregated data on the prevalence of hunger and under- and malnutrition.<sup>65</sup>

39. The United Nations Human Settlements Programme (UN-Habitat) noted the implementation of the National Housing and Urban Development Programme. It indicated, nonetheless, that housing remained unaffordable for the vast majority of the population and that the biggest challenges were linked with the improvement of informal settlements, or alleviating poverty and health and social problems within those areas.<sup>66</sup> The Committee on Economic, Social and Cultural Rights called on Angola to adopt and implement a rights-based housing policy aimed at enabling disadvantaged and marginalized groups and individuals to access housing.<sup>67</sup>

40. The Committee on Economic, Social and Cultural Rights expressed concern about the persistence of forced evictions in the State, including from informal settlements and in the context of development projects, without the necessary procedural guarantees or the provision of alternative housing or adequate compensation.<sup>68</sup>

41. UN-Habitat indicated that just 53 per cent of households in Angola had access to appropriate drinking water sources, 67 per cent of which were in urban areas and 32 per cent in rural areas.<sup>69</sup> The Committee on the Rights of the Child expressed serious concern that progress on equitable access to sources of water and sanitation across the provinces had not been achieved, and urged the State to expand the community water management model in villages and peri-urban areas.<sup>70</sup> UNICEF stated that in order to meet target 6.2 of the Sustainable Development Goals, on sanitation, Angola would need operational strategies, strengthened institutional arrangements, adequate resources and expanded and accelerated collaboration with stakeholders.<sup>71</sup>

### **4. Right to health<sup>72</sup>**

42. The Committee on Economic, Social and Cultural Rights expressed concern that access to health services, especially in rural areas, remained inadequate, owing in part to the insufficient resources allocated to the health sector, and recommended that Angola strengthen its efforts to ensure universal access to basic health-care services, including by allocating increased resources to the health sector while paying particular attention to improving infrastructure and increasing health-care facilities supported by qualified medical personnel in rural areas.<sup>73</sup>

43. The Committee on the Elimination of Discrimination against Women expressed concern about the criminalization of abortion in certain cases; the persistently high rate of

maternal mortality, which might be attributed, *inter alia*, to unsafe abortion and to the fact that 22.8 per cent of deliveries occurred at home; and the overall high fertility rates, in particular among adolescent girls.<sup>74</sup>

44. The Committee recommended that Angola, in line with targets of 3.1 and 3.7 of the Sustainable Development Goals: amend the Penal Code to decriminalize abortion in all cases and to legalize it, at least, in cases of rape, incest, severe fetal impairment and risk to the health or life of the pregnant woman; strengthen efforts to enhance access for women to inclusive health-care services and affordable medical assistance by trained personnel, in particular in rural areas; and ensure that all women and girls had access to affordable and modern forms of contraception.<sup>75</sup>

45. The Committee on the Rights of the Child recommended that Angola effectively implement existing programmes aimed at reducing child mortality and morbidity rates, including by improving the skills of midwives and adopting quality standards for maternal and newborn care.<sup>76</sup>

46. UNICEF noted that malaria remained the main cause of child mortality in Angola, combined with diarrhoea and acute respiratory infection and malnutrition.<sup>77</sup> The Committee on the Rights of the Child expressed serious concern that undernutrition was prevalent in Angola, with chronic undernutrition (stunting) of children under 5 years of age having increased to 38 per cent in the period 2015–2016 from 29 per cent in 2007, and that undernutrition was associated with 45 per cent of child deaths.<sup>78</sup> The Committee recommended that Angola allocate sufficient resources for the implementation of the National Nutrition Strategy and step up the provision of malaria prevention and treatment in affected areas.<sup>79</sup>

47. The Committee recommended that Angola allocate sufficient financial, human and technical resources to the National Institute for the Fight against AIDS and expedite the operationalization of the Provincial Committees for the Fight against AIDS and Major Endemic Diseases.<sup>80</sup>

48. The Committee expressed concern at the low rate of full immunization coverage of children, which stood at just 31 per cent, and recommended that Angola make all efforts to achieve the goal of full immunization coverage for children.<sup>81</sup>

## **5. Right to education<sup>82</sup>**

49. UNESCO indicated that education spending was just 2.3 per cent of gross domestic product (GDP) and stated that Angola should aim to ensure that gains realized from economic growth, in particular the benefits from oil, gas and diamond industry revenues, were channelled into education.<sup>83</sup> UNESCO recommended that Angola increase spending on education to reach the Education 2030 Framework for Action target of 4–6 per cent of GDP and 15–20 per cent of total expenditure.<sup>84</sup>

50. The Committee on Economic, Social and Cultural Rights expressed concern about the low enrolment rates at all school levels, about the high dropout rates, particularly among girls, and about the limited access to quality education in rural areas.<sup>85</sup> UNESCO noted that completion rates in 2015 indicated high levels of dropout, with only 60 per cent of students completing primary school, 36 per cent completing lower secondary school and 19 per cent completing upper secondary school.<sup>86</sup>

51. The Committee on Economic, Social and Cultural Rights recommended that Angola intensify its efforts to ensure universal access to free compulsory education and develop specific strategies to address the high dropout rates.<sup>87</sup> The Committee on the Rights of the Child recommended that Angola address the reported root causes of children dropping out of school, such as a lack of teachers, poor teaching quality, insufficient access to educational materials, lack of water and sanitation and overcrowded schools.<sup>88</sup>

52. UNESCO noted that the gender gap had been closing at the primary level but remained an issue of concern at the secondary level, particularly in rural areas. Adolescent pregnancies led to high dropout rates among girls, and Angola currently lacked a clear policy for re-entry or a law to protect pregnant girls' right to education.<sup>89</sup> UNESCO recommended that Angola give special attention to the reported reasons for girls dropping

out of school more often than boys, such as gender-based violence, child marriage and teenage pregnancy.<sup>90</sup>

53. UNESCO stated that schools were few and sometimes completely absent in regions where indigenous peoples resided, and that for the San minority, language was an added barrier to learning.<sup>91</sup> UNESCO recommended that Angola intensify its efforts to improve equal access to education for all, especially vulnerable groups such as women and girls, minorities, nomadic populations, children with special needs and those in rural areas.<sup>92</sup> The Committee on the Elimination of Discrimination against Women recommended that Angola increase the budget allocated to the construction of additional schools, in rural areas in particular.<sup>93</sup>

## **D. Rights of specific persons or groups**

### **1. Women<sup>94</sup>**

54. While noting the information provided by the State that its legislation did not discriminate against women in matters of inheritance, the Committee on the Elimination of Discrimination against Women remained concerned that customary law continued to be discriminatory towards women and girls in such matters, and recommended that Angola ensure equality in land acquisition and retention, including through succession, in customary and statutory law, and that it facilitate access for women to justice to contest cases of unequal distribution of land.<sup>95</sup>

55. The Committee remained concerned about the low representation of women in decision-making positions, illustrated by the 11.1 per cent representation of women among provincial governors and the negative trend in the representation of women in parliament. In line with target 5.5 of the Sustainable Development Goals, the Committee recommended that Angola designate a mechanism to monitor the implementation of the Political Parties Act No. 22/10 of 3 December 2010, which provided for a minimum of 30 per cent representation of women on the lists of political parties, and impose sanctions for non-compliance.<sup>96</sup>

56. The Committee on the Elimination of Discrimination against Women and the Human Rights Committee expressed concern about the failure to prohibit all forms of gender-based violence against women and girls in both the public and the private spheres, and the inadequate assistance and remedies available to women seeking to escape domestic violence. The Committees recommended that Angola adopt a comprehensive law, in consultation with civil society, to prevent, combat and punish all forms of violence against women and girls; and allocate sufficient resources for, and expedite implementation of, plans to expand the network of shelters and specialized units at police stations and hospitals throughout the country, and ensure accessibility to them.<sup>97</sup>

57. The Committee on the Elimination of Discrimination against Women also recommended that Angola take all measures necessary, including legal measures, to ensure that cases of violence against women, including domestic violence, were not referred to alternative dispute resolution procedures, including family councils, under any circumstances.<sup>98</sup>

58. While welcoming the criminalization of female genital mutilation through the adoption of the new Penal Code, the Committee expressed concern at the persistent patriarchal norms that were discriminatory towards women and legitimized harmful practices. It recommended that Angola prohibit all harmful practices, including child and/or forced marriage, dowry (*lobolo*), polygamy, levirate marriage and the social exclusion of women and girls accused of practising witchcraft, and reinforce public education programmes on the negative impact of those practices, targeting customary and religious leaders and regions where harmful practices were endemic.<sup>99</sup> The Human Rights Committee and the Committee on the Rights of the Child made related observations and recommendations.<sup>100</sup>

## 2. Children<sup>101</sup>

59. The Committee on the Rights of the Child expressed concern about the recruitment and use of children above the age of 16 years in hostilities by armed forces and non-State armed groups, as well as the recruitment and use of children by private security companies, noting that such practices were not explicitly prohibited or criminalized.<sup>102</sup>

60. In view of the State's acceptance of the relevant recommendations from the universal periodic review in 2014, the Committee urged the State to amend the Children's Act, including by removing the legal defence of "justifiable correction", the Domestic Violence Act, the Family Code, the Penal Code and any other relevant legislation to explicitly prohibit the use of corporal punishment in all settings.<sup>103</sup>

61. The Committee urged Angola to assess the number of children in street situations, undertake studies on the root causes of the large number of children in street situations and develop a comprehensive strategy, with the involvement of such children, to address those causes, with the aim of reducing and preventing the phenomenon.<sup>104</sup>

62. The Human Rights Committee reiterated its concern about the practice of accusing children of witchcraft, and indicated that Angola should intensify its efforts to protect children accused of witchcraft from ill-treatment and abuses, including by strengthening its awareness-raising initiatives among the population, in particular in rural areas.<sup>105</sup>

63. The Human Rights Committee expressed concern at the fact that under article 24 of the Family Code, early marriage was legal and permissible on an exceptional basis from the age of 16 for boys and from the age of 15 for girls.<sup>106</sup> The Committee on the Rights of the Child and the Human Rights Committee urged Angola to expedite the revision of the Family Code to ensure that the minimum age of marriage was set at 18 years for both girls and boys, and that there were no exceptions to the minimum age of marriage, including under customary law.<sup>107</sup> The Committee on the Elimination of Discrimination against Women made a similar recommendation and also recommended that Angola criminalize all child and/or forced marriage.<sup>108</sup>

64. The Committee on the Rights of the Child expressed serious concern that the goal of registering 100 per cent of children at birth by 2017 set out in the National Development Plan 2013–2017 had not been achieved, that the State's mass registration programme was continuing to be implemented with only a significantly reduced budget, and that birth registration rates remained low, with a considerable divide between urban and rural areas.<sup>109</sup> UNESCO indicated that birth registration and the legal requirement for all children to obtain an identification card by the age of 10 years could be a practical obstacle hindering access to education for foreigners, including refugees and asylum seekers.<sup>110</sup>

65. The Committee on the Rights of the Child urged Angola to allocate sufficient financial, human and technical resources to the Civil Registration and Vital Statistics Programme for Africa and decentralize birth registration as far as possible to benefit rural and marginalized populations; and extend the national mass birth registration campaign to parents, including non-Angolan citizens, which would facilitate birth registration for their children.<sup>111</sup> The Human Rights Committee stated that Angola should step up efforts to remove practical obstacles to comprehensive birth registration of all children born to foreigners in Angola.<sup>112</sup>

## 3. Persons with disabilities<sup>113</sup>

66. The Committee on the Rights of the Child recommended that Angola pursue and strengthen its programmes and services for all children with disabilities aimed at enhancing their social inclusion; increase human, financial and material resources to develop inclusive education and ensure that it is given priority over the placement of children in specialized institutions and classes; and intensify measures, including awareness-raising, to combat the stigma attached to children with disabilities.<sup>114</sup>

#### 4. Minorities and indigenous peoples<sup>115</sup>

67. The Committee on Economic, Social and Cultural Rights expressed concern about the limited measures taken by Angola to promote minority languages, which could lead to the risk of extinction of a number of them.<sup>116</sup>

68. The Committee expressed concern that Angola did not recognize indigenous peoples living in its territory, and recommended that it adopt legislation and measures to recognize the status of indigenous peoples living in the State and adopt specific measures targeted at improving access to social services by indigenous peoples.<sup>117</sup>

69. While noting recent initiatives to recognize ownership and use of lands by some minority communities, the Human Rights Committee was nevertheless concerned that members of the San people continued to encounter impediments in maintaining access to their lands and that pastoralists in the south-west had faced exclusion from grazing lands and expropriation of land. The Committee stated that Angola should implement newly adopted programmes designed to empower members of minority communities and strengthen legislative and administrative measures in order to guarantee the rights of ethnic minorities and indigenous peoples.<sup>118</sup>

70. The Committee on Economic, Social and Cultural Rights expressed concern that development activities were impeding indigenous peoples from accessing their lands, and about the lack of a legal framework for consultation with the affected communities prior to embarking on such activities.<sup>119</sup> The Human Rights Committee stated that Angola should seek the free, prior and informed consent of indigenous peoples before planning or implementing development projects or granting licences to businesses for economic activities on territories traditionally owned, occupied or otherwise used by indigenous peoples.<sup>120</sup>

#### 5. Migrants, refugees and asylum seekers<sup>121</sup>

71. The Human Rights Committee welcomed the State's policy to accommodate large numbers of migrants and asylum seekers within its territory, but expressed concern about reports of mass expulsions.<sup>122</sup>

72. In 2018, the United Nations High Commissioner for Human Rights warned that the mass deportation of nationals of a neighbouring country from Angola had resulted in serious human rights violations by security forces on both sides of the border, and had left at least 330,000 returnees in an extremely precarious situation. The High Commissioner called on the Government to halt any ongoing deportations until it could be sure that any returns would be carried out in full respect of the rule of law and the human rights of all affected migrants.<sup>123</sup>

73. The Special Rapporteur on migrants strongly recommended that Angola establish a comprehensive migration strategy that took into account all aspects of migration and fostered regular status for most migrants by organizing and facilitating mobility, rather than trying to resist it.<sup>124</sup>

74. The Special Rapporteur noted information about the deplorable working conditions in the artisanal diamond mining sector. Many migrant women worked as domestic workers, but labour inspections were not carried out in private households.<sup>125</sup> The Rapporteur recommended that Angola create a strong and effective labour inspection system, with more labour inspectors who were properly trained on human rights and labour standards.<sup>126</sup>

75. The Human Rights Committee expressed regret about the lack of implementation mechanisms for the law on the right to asylum and refugee status adopted in 2015, and stated that Angola should ensure the implementation of that law and put in place fair and effective asylum procedures, and issue and renew identification documents for asylum seekers and refugees in a timely manner in order to facilitate their access to basic social services.<sup>127</sup>

76. The Human Rights Committee and the Committee on Economic, Social and Cultural Rights recommended that the State should ensure that detention of asylum seekers and refugees was used only as a last resort and that those detained in reception centres were

provided with legal safeguards.<sup>128</sup> The Special Rapporteur on migrants made a similar recommendation, and also recommended that the State develop alternatives to detention.<sup>129</sup>

## Notes

- <sup>1</sup> Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Angola will be available at [www.ohchr.org/EN/HRBodies/UPR/Pages/AOIndex.aspx](http://www.ohchr.org/EN/HRBodies/UPR/Pages/AOIndex.aspx).
- <sup>2</sup> For relevant recommendations, see A/HRC/28/11, paras. 134.1–134.34, 134.61, 134.65, 134.67, 134.99, 134.184, 135.1–135.11, 135.25 and 135.27–135.29.
- <sup>3</sup> CCPR/C/AGO/CO/2, para. 30; CRC/C/AGO/CO/5-7, para. 40; A/HRC/35/25/Add.1, para. 82; and A/HRC/35/25/Add.5.
- <sup>4</sup> E/C.12/AGO/CO/4-5, para. 60, and CRC/C/AGO/CO/5-7, para. 40.
- <sup>5</sup> Ibid.
- <sup>6</sup> E/C.12/AGO/CO/4-5, para. 59, and CRC/C/AGO/CO/5-7, para. 40.
- <sup>7</sup> CRC/C/AGO/CO/5-7, para. 39.
- <sup>8</sup> CEDAW/C/AGO/CO/7, para. 38; A/HRC/35/25/Add.1, para. 79; and A/HRC/35/25/Add.5.
- <sup>9</sup> OHCHR, *United Nations Human Rights Report 2018* (Geneva, 2018), pp. 77, 92 and 165.
- <sup>10</sup> See [www.ohchr.org/EN/HRBodies/UPR/Pages/UPRImplementation.aspx](http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRImplementation.aspx).
- <sup>11</sup> For relevant recommendations, see A/HRC/28/11, paras. 134.35–134.54, 134.56–134.57, 134.61–134.64, 134.83 and 135.12–135.24.
- <sup>12</sup> CCPR/C/AGO/CO/2, paras. 3, 11 and 19.
- <sup>13</sup> Ibid., paras. 21 and 41.
- <sup>14</sup> OHCHR, “Angola: Decriminalising same sex relations a welcome step for equality”, 25 January 2019.
- <sup>15</sup> CCPR/C/AGO/CO/2, paras. 9–10.
- <sup>16</sup> CEDAW/C/AGO/CO/7, para. 18; E/C.12/AGO/CO/4-5, para. 14; A/HRC/35/25/Add.1, para. 81; CRC/C/AGO/CO/5-7, para. 11, and A/HRC/35/25/Add.5.
- <sup>17</sup> A/HRC/35/25/Add.1, para. 82.
- <sup>18</sup> CCPR/C/AGO/CO/2, para. 30.
- <sup>19</sup> For relevant recommendations, see A/HRC/28/11, paras. 134.66 and 134.68.
- <sup>20</sup> CCPR/C/AGO/CO/2, paras. 13–14.
- <sup>21</sup> CEDAW/C/AGO/CO/7, para. 12.
- <sup>22</sup> CCPR/C/AGO/CO/2, para. 14.
- <sup>23</sup> For relevant recommendations, see A/HRC/28/11, paras. 134.187–134.192 and 135.26.
- <sup>24</sup> CRC/C/AGO/CO/5-7, para. 14.
- <sup>25</sup> UNICEF, “UNICEF annual report 2017: Angola”, pp. 2–3.
- <sup>26</sup> For relevant recommendations, see A/HRC/28/11, paras. 134.82–134.84.
- <sup>27</sup> CRC/C/OPAC/AGO/CO/1, para. 30.
- <sup>28</sup> Ibid., para. 31. See also CCPR/C/AGO/CO/2, paras. 27–28.
- <sup>29</sup> CCPR/C/AGO/CO/2, paras. 27–28.
- <sup>30</sup> Ibid., paras. 25–26.
- <sup>31</sup> Ibid., paras. 29–30.
- <sup>32</sup> Ibid., paras. 35–36.
- <sup>33</sup> Ibid., paras. 31–32.
- <sup>34</sup> A/72/79, annex, para. 11.
- <sup>35</sup> For relevant recommendations, see A/HRC/28/11, paras. 134.56–134.58, 134.84 and 134.108–134.121.
- <sup>36</sup> CCPR/C/AGO/CO/2, para. 37.
- <sup>37</sup> CRC/C/AGO/CO/5-7, para. 37.
- <sup>38</sup> CCPR/C/AGO/CO/2, para. 38. See also CEDAW/C/AGO/CO/7, para. 14.
- <sup>39</sup> E/C.12/AGO/CO/4-5, para. 12.
- <sup>40</sup> CEDAW/C/AGO/CO/7, paras. 13–14.
- <sup>41</sup> CCPR/C/AGO/CO/2, paras. 11–12. See also CRC/C/AGO/CO/5-7, para. 9.
- <sup>42</sup> E/C.12/AGO/CO/4-5, para. 10.
- <sup>43</sup> CRC/C/AGO/CO/5-7, para. 37–38.
- <sup>44</sup> For relevant recommendations, see A/HRC/28/11, paras. 134.40–134.41, 134.65, 134.122–134.137 and 135.30–135.34.
- <sup>45</sup> UNESCO submission for the universal periodic review of Angola, paras. 4–6.
- <sup>46</sup> CCPR/C/AGO/CO/2, para. 41.
- <sup>47</sup> Ibid., para. 42.
- <sup>48</sup> UNESCO submission, para. 16.
- <sup>49</sup> CCPR/C/AGO/CO/2, para. 43.

- <sup>50</sup> Ibid., paras. 45–46.
- <sup>51</sup> For relevant recommendations, see A/HRC/28/11, para. 134.86.
- <sup>52</sup> CEDAW/C/AGO/CO/7, paras 27–28, and CCPR/C/AGO/CO/2, paras. 33–34.
- <sup>53</sup> For relevant recommendations, see A/HRC/28/11, para. 134.70.
- <sup>54</sup> E/C.12/AGO/CO/4-5, paras. 27–28.
- <sup>55</sup> Ibid., para. 33. See also CRC/C/AGO/CO/5-7, para. 35.
- <sup>56</sup> E/C.12/AGO/CO/4-5, para. 34.
- <sup>57</sup> CCPR/C/AGO/CO/2, para. 34.
- <sup>58</sup> E/C.12/AGO/CO/4-5, paras. 31–32.
- <sup>59</sup> CEDAW/C/AGO/CO/7, para. 38.
- <sup>60</sup> E/C.12/AGO/CO/4-5, paras. 37–38.
- <sup>61</sup> For relevant recommendations, see A/HRC/28/11, paras. 134.138–134.154 and 134.188.
- <sup>62</sup> E/C.12/AGO/CO/4-5, paras. 43–44.
- <sup>63</sup> CRC/C/AGO/CO/5-7, para. 9.
- <sup>64</sup> CEDAW/C/AGO/CO/7, paras. 41–42.
- <sup>65</sup> E/C.12/AGO/CO/4-5, para. 48.
- <sup>66</sup> UN-Habitat submission for the universal periodic review of Angola, pp. 1–2.
- <sup>67</sup> E/C.12/AGO/CO/4-5, para. 46.
- <sup>68</sup> Ibid., para. 45.
- <sup>69</sup> UN-Habitat submission, p. 2.
- <sup>70</sup> CRC/C/AGO/CO/5-7, paras. 32–33.
- <sup>71</sup> UNICEF, “UNICEF annual report 2017: Angola”, p. 14.
- <sup>72</sup> For relevant recommendations, see A/HRC/28/11, paras. 134.138–134.139, 134.148 and 134.155–134.163.
- <sup>73</sup> E/C.12/AGO/CO/4-5, paras. 49–50.
- <sup>74</sup> CEDAW/C/AGO/CO/7, para. 39. See also CCPR/C/AGO/CO/2, paras. 21–22.
- <sup>75</sup> CEDAW/C/AGO/CO/7, para. 40. See also CCPR/C/AGO/CO/2, paras. 21–22, and CRC/C/AGO/CO/5-7, para. 29.
- <sup>76</sup> CRC/C/AGO/CO/5-7, para. 28.
- <sup>77</sup> UNICEF, “UNICEF annual report 2017: Angola”, p. 29.
- <sup>78</sup> CRC/C/AGO/CO/5-7, para. 32.
- <sup>79</sup> Ibid., paras. 28 and 33.
- <sup>80</sup> Ibid., para. 31.
- <sup>81</sup> Ibid., paras. 27–28.
- <sup>82</sup> For relevant recommendations, see A/HRC/28/11, paras. 134.138 and 134.164–134.177.
- <sup>83</sup> UNESCO submission, para. 13.
- <sup>84</sup> Ibid., para. 14.
- <sup>85</sup> E/C.12/AGO/CO/4-5, para. 53.
- <sup>86</sup> UNESCO submission, para. 13.
- <sup>87</sup> E/C.12/AGO/CO/4-5, para. 54.
- <sup>88</sup> CRC/C/AGO/CO/5-7, para. 34.
- <sup>89</sup> UNESCO submission, para. 13.
- <sup>90</sup> Ibid., para. 14.
- <sup>91</sup> Ibid., para. 13.
- <sup>92</sup> Ibid., para. 14.
- <sup>93</sup> CEDAW/C/AGO/CO/7, para. 36.
- <sup>94</sup> For relevant recommendations, see A/HRC/28/11, paras. 134.36–134.37, 134.42, 134.59–134.60, 134.67–134.72, 134.97–134.107, 134.135–134.137 and 134.153.
- <sup>95</sup> CEDAW/C/AGO/CO/7, paras. 47–48.
- <sup>96</sup> Ibid., paras. 31–32. See also CCPR/C/AGO/CO/2, paras. 15–16.
- <sup>97</sup> CEDAW/C/AGO/CO/7, paras. 25–26, and CCPR/C/AGO/CO/2, paras. 17–18.
- <sup>98</sup> CEDAW/C/AGO/CO/7, para. 26.
- <sup>99</sup> Ibid., paras. 23–24.
- <sup>100</sup> CCPR/C/AGO/CO/2, paras. 19–20, and CRC/C/AGO/CO/5-7, para. 22. See also E/C.12/AGO/CO/4-5, paras. 39–40.
- <sup>101</sup> For relevant recommendations, see A/HRC/28/11, paras. 134.37–134.39, 134.55, 134.59, 134.66, 134.73–134.81, 134.87–134.96 and 134.159–134.160.
- <sup>102</sup> CRC/C/OPAC/AGO/CO/1, para. 20.
- <sup>103</sup> CRC/C/AGO/CO/5-7, para. 21.
- <sup>104</sup> Ibid., para. 36.
- <sup>105</sup> CCPR/C/AGO/CO/2, paras. 47–48.
- <sup>106</sup> Ibid., para. 19.
- <sup>107</sup> CRC/C/AGO/CO/5-7, para. 22, and CCPR/C/AGO/CO/2, para. 20.

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- <sup>108</sup> CEDAW/C/AGO/CO/7, para. 24.
- <sup>109</sup> CRC/C/AGO/CO/5-7, para. 18.
- <sup>110</sup> UNESCO submission, para. 13.
- <sup>111</sup> CRC/C/AGO/CO/5-7, para. 19. See also CCPR/C/AGO/CO/2, paras. 47–48, and E/C.12/AGO/CO/4-5, para. 42.
- <sup>112</sup> CCPR/C/AGO/CO/2, para. 40. See also E/C.12/AGO/CO/4-5, para. 24.
- <sup>113</sup> For relevant recommendations, see A/HRC/28/11, paras. 134.178–134.181.
- <sup>114</sup> CRC/C/AGO/CO/5-7, para. 26.
- <sup>115</sup> For relevant recommendations see A/HRC/28/11, para. 134.188.
- <sup>116</sup> E/C.12/AGO/CO/4-5, para. 55.
- <sup>117</sup> E/C.12/AGO/CO/4-5, paras. 19–20.
- <sup>118</sup> CCPR/C/AGO/CO/2, paras. 49–50.
- <sup>119</sup> E/C.12/AGO/CO/4-5, para. 19. See also CCPR/C/AGO/CO/2, para. 49.
- <sup>120</sup> CCPR/C/AGO/CO/2, para. 50.
- <sup>121</sup> For relevant recommendations, see A/HRC/28/11, paras. 134.182–134.186.
- <sup>122</sup> CCPR/C/AGO/CO/2, paras. 39–40. See also E/C.12/AGO/CO/4-5, para. 24.
- <sup>123</sup> OHCHR, “Mass expulsions from Angola have put thousands of Congolese at risk in DRC – Bachelet”, 26 October 2018.
- <sup>124</sup> A/HRC/35/25/Add.1, para. 74, and A/HRC/35/25/Add.5.
- <sup>125</sup> A/HRC/35/25/Add.1, paras. 62–63, and A/HRC/35/25/Add.5.
- <sup>126</sup> A/HRC/35/25/Add.1, para. 109, and A/HRC/35/25/Add.5.
- <sup>127</sup> CCPR/C/AGO/CO/2, paras. 39–40. See also E/C.12/AGO/CO/4-5, para. 24.
- <sup>128</sup> CCPR/C/AGO/CO/2, para. 40, and E/C.12/AGO/CO/4-5, para. 24.
- <sup>129</sup> A/HRC/35/25/Add.1, para. 93, and A/HRC/35/25/Add.5.
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