


AFRICAN UNION		UNION AFRICAINE
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Consideration of Reports submitted by States parties in accordance with Article 62 of the African Charter on Human and Peoples' Rights

Concluding Observations on the 6th and 7th Periodic Reports of the Republic of Angola on the implementation of the African Charter on Human and Peoples' Rights and the Initial Report on the Protocol to the African Charter on the Rights of Women in Africa (2011–2016)

I. Introduction

1. The Republic of Angola is a State Party to the African Charter on Human and Peoples' Rights (the African Charter) having ratified it on 2 March 1990. Angola ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) on 30 August 2007.
2. In accordance with Article 62 of the African Charter, Angola presented its 6th and 7th Combined Periodic Reports on the implementation of the African Charter on Human and Peoples' Rights and its Initial Report on the Protocol to the African Charter on the Rights of Women in Africa (2011–2016) at the 63rd Ordinary Session of the African Commission on Human and Peoples' Rights (the Commission) held from 24 October to 13 November 2018 in Banjul, The Gambia.
3. The Report was presented by a Delegation of the Republic of Angola (the Delegation) led by Her Excellency Mrs Victoria Francisco da Conceição, Minister

of Social Welfare, the Family and Women's Empowerment. She was accompanied by:

- i. Mrs Ana Celeste Januário, Secretary of State for Human Rights and Citizenship at the Ministry of Justice and Human Rights;
 - ii. Mr Manuel Bambi, Office of the State Prosecutor;
 - iii. Mrs Joana Cortez Cardoso - Ministry of Social Welfare, the Family and Women's Empowerment;
 - iv. Mrs Vaz Sonia - Ministry of Social Welfare, the Family and Women's Empowerment;
 - v. Ministry of Foreign Affairs;
 - vi. Ministry of Interior;
 - vii. Ministry of Health;
 - viii. Ministry of Education;
 - ix. Minister of Culture; and
 - x. National Institute of Childhood Development.
4. The Report highlights progress made by the Republic of Angola in the area of human and peoples' rights as well as legislative, administrative and other measures taken to implement provisions of the African Charter and the Maputo Protocol, since Angola presented its Combined 2nd, 3rd, 4th and 5th Periodic Reports on the implementation of the African Charter at the 51st Ordinary Session held from 18 April to 2 May 2012 in Banjul, The Gambia.
5. The present Concluding Observations highlight the positive aspects, factors restricting the effective enjoyment of human rights and areas of concern regarding observance of human rights in the country. The Commission also formulates recommendations to the Government of Angola aimed at enhancing the enjoyment of human rights in the country.
6. The Commission commends the open and constructive dialogue that prevailed during the presentation of this Combined Periodic Report by the high-level and multi-sectoral Delegation of the Republic of Angola and for the information provided in response to concerns raised by the members of the Commission.

Part A: Implementation of the African Charter

II. Positive aspects

The Commission:

Article 1: Legislative and other measures for the implementation of the African Charter

- Ratification of regional and international human rights instruments

7. Notes with satisfaction the ratification of the following regional and international human rights instruments during the reporting period: The African Union Convention for the protection and assistance of internally displaced persons in Africa (Kampala Convention); The Charter for African Cultural Renaissance; The African Convention on the Conservation of Nature and Natural Resources (Maputo Convention); The United Nations Convention on the Rights of Persons with Disabilities and its Optional Protocol; The United Nations Convention against Transnational Organized Crime and its Additional Protocols to Prevent, Suppress and Punish Trafficking of Persons, in particular, Women and Children; and The Protocol against Illicit Trafficking of Migrants by Land, by Air and by Sea.
8. Takes note of the signing of: the International Convention on the Elimination of all forms of Racial Discrimination, the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons From Enforced Disappearance, and the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.

- Institutional and normative measures for promoting and protecting human rights

9. Takes note that the national human rights protection system was strengthened with the amalgamation of the Ministry of Justice with the Department of State for Human Rights thereby creating the Ministry of Justice and Human Rights.
10. Welcomes the establishment of new human rights institutions, including:
 - The Inter-ministerial Commission to combat human trafficking and guarantee assistance, resettlement, rehabilitation and reintegration for victims of human trafficking;

- The National Media Regulatory Authority (ERCA), an independent and autonomous body in charge of monitoring the enforcement of freedom of expression, information and the press;
- The National Council for Social Action, a body in charge of promoting social dialogue and monitoring the implementation of national policies on the promotion and protection of the rights of children, older persons, persons with disabilities and other particularly vulnerable groups.

Articles 2 and 3: Prohibition of discrimination and equal treatment for all

11. Welcomes the adoption of Presidential Decree No. 222/13 of 24 December approving the National Policy on Gender Equality and its related strategic plan aimed at promoting equality between men and women by guaranteeing equal opportunity, rights and responsibilities in all areas of economic, political and social life.
12. Welcomes measures adopted to prohibit all forms of discrimination based on sexual orientation as well as the decriminalization of homosexuality.

Article 4: Right to life

13. Notes with satisfaction the prosecution and sentencing of members of security forces guilty of enforced disappearances as well as the compensation of the families of victims.

Article 5: Respect for human dignity and prohibition of torture and other cruel, inhuman or degrading treatment and all forms of exploitation and slavery

14. Takes note of the specific provisions on the definition and punishment of torture in the draft revised Criminal Code.
15. Welcomes the measures taken to combat human trafficking, including:
 - the establishment of a task force on human trafficking by the Conference of Ministers of Justice of the Community of Portuguese-speaking Countries (CPLP);
 - the establishment of an Inter-ministerial Commission to combat human trafficking entrusted with the mission of ensuring protection and support

for the victims as well as their rehabilitation, resettlement and reintegration into society;

- the organization of educational, prevention and protection activities for victims of human trafficking in Angola;
- the development of manuals on combatting trafficking in persons and the organization of training seminars for civil society organizations and members of law enforcement agencies.

Article 6: Respect for rule of law, conditions of detention and policing

16. Welcomes the adoption of several key legislative, judicial and administrative measures to address overcrowding in prisons, including:

- Act No. 25/15 of 18 September 2015 on precautionary measures in criminal proceedings aimed at reducing the number of detainees on remand by introducing alternative measures such as house arrest, freedom subject to statement of identity, residency, time limits to pretrial detention periods and amnesty;
- Amnesty Act No. 11/16 of 12 August 2016 and presidential pardons pursuant to Presidential Decree No. 173/15 of 15 September 2015 which resulted in the release of 3,800 and 2,282 detainees respectively.

17. Takes note of the construction of new prisons in the Luanda, Huambo and Malanje provinces in an effort to reduce overcrowding in prisons.

18. Welcomes the improvement of detention conditions in all prisons throughout the country including the serving of three meals a day and comprehensive medical assistance at public hospitals in addition to the network of prison hospitals and health centres.

19. Welcomes measures taken for the social reintegration of detainees who possess adequate technical and professional skills.

20. Welcomes the implementation of the programme called "*Novo Rumo Novas Oportunidades*" (New Direction, New Opportunities), which consists of the setting-up of industrial premises and agricultural and livestock fields in penitentiary establishments.

Article 7: Administration of justice and right to a fair trial

21. Welcomes the legal assistance and judicial sponsorship offered to disadvantaged citizens requiring the services of a lawyer.
22. Takes note of the ongoing Justice reform with the overall aim of increasing the number of courts and judges.
23. Takes note of the efforts deployed by the State to establish alternative dispute resolution mechanisms with the creation and regulation of extrajudicial dispute resolution centres as well as the adoption of Act No. 12/16 on mediation and dispute resolution and Executive Decree No. 290/17 on arbitration.
24. Takes note of ongoing work throughout the country to establish 'Law and Justice Houses' as platforms for access to law and justice.

Article 9: Right to receive information and freedom of expression

25. Takes note of the creation of a National Information Media Council, an independent body in charge of ensuring objectiveness and guaranteeing freedom of expression and of opinion.

Articles 10 and 11: Freedom of association and assembly

26. Welcomes the repeal by the Constitutional Court of the 2016 Act relating to civil society organizations which included provisions likely to impede their activities.
27. Takes note of the organization of annual meetings with civil society to discuss topics of common interest including, access to justice, the new law on associations, the registration of associations and the granting of public utility status enabling NGOs to have direct access to public funds.

Article 12: Freedom of movement – rights of refugees, displaced persons and migrant workers

28. Welcomes the adoption of Act No. 10/15 of 17 June 2015 on the right of asylum and refugee status as well as the enactment of Presidential Decree No. 108/11 to address the shortcomings of Act No. 8/90 of 1990 which regulates the legal status

of foreign nationals with a view to protecting the rights of migrants and asylum seekers.

29. Takes note of the regular visits to border regions to monitor repatriation processes and ensure that the rights of migrants are being respected.
30. Welcomes the establishment of the National Refugee Council in charge of determining the status of refugees as well as the creation of a Centre for Refugees and Asylum Seekers.
31. Welcomes the establishment of mechanisms for dialogue and exchange of information between Angolan provincial governments sharing borders with the DRC and the Congolese authorities in an effort to regulate the movement of people and goods.
32. Welcomes the establishment of an inter-sectoral commission to provide support and monitor cases of migrants whose rights have been violated.
33. Takes note of the scheduled and voluntary negotiation and repatriation processes of former Angolan refugees mostly from border countries such as Zambia, Namibia, Democratic Republic of Congo and Congo.
34. Welcomes the reception of thousands of refugees and their integration into Angolan society, guaranteeing them the same rights and duties as Angolan nationals, with the exception of political rights.

Article 13: Participation in public affairs

35. Welcomes the considerable progress made in relation to the gender promotion policy which led to an increase in the number of women in decision-making positions.

Article 14: Right to property and right to housing

36. Takes note of the current draft law on the right to private property aimed at safeguarding the citizen's right to own property and avoiding expropriation for reasons of public utility.

37. Welcomes the significant improvements in the quality of life of thousands of inhabitants on account of the National Urban Planning and Housing Programme, which has guaranteed and defended the right to decent housing and access to basic services for citizens.
38. Takes note of the strategy to expand and urbanize cities resulting in the implementation of a series of plans aimed at granting populations the right to housing, including urbanization plans, infrastructure plans and the allocation of land reserves for supervised self-build projects.

Article 15: Right to employment

39. Welcomes the launch of the Integrated Municipal Programme for Rural Development and Poverty Reduction, which includes integrated rural development projects as well as incentives to promote family and small-scale farm production.

Article 16: Right to health

40. Takes note of the ongoing programme on the municipalization of health services in an effort to provide quality health services focusing on strengthening primary health care networks with the construction of 15 new municipal hospitals and 1,776 health posts and centres in all municipalities.
41. Welcomes the efforts deployed by the Government to combat HIV, including the launch of the National “Red Ribbon” Campaign to rapidly diagnose the sexually active population on a massive scale, thereby contributing to the stabilization of prevalence levels.
42. Welcomes the establishment of the National Commission for the Prevention and Auditing of Maternal and Prenatal Deaths, which has contributed to lowering maternal and infant mortality rates.
43. Takes note of the increase in the number of prenatal visits, the prevention of avoidable diseases, with immunization coverage increasing to 88%, and the reduction or stabilization of the incidence and prevalence of endemic diseases and related mortality rates, in particular malaria, as well as a significant reduction in the number of HIV/AIDS-related deaths.

- **Right to food**

44. Welcomes the ongoing Water for All Programme including the construction of dams and other infrastructure to ensure that all families have access to safe drinking water and electricity.

Article 17: Right to education

45. Takes note of Angola's political commitment to provide quality education for all, which led to the adoption of the Framework for Action on Education for All with a view, inter alia, to eliminating gender disparities in primary and secondary education.

Article 18: Protection of the family and persons with specific needs

- **Rights of the child**

46. Welcomes the adoption in August of Act No. 25/12 on the protection and comprehensive development of the child.
47. Welcomes the adoption of various legislation (including Joint Executive Decree No. 95/11 of 13 July 2011, Presidential Order No. 80/13 of 5 September 2013 and Executive Decree No. 309/13 of 23 September 2013) on the fee exemption for the processing of birth registration documents and national identity cards.
48. Welcomes the mass registration programme for the issuance of birth certificates and identity cards.
49. Takes note of the National Strategy and Plan to Prevent and Combat Violence against Children.
50. Welcomes efforts to establish programmes for the reunification of children who, for various reasons, have been abandoned by their biological or other families.
51. Welcomes the measures adopted to reduce infant mortality rates due to malnutrition, through the distribution of food (milk and pap) within the framework of the *Projecto Leite e Papas* targeting children who have lost their

mothers and are without parental care as well as children affected or infected by HIV/AIDS.

52. Takes note of the organization of exclusive events for children such as the Children's Book Garden and the award of prizes and other distinctions through competitions.

- Rights of persons with disabilities

53. Welcomes the enactment of the legislation on the establishment of general standards, conditions and criteria to facilitate access for persons with disabilities or reduced mobility, and to remove architectural barriers to all community systems and services.

54. Further welcomes the adoption of Act No. 21/12 of 30 June 2012 establishing the legal regime applicable to persons with disabilities in terms of prevention, adaptation, rehabilitation and social participation, and urging the involvement of all persons and entities, both public and private.

55. Welcomes the establishment of the National Council for Persons with Disabilities.

56. Welcomes Presidential Decrees No. 207/14 of 15 August on the intervention strategy for the social inclusion of disadvantaged persons with disabilities and No. 12/16 of 15 January on the proportion of jobs reserved for persons with disabilities in all public and private institutions that have at least 10 employees.

57. Welcomes the adoption of the National Special Education Policy for the integration of children with disabilities into the school system and the intervention strategy for the social inclusion of children with disabilities.

- Rights of older persons

58. Takes note of the construction of nursing homes for older persons.

59. Welcomes the establishment of the Assistance Programme for Older Persons, in particular, those living in situations of extreme vulnerability.

- Minority rights

60. Welcomes the support provided to vulnerable communities, in particular, the San Community, through the delivery of essential items and the preparation of surveys in relation to their location and protection.

Articles 21 and 24: Extractive industries and the environment

61. Takes note of the adoption of a new Mining Code in 2011 which streamlines previous legislation and provides for a modern framework, including a progressive taxation system, promotion of local content, local beneficiation of minerals, as well as the right of local communities affected by mining projects to negotiate the type and amount of compensation to be paid by concession holders where such compensation is more favourable than the financial compensation laid down by law.

62. Welcomes the availability of relevant information on the oil and diamond sectors published on the website of the Ministry of Finance, which contributes to ensuring transparency in these sectors.

63. Welcomes the integration of environmental aspects into all economic and social development plans and programmes.

64. Welcomes the implementation of the national programmes on environmental management, environmental education and awareness and on sanitation as well as the Strategic Plan for Waste Management aimed at protecting the environment and improving the quality of life of the populations.

Article 22: Right to social, economic and cultural development

65. Welcomes the development of the Strategic Plan for preventing and combating corruption and the establishment of a department in charge of dealing with crimes of corruption within the Criminal Investigation Services.

66. Takes note of the process of decentralization and devolution of administrative and financial powers with a significant impact on the fight against unemployment, hunger and poverty.

67. Welcomes the creation of spaces to host national cultural events, in particular, the construction of cultural centres as part of the National Development Plan and the institution of FENACULT as a national festival celebrating Angolan culture.
68. Takes note of the forthcoming inclusion of the city of Mbanza Kongo on the list of World Heritage sites and the preparation of studies to monitor cases of initiation rituals.
69. Welcomes the adoption of the national programme for the financing of cultural activities, including the Philanthropy Act (2012) and its related regulations (2014) and the subsidy programme for cultural and artistic creation.
70. Welcomes the establishment, at the secondary school level, of the Higher Institute of Arts (CEARTE - *Complexo das Escolas de Arte*), which is able to accommodate national and foreign students, as well as the project currently underway to establish a similar institution at the primary school level.
71. Takes note of the construction of public libraries in the provinces of Luanda, Bengo, Huambo, Malange and Bengo and the establishment of multimedia libraries in at least six provinces of the country.
72. Welcomes the renovation of the national museums of Military History, of Cabinda and of Slavery, the inauguration of the Currency and Armed Forces museums, and the ongoing renovation of the Natural History and Anthropology museums as well as the regional museums of Huambo and of Huíla.

Article 23: Right to peace and security

73. Takes note of the measures taken to demine affected areas and disarm civilian populations as well as awareness-raising campaigns organized to combat the illegal possession and use of small arms and light weapons.
74. Welcomes the organization of round tables and media interviews to raise awareness on and re-emphasize the importance of the country's "Peace and Security" vision.
75. Further welcomes the organization of international forums and conferences to foster a culture of peace.

Article 25: Human rights education

76. Welcomes the implementation of programmes to disseminate the African Charter and the Maputo Protocol throughout the country.
77. Takes note of training programmes on human rights standards and migration targeting, in particular, police officers, law enforcement officials and authorities working in border areas.

Article 26: Independence of the Judiciary

78. Welcomes the establishment of a Justice and Law Reform Commission in charge of reviewing laws and putting forward proposals to improve the efficiency of the judicial system and strengthen the independence of the Judiciary.

Article 62: Obligation to submit periodic reports

79. Welcomes the Government's determination to comply with its obligations under the African Charter and other relevant instruments by submitting its periodic reports on a regular basis.

III - FACTORS RESTRICTING THE ENJOYMENT OF HUMAN RIGHTS GUARANTEED IN THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS

80. The presence of mines in several parts of the country, following 30 years of civil war, is a major concern likely to affect the safety of the populations, despite measures taken to address the issue.
81. The porous nature of Angola's borders, which facilitates the illegal entry and stay of many foreigners, thereby leading to economic, demographic, social, cultural and security consequences for the country.
82. The economy's heavy dependence on the oil sector, making the country vulnerable to external factors such as the global economic and financial crisis and the sharp drop in the price of oil on the international market; resulting in a reduction in

government tax revenues, a regression in overall global demand and, consequently, declining activity levels in non-oil sectors.

IV. AREAS OF CONCERN

Despite efforts of the Government to promote and protect human rights, the Commission is seriously concerned about:

Article 1: Legislative and other measures for the implementation of the African Charter

- Ratification of regional and international human rights instruments

83. The failure to ratify regional and international conventions, including: the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of the African Court on Human and Peoples' Rights and absence of a Declaration under Article 34(6) of the said Protocol, the African Charter on Democracy, Elections and Governance, the Protocol to the African Charter on the Rights of Older Persons, the Protocol to the African Charter on the Rights of Persons with Disabilities, the African Union Convention on Preventing and Combating Corruption, the African Charter on Statistics, the African Charter on Values and Principles of Public Service, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, the Convention for the Protection of All Persons from Enforced Disappearance, the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.

- Institutional and normative measures for promoting and protecting human rights

84. The slow progress in the establishment of a national institution for the promotion and protection of human rights (NHRI) in accordance with the Paris Principles.

Article 4: Right to life

85. The loss of human lives and other human rights violations perpetrated against DRC nationals in Lunda-Norte province during the police operation targeting illegal immigrants suspected of being involved in diamond trafficking.

Article 5: Respect for human dignity and prohibition of torture and other cruel, inhuman or degrading treatment and all forms of exploitation and slavery

86. Acts of torture and other cruel, inhuman and degrading treatment in places of detention.

87. The persistence of human trafficking and bonded labour in sectors such as agriculture, construction, mining and domestic work.

Article 6: Rule of law and conditions of detention

88. Prison overcrowding and prolonged pre-trial detention.

Article 7: Access to justice and right to a fair trial

89. The limited access to justice in rural areas due to long distances between litigants and the courts, particularly in the municipalities of Mulando in Huíla province and Cuango in Lunda Norte province.

90. Cases of mob justice due to difficulties in gaining access to justice, lack of human rights culture and education, and political intolerance.

91. Insufficient staff and limited allocation of resources in the Judiciary.

Article 8: Freedom of conscience and religion

92. The slow progress in the adoption of the draft laws on freedom of religion and belief.

Article 9: Right to receive information and freedom of expression

93. The persistence of obstacles restricting access to information on public institutions.

94. Constraints on the freedom of expression of journalists and private media professionals due to the censorship often imposed on private media.

95. The inclusion, in legal instruments, of provisions punishing press offences, such as defamation and sedition.

96. The adoption by Parliament of several bills restricting freedom of expression.

Articles 10 and 11: Freedom of association and assembly

97. Restrictions imposed by specific laws and delays in procedures at the Ministry of Justice and Human Rights to legalize the status of civil society organizations and issue them with registration certificates.

98. The adoption of a multitude of laws regulating non-governmental organizations (NGOs) working in the area of human rights and restricting their ability to operate effectively.

99. Restrictions to the freedom of assembly and the repression of peaceful demonstrators through arbitrary arrest and detention.

Article 12: Freedom of movement - Refugees, Displaced Persons and Migrant Workers

100. Significant migration flows compounded by the actions of organized criminal groups, particularly in border provinces.

101. Violations of the rights of foreign nationals during operations to deport those accused of being illegal immigrants.

Article 13: Participation in public affairs

Article 14: Right to property / Right to housing

102. Allegations of continued land grabbing operations for industrial purposes, often without the free, prior and informed consent of the affected populations.

103. The precarious living conditions of families residing in the Kaop-Funda area after their eviction from the Mayombe district in the municipality of Cacuaco in Luanda.

Article 15: Right to employment, social protection and security

104. The youth unemployment rate and the low percentage of women in formal employment.

105. The lack of legal protection, social security or other benefits for workers in the informal sector.

Article 16: Right to health

106. The concentration of the HIV epidemic in large urban areas, diamond mining areas, along major road networks, commercial ports as well as border and non-border areas.

107. The poor quality of care delivered in public health centres and hospitals.

Article 17: Right to education

108. The insufficient budgetary allocations to the education sector, thereby delaying the Government's efforts to renovate the various schools destroyed during the war.

Article 18: Protection of the family and persons with specific needs

- Rights of the child

109. The high rate of children under 4 whose births have not been registered.

110. The Family Code, which allows boys and girls under 18 to marry, is not in conformity with the provisions of instruments on the protection of children's rights.

- Rights of persons with disabilities

111. The lack of involvement of persons with disabilities in the development and implementation of government programmes in areas concerning them.

- Minority rights

112. The persistent denial of the existence of indigenous populations/communities in Angola.

113. Existing inequalities between urban and rural areas, particularly in territories inhabited by ethnic minorities.

Articles 21 and 24: Extractive industries and the environment

114. Human rights violations committed against minors by private security companies associated with the extractive industries, particularly between 2014 and 2016.

115. Insecurity due to clashes between the police and minors as well as the high rate of homicide and crime in mining areas.

Article 22: Right to social, economic and cultural development

116. The corrupt practices and lack of transparency in the management of public resources and their impact on the quality of services.

Article 23: Right to peace and security

117. The slow progress noted in the implementation of the demining programme.

V - RECOMMENDATIONS

In light of the above, the Commission recommends that the Government of the Republic of Angola:

Article 1: Legislative and other measures for the implementation of the African Charter

- **Ratification of international and regional human rights instruments**
 - i. Ratify the regional and international human rights instruments that are yet to be ratified with a view to ensuring better promotion and protection of human rights.
- **Adoption and enactment of codes, laws and decrees in the area of human rights promotion and protection**

- ii. Accelerate the adoption of bills currently pending at the level of the Parliament.
 - **Institutional and normative measures for promoting and protecting human rights**
- iii. Establish a national human rights institution (NHRI) in accordance with the Paris Principles.

Articles 2 and 3: Prohibition of discrimination and equal treatment for all

- iv. Continue the adoption of progressive measures to ensure equality before the law and grant full recognition of the rights of sexual minorities.

Article 4: Right to life

- v. Combat more effectively the frequent violations of the right to life, particularly in mining areas, through investigation, prosecution and sentencing of perpetrators by the competent courts.

Article 5: Respect for human dignity and prohibition of torture and other cruel, inhuman or degrading treatment and all forms of exploitation and slavery

- vi. Establish an independent national mechanism with sufficient human and financial resources to monitor and combat torture.
- vii. Continue the popularization of the Robben Island Guidelines, specifically targeting law enforcement officials and ensure that those Guidelines are integrated into the training curricula.
- viii. Permanently eradicate the phenomenon of human trafficking by strengthening the operational and institutional capacities of the institutions in charge of preventing and combating this phenomenon.
- ix. Strengthen existing policies and programmes to permanently eradicate bonded labour, especially in agriculture, construction, mining, domestic work and sexual exploitation.

Article 6: Rule of law and conditions of detention

- x. Comply with the statutory time limits for pre-trial detention and adopt legislative, administrative and other measures to reduce overcrowding in prisons.

Article 7: Access to justice and right to a fair trial

- xi. Increase the number of courts and ensure their equal distribution throughout the national territory in order to guarantee that litigants have easy access to and are within reasonable distances of the courts.
- xii. Provide the judicial system with adequate financial resources and a sufficient number of judges and clerks for the proper functioning of the system.
- xiii. Accelerate the adoption of the draft criminal code with a view to bringing Angola's criminal legislation into line with international human rights standards.

Article 8: Freedom of religion and belief

- xiv. Accelerate the adoption and enactment process of the draft law on freedom of religion and belief.

Article 9: Freedom of expression and access to information

- xv. Adopt the necessary measures to guarantee freedom of expression and access to information through, inter alia:
 - Reform of the various pieces of legislation on social communication, including laws relating to the media, broadcasting, ethical conduct of journalists and the social communication regulatory authority, so as to take into account the standards set forth in the Declaration of Principles on Freedom of Expression in Africa;
 - Refraining from the use of state security laws to restrict media freedom or using them as a pretext to harass journalists when they cover politically sensitive topics;
 - Repeal of criminal defamation laws, in accordance with the Commission's Resolution ACHPR/Res.169 (XLVIII) 10;
 - Establishment of an effective institutional mechanism to oversee and monitor the implementation of legislation on access to information;

- Ensuring that its Freedom of Information Act includes provisions on the proactive disclosure of information, in accordance with the minimum standards set forth in the Model Law on Access to Information for Africa;
- Providing the various electoral stakeholders with assistance to make use of the Guidelines on Access to Information and Elections in Africa so as to guarantee Angolans a better exercise of their right to political participation during general elections; and
- Recognition that access to the internet is fundamental to the exercise of the right to information, establishment of open data portals and online public services, and ensuring universal access by removing taxes on access to government information on the internet.

Articles 10 and 11: Freedom of association and assembly

- xvi. Adopt national laws, including a law to protect the rights of human rights defenders in the country.
- xvii. Avoid all restrictions to the right to peaceful assembly.
- xviii. Accelerate the NGO registration process to enable them to lawfully carry out their activities.

Article 12: Freedom of movement - Refugees, Displaced Persons and Migrant Workers

- xix. Fully implement the new Asylum Act (Act No. 10/15 of 17 June 2015) to ensure that asylum seekers and refugees have access to basic services and documents.
- xx. Prevent and combat all forms of violence against asylum seekers, refugees and foreign nationals residing in the country.
- xxi. Ensure that operations to monitor the residency status of foreign nationals are carried out in full respect for human dignity and human rights.

Article 14: Right to property / Right to housing

- xxii. Ensure that the internationally recognized principles of free, prior and informed consent are respected before any expropriation of land for public utility purposes and provide adequate compensation to affected families.

- xxiii. Guarantee adequate living conditions for displaced and relocated families in resettlement areas prior to undertaking any eviction project.

Article 15: Right to employment, social protection and security

- xxiv. Continue ongoing efforts to lower unemployment rates, particularly among young people and women.
- xxv. Adopt legislative and other measures for the legal and social protection of workers in the informal sector.

Article 16: Right to health

- xxvi. Increase information and awareness campaigns on the different modes of HIV/AIDS transmission targeting populations in high-risk areas and road networks.
- xxvii. Strengthen policies and programmes to reduce maternal and child mortality.
- xxviii. Increase the number of qualified personnel in the health sector and monitor the delivery of public health services.

Article 17: Right to education

- xxix. Increase the budget allocated to the education sector for the rehabilitation of all schools destroyed during the war.

Article 18: Protection of the family and persons with specific needs

- Rights of the child

- xxx. Regularize the situation of all children whose births have not been registered.
- xxxi. Repeal Article 24, paragraphs 2 and 3, of the Family Code, which authorize the marriage of boys and girls before the age of 18 so as to prevent the proliferation of child marriages.

- Rights of persons with disabilities

xxxii. Promote the participation of organizations of persons with disabilities in the development of national policies and programmes aimed at improving their living conditions and quality of life.

- **Minority rights**

xxxiii. Adopt legislative measures for the legal recognition of the existence of indigenous populations/communities in Angola.

xxxiv. Adopt appropriate measures to address inequalities between urban and rural areas, particularly in the territories where indigenous communities live.

Articles 21 and 24: Extractive industries and the environment

xxxv. Ensure strict regulation of the use, by extractive industries, of private security companies which interfere with the work of national and local security forces.

xxxvi. Sign the Extractive Industries Transparency Initiative (EITI), which is the global standard for promoting open and accountable management of oil, gas and mineral resources.

xxxvii. Draw on the State Reporting Guidelines and Principles relating to Extractive Industries prepared by the Commission to strengthen and document the sections relating to Articles 21 and 24 of the Charter in the next reporting cycle.

Article 22: Right to social, economic and cultural development

xxxviii. Fight against corruption in the public service, particularly in the judicial sector, by inter alia, taking tough measures to punish those responsible for corrupt practices.

Article 23: Right to peace and security

xxxix. Accelerate the implementation of the demining programme to permanently eliminate mines and other explosive devices in the territory.

PART B: Implementation of the Maputo Protocol

I. POSITIVE ASPECTS

With regard to the implementation of the Maputo Protocol, the Commission noted the following positive aspects:

Article 2: Elimination of discrimination against women

1. Welcomes the adoption of a series of measures to eliminate all forms of discrimination against women, including the adoption of laws and programmes such as:
 - the Family Code;
 - the Legal framework for the recognition of the de facto Union by mutual consent;
 - the Law against domestic violence and its implementing regulations;
 - the Executive Plan to combat domestic violence;
 - the Law on the protection and comprehensive development of children;
 - the National Policy for Gender Equality and Equity and its advocacy and resource mobilization strategy;
 - the National Plan for the implementation of UN Security Council Resolution 1325 on Women, Peace and Security; and
 - the National Support Programme for Women in Rural Areas.

Article 3: Right to dignity

2. Takes note of the adoption of Act No. 3/14 of 2014 on predicate offenses to money laundering, a section of which addresses the issue of human trafficking and punishes those who promote prostitution.

Article 4: Right to life, integrity and security

3. Welcomes the various strategies adopted by the Government and its partners in the fight against gender-based violence, as well as measures put in place to assist victims of gender-based violence.
4. Takes note of the ongoing programme to expand the network of specialized units in police stations and hospitals throughout the country, the establishment of multisectoral teams and the creation of shelters to assist victims of domestic violence.

5. Welcomes the establishment of a department specializing in cases of domestic violence and a Ninth section of the Joint Judicial Chamber of the provincial courts to deal with cases relating to domestic violence.
6. Welcomes the information, awareness and education campaigns and seminars based on the values of freedom, respect for rights, social harmony and solidarity, organized in collaboration with CSOs at the provincial, municipal and community levels.
7. Notes with satisfaction the effective operation of a toll-free phone service “SOS Violencia Domestica” to report cases of domestic violence.
8. Welcomes the establishment of a network of free legal advice centres, therapeutic centres for victims of violence and enhanced extrajudicial procedures for the resolution of family conflicts and disputes.

Article 5: Elimination of harmful practices

9. Welcomes the Support Programme for victims of violence, which includes:
 - training of family counsellors;
 - establishment of a hotline for reporting cases of domestic violence, “SOS Violência Doméstica”;
 - construction and equipment of referral family counselling centres;
 - construction and equipment of shelters for victims and support to ensure their functioning;
 - regulation of the law on domestic violence;
 - dissemination and awareness-raising, through the media, on actions to combat violence against women and girls;
 - organization of the awareness campaign on the “16 days of activism against gender violence”;
 - promotion and advocacy on “Women’s Human Rights”;
 - training on gender and violence for Police Instructors in Units specialising in assistance to victims of violence;
 - organization of awareness campaigns against early pregnancy and child marriage; and
 - creation of 13 orientation centres and 11 accommodation centres.

10. Takes note of the implementation of the Advocacy and Resource Mobilization Strategy for the implementation and monitoring of the National Plan for Gender Equality with a view to eliminating stereotypes and harmful practices against women.
11. Welcomes the increased sentences for crimes committed within the family and similar places pursuant to the provisions of the Law on the punishment of domestic violence.
12. Welcomes the establishment of community centres to talk about the elimination of harmful cultural practices, in particular, through facilitation of seminars and workshops on sexual and reproductive health, HIV/AIDS and maternal and child mortality, combating domestic violence; training activities on women's empowerment, gender equality and business development, business consolidation and management, and entrepreneurship.

Article 6: Marriage

13. Takes note of the ongoing development of the National Strategy for the prevention of early pregnancies and early marriage.

Article 8: Access to justice and equal protection before the law

14. Takes note of the existence of free counselling centres in all provinces of the country, made available by the Ministry of Family and Women's Empowerment and the Organization of Angolan Women (OMA).
15. Welcomes the actions carried out under the Support Programme for gender equality and women's empowerment, including training on family skills, gender equality, gender-responsive budgeting, systematic collection of gender-sensitive data, and gender issues in the context of Sustainable Development Goals (SDGs).

Article 9: Right to participate in the political and decision-making processes

16. Welcomes the adoption of the national policy on gender equality and equity aimed at reducing gender disparities and promoting progressive change in the attitudes and behaviours of men and women for greater complementarity in the interest of development.

17. Welcomes the promotion of a political environment conducive to the advancement of women in decision-making positions at the Parliamentary level (38 per cent of women) and at the Executive level (23 per cent).

Articles 10 and 11: Right to peace and protection of women in armed conflicts

18. Welcomes the approval by Presidential Decree of a national action plan for the implementation of UN Security Council Resolution 1325 on Women, Peace and Security, including a strategy for action and a plan to monitor its implementation.
19. Welcomes the participation of Angolan women in peace and security processes, with 60 women participating in the *Operação Golfinho* mission in South Africa and 40 women in Equatorial Guinea at the AFCON 2014.

Article 12: Right to education and training

20. Takes note of measures adopted for the promotion of women's literacy, including those in rural areas, with a view to improving their education.
21. Welcomes the measures adopted to prevent girls from dropping-out of school, including the development of a strategy to strengthen and reactivate provincial directorates in charge of gender equality and human rights; to ensure gender balance at schools in the provinces; to provide psychological and educational support to victims of domestic violence, forced labour and early pregnancy; and to support the elimination of discrimination based on gender and the promotion of women's participation in the education system.
22. Welcomes the training of Police officers in the delivery of healthcare and assistance to victims of gender-based violence.

Article 13: Economic and social welfare rights

23. Welcomes the reduction in the rate of poverty and social exclusion of Angolan women from 69% to 36%, thus enabling the country to achieve the Millennium Development Goal of reducing extreme poverty rates by half.
24. Welcomes the creation of income-generating activities, incentives for the development of small and medium-sized enterprises, the training of women in associations and cooperatives on processing and conservation techniques for agricultural products such as soap, honey, handicraft techniques, basketwork, decoration and tailoring.

25. Welcomes the policy measures adopted under the Support Programme for Women in Rural Areas, aimed in particular at providing support to traditional midwives in terms of capacity building and the supply of kits; supporting microfinance and entrepreneurship initiatives in rural areas; supporting organizations, associations and cooperatives by ensuring the sustainable production of food for families; and promoting the concept of quality of life in communities, by giving women heads of households the possibility to use local products and improve their nutrition.
26. Takes note of the adoption of Presidential Decree No. 155/16 of 9 August 2016 guaranteeing the dignity of women employed in domestic work.
27. Welcomes the implementation of the social support programme, as a social protection measure established by Act No. 07/04 of 15 October 2004, making it possible to help persons in need and in vulnerable situations, in particular, women, children and persons with disabilities.

Article 14: Health and reproductive rights

28. Welcomes the launch of the National Campaign for the Accelerated Reduction of Maternal and Child Mortality and the establishment of the National Commission in charge of auditing and preventing maternal, new-born and infant deaths.
29. Takes note of the organization of awareness-raising campaigns, workshops and conferences on sexual and reproductive health with a view to reducing maternal, new-born and child mortality rates.
30. Welcomes the implementation of the National sexual and reproductive health plan, which has contributed to increasing the number of antenatal visits and skilled attendance at birth in rural areas and reducing early pregnancies among girls under the age of 15.
31. Welcomes programmes to raise awareness on sexual and reproductive health among young people and adolescents.
32. Takes note of the ongoing development, in collaboration with other partners, of the comprehensive action strategy on adolescent and youth health and the free distribution of contraceptives throughout the country.

Article 15: Right to food security; Article 16: Right to adequate housing; Article 17: Right to positive cultural context; Article 18: Right to a healthy and sustainable environment; and Article 19: Right to sustainable development

33. Takes note that existing national policies, plans and programmes take into consideration the promotion, protection and implementation of these rights for the benefit of the entire population.

Article 22: Special protection of elderly women; Article 23: Special protection of women with disabilities; Article 24: Special protection of women in distress

34. Takes note of the measures adopted within the framework of the national policy for the protection of older persons, persons with disabilities and persons in distress, which are also applicable to women in these categories.

35. Welcomes the measures adopted to assist people in situations of vulnerability and poverty, including the supply of food and non-food aid, work equipment, means of transport and technical assistance as well as social protection for older persons and persons with disabilities.

Article 26: Obligation to submit reports to and cooperate with the Commission

36. Commends the Republic of Angola for having submitted its Initial Periodic Report on the implementation of the Maputo Protocol in accordance with Article 26.

II. FACTORS RESTRICTING THE ENJOYMENT OF HUMAN RIGHTS GUARANTEED IN THE MAPUTO PROTOCOL

37. The lack of optimal harmonization of domestic legislation with the provisions of ratified international conventions; the limited knowledge of the various stakeholders on the Maputo Protocol and the lack of ownership by women, which hinders its effective implementation.

38. The persistence of stereotypes as well as harmful cultural, customary and religious rules and practices that perpetuate discrimination against women and relegate them to second place in Angolan society, thus impeding the full realization of women's rights in the State party.

III. AREAS OF CONCERN

Despite the Government's efforts to promote and protect women's rights, the Commission is concerned about:

Article 3: Right to dignity

39. The persistence of human trafficking, prostitution and polygamy networks involving adolescent girls.

Article 4: Right to life

40. The increase in violence against women and girls, including sexual and domestic violence.

Article 5: Elimination of harmful practices

41. The persistence of harmful practices, including early marriage and female genital mutilation.
42. The disconnection of the SOS 15020 emergency hotline, designed to receive complaints and reports of domestic violence.

Article 6: Marriage

43. The provisions of the Family Code, which allow boys and girls under 18 to marry, and thereby legalise child marriages and do not comply with the provisions of instruments protecting children's rights.

Article 7: Separation, divorce and annulment of marriage

44. The lack of data on cases of separation, divorce and annulment of marriages.

Article 8: Access to justice and equal protection before the law

45. The provisions for the use of mediation in family counselling for cases of domestic violence, which encourage tolerance and impunity for such acts.

Article 9: Right to participate in the political and decision-making processes

46. The low representation of women at all levels of decision-making bodies and the absence of a quota system to ensure a better representation of women.

Article 12: Right to education and training

47. The relatively low enrolment rate of girls in rural areas due to long distances, domestic work, low level of education of parents and guardians and the participation of children in supplementing family income.
48. The exposure of pregnant adolescents to high-risk situations preventing them from staying in school to continue their education, as well as the lack of concrete policies to encourage pregnant adolescents to complete their education.

Article 13: Economic and social welfare rights

49. Domestic workers who continue to be exploited in low-paying jobs.
50. The refusal of some employers to register their domestic workers through the mandatory social protection system and the lack of a clear national policy to promote compliance with this regulation.
51. The lack of measures to enforce Law No. 1/07 relating to commercial activities, thus hindering the commercial activities of women selling goods on the streets in Angola.

Article 14: Health and reproductive rights

52. The criminalization of abortion in certain cases, resulting in the criminal liability of the woman who has undergone the abortion and of anyone who assisted her.

Article 15: Right to food security; Article 16: Right to adequate housing; Article 17: Right to positive cultural context; Article 18: Right to a healthy and sustainable environment; and Article 19: Right to sustainable development

53. The lack of sufficient data and information on the implementation of the right to food security, adequate housing, a positive cultural context, a healthy and sustainable environment and sustainable development for women.

Articles 20 and 21: Widow's rights and the right to inheritance

54. Discrimination against widowed women in the distribution of inheritance and allocation of inherited land in some parts of the country due to cultural factors.

Article 26: Obligation to submit reports to and cooperate with the Commission

55. The absence of disaggregated statistical data covering various areas of human rights, which does not allow for an objective assessment, by the Commission, of progress made in promoting and protecting women's rights and persistent challenges.

V - RECOMMENDATIONS

Article 3: Right to dignity

- i. Permanently dismantle human trafficking networks and eradicate prostitution and polygamy practices involving adolescent girls.

Article 4: Right to life

- ii. Take adequate measures to combat violence against women and girls, including sexual and domestic violence, and ensure that perpetrators are brought to justice.

Article 5: Elimination of harmful practices

- iii. Prohibit and combat all harmful practices, including early and forced marriages and female genital mutilation, and strengthen public information and education programmes on the negative impact of these practices on the sexual and reproductive rights of women and girls.
- iv. Operationalize the SOS 15020 emergency hotline, designed to receive complaints and reports of domestic violence.

Article 6: Marriage

- v. Amend the provisions of the Family Code, which allow boys and girls under 18 to marry, so as to eradicate child marriage and thus ensure

consistency of the Code with the provisions of instruments on the protection of children's rights and reduce the occurrence of child marriages.

Article 7: Separation, divorce and annulment of marriage

- vi. Provide data on cases of separation, divorce and annulment of marriages in the next Periodic Report.

Article 8: Access to justice and equal protection before the law

- vii. Encourage the denunciation of all acts of domestic violence before the competent courts.

Article 9: Right to participate in the political and decision-making processes

- viii. Adopt a quota law to increase the representation of women in decision-making bodies.

Article 12: Right to education and training

- ix. Strengthen legislative, administrative and other measures to address the gender gap in education, particularly in rural areas.
- x. Develop a national strategy for the enrolment and retention of girls in school, including pregnant adolescent girls.

Article 13: Economic and social welfare rights

- xi. Conduct inspections and regulate the conditions of domestic workers with a view to improving their working conditions.
- xii. Develop a national policy to ensure compliance with the registration requirement for domestic workers and raise awareness among those concerned with a view to the effective enjoyment of their rights.
- xiii. Adopt measures to enforce Act No. 1/07 on commercial activities in order to promote the commercial activities of itinerant female vendors.

Article 14: Health and reproductive rights

- xiv. Amend the provisions of the Criminal Code to decriminalize abortion in all cases.

Articles 20 and 21: Widow's rights and the right to inheritance

- xv. Adopt legislative and other appropriate measures to correct existing inequalities between men and women in all areas of life and particularly with regard to inheritance.

Article 26: Obligation to submit reports to and cooperate with the Commission

- xvi. Provide, in the next periodic report, up-to-date statistics and disaggregated data relating to the different areas as well as comprehensive information on the right to food security (Article 15), the right to adequate housing (Article 16), the right to a positive cultural context (Article 17); the right to a healthy and sustainable environment (Article 18) and the right to sustainable development (Article 19).

Implementation of Concluding Observations

- xvii. Provide, in the next periodic report, information on the effective implementation of recommendations contained in the present Concluding Observations and in previous Concluding Observations which have not yet been fully implemented.

Adopted by the African Commission on Human and Peoples' Rights at its 26th Extraordinary Session held from 16 to 30 July 2019 in Banjul, The Gambia.