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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Thirty-fourth session**  
4–15 November 2019

## **Summary of Stakeholders' submissions 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 summary of 19 stakeholders' submissions<sup>1</sup> to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

#### **II. Information provided by stakeholders**

##### **A. Scope of international obligations<sup>2</sup> and cooperation with international human rights mechanisms and bodies<sup>3</sup>**

2. Amnesty International (AI) noted that Angola had accepted recommendations to ratify CAT;<sup>4</sup> ICPPED;<sup>5</sup> ICERD;<sup>6</sup> and ICRMW;<sup>7</sup> and recommended that Angola promptly do so.<sup>8</sup> AI also recommended that Angola ratify the Rome Statute of the International Criminal Court.<sup>9</sup>

3. The Center for Global Nonkilling (CGNK) recommended that Angola ratify the Convention on the Prevention and Punishment of the Crime of Genocide.<sup>10</sup>

4. Regarding accepted recommendations from the first<sup>11</sup> and second<sup>12</sup> cycles of the universal periodic review, JS7 urged Angola to ratify the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty.<sup>13</sup> JS7 observed that the two obligations incumbent upon Angola following ratification of the Protocol, prohibiting executions and withdrawing the death penalty from internal criminal law, had already been fulfilled and that therefore, the country could ratify that instrument.<sup>14</sup>

5. The International Campaign to Abolish Nuclear Weapons (ICAN) welcomed the signature by Angola of the Treaty on the Prohibition of Nuclear Weapons in 2018 and recommended that it ratify that treaty as a matter of urgency.<sup>15</sup>

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\* The present document was not edited before being sent to United Nations translation services.



6. JS5 recommended that Angola extend an invitation to the Special Rapporteur on adequate housing.<sup>16</sup>

## **B. National human rights framework<sup>17</sup>**

7. Front Line Defenders (FLD) reported that on 23 January 2019, the Angolan National Parliament had approved the text of a new Penal Code, which introduced important changes on human rights issues, such as the decriminalization of homosexuality and the decriminalization of abortions in some cases. However, in most cases the termination of a pregnancy was still considered a crime. The new Code also failed to promote the right to freedom of expression, with defamation still treated as a criminal offence.<sup>18</sup>

8. JS4 noted that article 71 of the previous code, which had been interpreted as criminalizing homosexuality, had been replaced with an article that made punishable discrimination on the basis of sexual orientation and that an article regarding access to unemployment or services condemned any employer who fired and refused to employ someone because of sexual orientation. This was a major improvement for Angola's LGBTI community, as access to employment had been a challenge to the enjoyment of rights of this group.<sup>19</sup>

9. JS1 recommended that Angola establish a National Human Rights Institution that was compliant with the Paris Principles and fully mandated and resourced to monitor the situation of human rights in Angola.<sup>20</sup>

10. The African Commission on Human and Peoples' Rights recommended that Angola should take steps to implement the recommendations of the Office of the Ombudsman.<sup>21</sup>

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

### **1. Cross-cutting issues**

#### *Equality and non-discrimination<sup>22</sup>*

11. The Southern Africa Litigation Centre (SALC) indicated that the new Penal Code had introduced several measures aimed at fostering a culture of non-discrimination, noting, among others, the inclusion of provisions addressing discrimination on the grounds of sexual orientation and disabilities.<sup>23</sup>

12. AI stated that LGBTI people continued to face discrimination, intimidation and harassment by both non-state actors and state actors.<sup>24</sup> JS4 recommended that Angola review the current domestic violence law to broaden its scope to include gender-based violence that can include the unique situations faced by LGBTIQ people.<sup>25</sup>

#### *Development, the environment, and business and human rights<sup>26</sup>*

13. JS5 reported that the Angolan Mining Code established that mining activities must ensure that they contribute to sustainable social and economic development of the communities in whose areas the mining company operated. However, mining activities in the diamond areas had often contributed to increasing rather than reducing poverty of the local populations. Additionally, some communities had been forced to abandon their villages because of mining activities, without any compensation or rehousing.<sup>27</sup>

14. JS5 recommended that Angola take concrete measures to ensure that mining companies respect their human rights obligations as provided for in the Mining Code and other regional and international human rights norms.<sup>28</sup>

15. The African Commission on Human and Peoples' Rights remained concerned at the difficulty of obtaining title to property owing to the absence of any body responsible for issuing such title and the excessive use of force in State expropriation procedures in the context of development projects.<sup>29</sup>

16. JS5 indicated that the government's initiative to diversify the economy through agriculture was commendable but had caused many adverse effects.<sup>30</sup> It reported allegations that powerful actors often acquired rural community land through the use of forceful evictions facilitated by intermediaries in the Government.<sup>31</sup> AI stated that despite legal guarantees, Angola continued to fail to protect communities from losing their communal lands to commercial farming. The authorities had failed to enforce legal requirements before evictions, including environmental and social impact assessments, public consultations, and free, prior and informed consent by the affected communities.<sup>32</sup>

17. JS5 stated that Angola had taken some positive steps to mitigate land related conflicts between rural communities and businesses through Presidential Order No. 14/18 which established an Inter-Ministerial Committee mandated with registering and demarcating rural communal land, and legalizing land acquisition and use by third parties. However, the committee had been slow in completing its mandate which ran only for two years with one year already elapsed.<sup>33</sup>

18. JS5 recommended that Angola ensure businesses and investors adhere to the law, including the provisions of the Constitution and the Land Law, in all their business activities relating to rural communal land acquisition and use, and conduct adequate and inclusive community consultations and free and informed consent prior to communal land acquisition and use.<sup>34</sup> AI recommended ensuring adequate remedies, including just compensation and restitution, for all victims of communal land illegally expropriated by commercial farmers, mining projects and oil and gas companies.<sup>35</sup>

## 2. Civil and political rights

### *Right to life, liberty and security of person*<sup>36</sup>

19. CGNK commended Angola for never having applied the death penalty since the country's independence and noted that the death penalty had been legally abolished by the constitution in 1992.<sup>37</sup>

20. Human Rights Watch (HRW) stated that the Angolan security forces had been implicated in several cases of extrajudicial killings of young men suspected of crimes. HRW referred to a report documenting over 50 cases of extrajudicial executions by Angolan security forces noting that the Government had promised to investigate but that the outcome of the investigations, if any, had not been made public.<sup>38</sup>

21. JS2 reported that there were still serious cases of torture in the jails of Angola, more specifically in Luanda.<sup>39</sup> SALC noted that Angola had no independent complaint mechanism to review allegations of police abuse.<sup>40</sup>

22. AI stated that the police and security forces continued to carry out arbitrary arrests and detentions. AI noted that many of the cases of arbitrary arrest, detention and ill-treatment had been against demonstrators, but security forces had also targeted individuals who were not involved in the demonstrations.<sup>41</sup> HRW also noted that the police had used excessive force against people peacefully protesting against "Operação Resgate" (Rescue Operation), which aimed, among other things, to end informal buying and selling in the capital, Luanda.<sup>42</sup>

23. AI recommended that Angola ensure the laws, regulations and codes of conduct that regulate the functioning of the police be reformed to bring them in line with international human rights standards.<sup>43</sup>

24. AI, HRW, JS1 and FLD, reported on the arrests of over 60 persons at the beginning of 2019, linked to the Independence Movement of Cabinda (*Movimento Independista de Cabinda* – MIC).<sup>44</sup> AI and HRW also provided information regarding the subsequent release by the courts of a number of those detained.<sup>45</sup> FLD reported that although currently the situation was considered stable by the authorities, the attempts of the Government to negotiate with the separatist movements had not progressed.<sup>46</sup>

*Administration of justice, including impunity, and the rule of law*<sup>47</sup>

25. JS5 stated that the justice sector continued to confront many challenges, noting in particular, that lack of capacity contributed to lengthy procedures and delays in reaching verdicts on both civil and criminal court cases. JS5 indicated that there had been a drastic reduction in the number of judges, prosecutors and magistrates as well as technical support staff and clerks in some courts.<sup>48</sup>

26. JS2 referred to reports indicating the existence of low numbers of professional lawyers in relation to the population and the fact that the overwhelming majority was concentrated in the capital city.<sup>49</sup>

27. Regarding accepted recommendations from the second cycle,<sup>50</sup> JS2 indicated that despite initiatives to promote access to justice, including the entry into force of Law 2/15, on Organization and Functioning of Courts of Common Jurisdiction, and other legislation, these did not benefit a large part of the population outside large urban centres.<sup>51</sup> JS5 reported that lack of infrastructure development and the absence of courthouses and facilities in certain provinces meant that plaintiffs had to travel across provinces for many hours to reach a courthouse.<sup>52</sup>

28. JS4 stated that access to justice for abuses was a challenge for Angolans and indicated that the justice system was often characterized by corruption and inefficiency.<sup>53</sup> JS2 stated that citizens outside the capital or urban centres in particular, had difficulties in benefiting from the right to legal assistance/sponsorship.<sup>54</sup>

29. JS5 recommended that Angola provide the courts across the country with trained judges, prosecutors and court officials to ensure swift due process and the conclusion of lawsuits; and improve infrastructure by building more courthouses and justice facilities that were accessible to all, including persons with disabilities.<sup>55</sup>

30. The African Commission on Human and Peoples' Rights remained concerned at the problem of prison overcrowding and recommended that Angola should build new prisons in order to address the problems of prison overcrowding.<sup>56</sup>

31. JS3 indicated that only the court in Luanda had established a Juvenile Court. In the remaining provinces, existing judges oversaw cases involving children and that the absence of juvenile courts throughout Angola undermined the protection of children.<sup>57</sup> JS3 recommended that Angola establish juvenile courts in the remaining provinces to ensure children had adequate access to justice.<sup>58</sup>

*Fundamental freedoms and the right to participate in public and political life*<sup>59</sup>

32. International Fellowship of Reconciliation (IFOR) indicated that since 1992 new churches had been allowed to register in the country, but that after 2004 it had been stipulated that they must produce the signatures of 100,000 adult Angolan citizens, residents in at least 12 of the 18 provinces, to do so. IFOR recommended that the criteria for registration of churches be relaxed to make them more attainable.<sup>60</sup>

33. IFOR stated that Article 10 of Law 1/93 stipulated that persons who were conscientious objectors would perform a civilian service, to be the subject of specific implementing regulations. However, such regulations had never been promulgated.<sup>61</sup> IFOR recommended that Angola promulgate without further delay the implementing regulations concerning alternative service for conscientious objectors.<sup>62</sup>

34. HRW stated that the Angolan government continued to use and defend repressive laws that included vague defamation clauses that threatened the work of media and civil society activists and noted that the new Penal Code, penalized defamation and slander with fines and imprisonment.<sup>63</sup>

35. SALC reported that the new Penal Code retained the offence of criminal defamation,<sup>64</sup> as well as the offence of slander and included a provision making it an offence to cause outrage or insult the State, including the President.<sup>65</sup> SALC stated that Angola should remove custodial sentences for the crimes of criminal defamation, slander, sedition, publication of false news, and insult to the State or the President. Furthermore,

Angola should repeal these sections from the Penal Code altogether.<sup>66</sup> HRW made a related recommendation.<sup>67</sup>

36. CIVICUS World Alliance for Citizen Participation (CIVICUS) stated that in 2017, a “social communication legislative package” (“pacote legislativo da comunicação social”), consisting of five laws including a new Press Law, had been adopted, which contained restrictions on freedom of the press.<sup>68</sup> SALC noted that under the Press Law journalists must register and that failure to register could lead to fines or suspension of activities. Furthermore, the Act criminalized the publication of text or images which are “offensive to individuals”. The law also gave the Ministry of Social Communication authority to oversee the editorial decisions of newspapers and other press.<sup>69</sup> CIVICUS recommended that Angola review and amend the social communication legislative package, and in particular the Press Law, in order to ensure that it was in line with international standards.<sup>70</sup>

37. AI welcomed the Constitutional Court’s decision to declare unconstitutional the Non-Governmental Organization Presidential Decree that sought to monitor the registration and financial support of NGOs.<sup>71</sup> FLD observed that this was the first time that the Court had declared a presidential decision unconstitutional. Nonetheless, the process failed to assess whether the content of the decree itself was in keeping with the constitution.<sup>72</sup>

38. SALC indicated that Angola’s Associations Law, Act No. 14 of 1991, required mandatory registration of all NGOs. Failure to register could lead to heavy fines and a one-year prison sentence. Furthermore, the registration process was difficult and could only be carried out in Luanda, preventing many rural and provincial civil society organizations from registering.<sup>73</sup> SALC recommended amending Act No. 14 of 1991 to remove mandatory registration of NGOs; and reviewing legislation and procedures for registering NGOs to create a streamlined process that is accessible in both urban and rural areas.<sup>74</sup>

39. FLD noted that during most of the period under consideration, particularly previous to the 2017 elections, international institutions had received continuous reports of surveillance, threats, harassment and intimidation of human rights defenders and journalists and the denial of registration of organizations.<sup>75</sup> Though the new government had been slowly signalling a change, several human rights defenders who reported on corruption and who demanded more democratic governance still faced past charges that could lead to imprisonment and monetary fees due to the arbitrary application of criminal defamation laws.<sup>76</sup>

40. JSI made related observations<sup>77</sup> and provided information on allegations of detention of human rights defenders, journalists and demonstrators.<sup>78</sup> JSI recommended that Angola take all the necessary measures to put an end to arbitrary arrests and illegal detentions of human rights defenders; release arbitrarily detained prisoners; and compensate victims in accordance with international standards.<sup>79</sup> HRW recommended that Angola: ensure that peaceful separatist groups, pro-democracy and human rights activists can pursue their activities and express criticism of government policies without intimidation, harassment or arbitrary arrest.<sup>80</sup>

41. CIVICUS stated that despite legal guarantees that no authorization was needed to hold peaceful assemblies, in practice, protests had often been banned by the authorities. CIVICUS also indicated that in some of Angola’s provinces, in particular in Cabinda, protests were systematically banned. Provincial authorities also deployed methods of intimidation, harassment, arbitrary arrests and judicial prosecution to prevent protests from taking place.<sup>81</sup>

42. FLD stated that on 23 August 2017, Angola held presidential elections for the first time in 37 years. The election period was marked by severe restrictions on freedom of expression and assembly, and by a direct control of information by the ruling party People’s Movement for the Liberation of Angola (MPLA).<sup>82</sup>

43. FLD reported that the new president had been sworn into office on 26 September 2017 with a promise to reshape the country’s image. In order to achieve that, an internal evaluation had been put in place, through which the new government declared the intention to ameliorate its own structures and serve as an example to be followed internationally.<sup>83</sup> In 2018, the government approved the *Estratégia do Executivo de Médio Prazo para os*

*Direitos Humanos* 2018–2022 (National Strategy on Human Rights 2018–2022), which included a specific chapter on strengthening the relationship with civil society organizations.<sup>84</sup>

### 3. Economic, social and cultural rights

#### *Right to work and to just and favourable conditions of work*<sup>85</sup>

44. JS6 stated that the lack of a diversified economy posed a challenge for the unemployed to find work, and especially for young people to join the labour force. Moreover, employment opportunities were not equal, because of corruption, nepotism, and the unequal access to education and professional development.<sup>86</sup>

45. JS6 recommended that Angola: continue its efforts to decrease the rate of unemployment, specifically for women and youth; and implement measures to combat corruption and nepotism in hiring processes, with special attention paid to positions of power in government.<sup>87</sup>

#### *Right to an adequate standard of living*<sup>88</sup>

46. JS3 stated that despite the economic boom, Angola ranked relatively low on the Human Development Index. Poverty and unemployment remained high.<sup>89</sup> JS2 indicated that three out of four children and adolescents lived in poverty and were deprived of health, nutrition, education and access to water and sanitation. Children living in rural areas faced more deprivation than those living in urban areas. The populations of eastern Angola, a region rich in diamonds, faced immense difficulties, such as lack of adequate housing, basic sanitation, drinking water and electricity, and provincial hospitals.<sup>90</sup> JS2 recommended that Angola raise the standard living, of citizens living in extreme poverty through better distribution of income and social programmes.<sup>91</sup>

47. The African Commission on Human and Peoples' Rights remained concerned at the housing crisis, which was exacerbated by the difficult economic situation, which affected the ability of large numbers of people to access decent housing.<sup>92</sup>

48. HRW indicated that Angola continued to forcibly evict people without the necessary procedural guarantees, or the provision of alternative housing or adequate compensation.<sup>93</sup> HRW reported that, as part of the "Operação Resgate" aimed at destroying irregular construction in Luanda, the authorities forcibly removed individuals from homes and land without providing appropriate legal or other protections. Some removals were preceded by excessive use of force by the police.<sup>94</sup>

49. HRW recommended that Angola: ensure that law enforcement officials received appropriate professional training on conducting their functions while respecting the rights of residents, monitors, and the public in general when carrying out activities in support of involuntary removal of residents.<sup>95</sup>

50. AI reported that in terms of availability, quality and accessibility, access to drinking water remained precarious in both urban and rural areas for large numbers of people. In rural areas, the development of agribusiness, mining, and oil and gas projects directly hampered access to safe drinking water. De facto privatization of rivers, lakes and water fountains cut people's access to water.<sup>96</sup> JS5 indicated that because of difficult access to drinking water in certain areas, women travelled as much as 18 km in search of water which also made them vulnerable to sexual assaults.<sup>97</sup>

51. AI recommended that Angola: invest in water retention and supply infrastructure in rural areas to ensure that communities have access to safe drinking water and water for irrigation and livestock throughout the year; and invest in equitable and just water supply infrastructure in urban areas to ensure non-discriminatory water access in all neighbourhoods, regardless of socio-economic status.<sup>98</sup>

#### *Right to health*<sup>99</sup>

52. The African Commission on Human and Peoples' Rights remained concerned at the inadequacy of the health budget and the poor quality of care in health centres, which failed

to meet the needs of the population; and at the lack of legal regulation of traditional medicine.<sup>100</sup> The Commission recommended that Angola should: ensure that the health budget was substantial; improve the quality of the care provided in health centres and tailor it to the real needs of the population; and regulate traditional medicine in law.<sup>101</sup>

53. JS5 indicated that Angola continued to be among one of the countries with highest infant mortality rates and that approximately 156 children died in every 1,000 live births. Moreover, a considerable number of children continued to suffer from acute malnutrition and remained food insecure.<sup>102</sup> Children (aged 0–14) living with HIV/AIDS were estimated at around 27,000 children, with only 3,800 receiving treatment amounting to only 14 per cent.<sup>103</sup> JS6 made similar observations and noted that malnutrition was an underlying cause of many deaths in childhood.<sup>104</sup>

54. JS5 recommended that Angola take concrete measures to prioritize the health of the child through appropriate budgetary allocation and availing of resources, expertise and to reduce child mortality rate.<sup>105</sup> JS6 recommended that Angola expand provisions and infrastructure for screenings and treatment for children suffering from malnutrition; and adopt all necessary measures to improve the quality of public health services, including the provision of adequate infrastructures and qualified medical staff to treat infants, children, and provide prenatal and postnatal care.<sup>106</sup>

55. JS5 noted that consultations revealed that women continued to encounter difficulties with access to safe deliveries, especially at night-time as health facilities and maternal wards remained scarce, in particular in rural areas. Women also said that they lacked information on family planning, and reported reduced access to contraceptive means, which were previously free but had since been commodified.<sup>107</sup>

56. JS6 noted that the sale and use of drugs was a growing problem in Angola. Drugs were sold in public spaces such as informal markets, and canteens. High alcohol consumption began from an early age.<sup>108</sup>

57. SALC noted that article 158 of the new Penal Code permitted abortion in certain instances but that outside these circumstances criminalized both the pregnant woman, the service provider, and persons advertising abortion services.<sup>109</sup>

58. JS4 highlighted the need to increase clinical competencies and sensitization of health providers on LGBTIQI issues.<sup>110</sup> JS4 recommended that Angola revise the HIV plan to include LGBTIQ people as key population to respond to.<sup>111</sup>

#### *Right to education*<sup>112</sup>

59. The African Commission on Human and Peoples' Rights remained concerned at the budget restrictions; at the small percentage of teachers qualified to teach children with disabilities or to teach in local languages; and at the lack of any transport service for pupils living in rural areas.<sup>113</sup> The Commission recommended that Angola should expedite the introduction of a school transport service, particularly in rural areas; train more teachers to teach persons with disabilities; and take steps to encourage the enrolment of indigenous children.<sup>114</sup>

60. JS6 was deeply concerned that a shortage of schools especially on the periphery of cities and in rural areas still existed. As a result, in particular children living in rural areas had very limited or no access to education.<sup>115</sup> JS6 also noted that the quality of education in public schools was inadequate as they lacked well prepared teachers, adequate educational facilities, and close accompaniment of children.<sup>116</sup>

61. JS6 recommended that Angola fully implement an accepted recommendation on education<sup>117</sup> by expanding educational infrastructure to reach city peripheries and rural areas; and enhance the quality of education in public schools, including better professional preparation for teachers.<sup>118</sup>

62. JS6 was also concerned about the dropout rate of adolescent girls due to early pregnancy and highlighted the importance of improving access to education for girls and young women.<sup>119</sup> JS2 referred to reports of harassment in the school context, between teachers and students.<sup>120</sup>

#### 4. Rights of specific persons or groups

##### *Women*<sup>121</sup>

63. JS6 indicated that gender inequality persisted in society, where women were often illiterate and unemployed. Single mothers were especially vulnerable and struggled to provide for their children. Moreover, the legal framework for equality and non-discrimination was inadequate as the Constitution itself did not provide a comprehensive definition of equal rights and non-discrimination.<sup>122</sup>

64. JS6 recommended that Angola adopt a comprehensive definition of discrimination against women that is in line with Article 1 of CEDAW and Sustainable Development Goal 5.1.<sup>123</sup>

65. The African Commission on Human and Peoples' Rights recommended that Angola should pursue its efforts to ensure proper representation of women in decision-making bodies, with a view to reaching parity.<sup>124</sup>

66. JS6 indicated that Angola had one of the highest rates of adolescent pregnancy in sub-Saharan Africa, and noted that 72 per cent of adolescent pregnancies occurred among teenagers living in rural areas.<sup>125</sup> JS6 recommended that Angola adopt measures to combat early pregnancy, especially in rural areas, by expediting the approval phase of the proposed national campaign to prevent early pregnancy and marriage 2018–2022.<sup>126</sup>

67. JS5 noted the high number of reported cases of domestic violence<sup>127</sup> and that consultations had revealed a failure to implement measures to protect victims of sexual and gender based violence, with evident lack of centres and medical facilities to shelter and provide treatment and psychosocial support as provided for in law the 25/11 Against Domestic Violence. Customary law was deemed inadequate to provide justice and redress and in certain cases was regarded as counterproductive and to cause more harm to the victim.<sup>128</sup>

68. JS2 indicated that the Angolan government should: create specialized offices at police stations and hospitals throughout the national territory for the care of victims of domestic violence; and disclose data on cases of domestic violence, including the number of complaints, convictions and sentences imposed on perpetrators, as well as the number of shelters and rehabilitation services available for victims.<sup>129</sup> JS5 recommended that Angola criminalize harmful practices and sensitize traditional leaders, to discourage certain cultural, traditional and religious beliefs and practices that contributed to violence against women by increasing the dissemination of Law 25/11 on violence and discrimination against women.<sup>130</sup>

69. La Manif Pour Tous expressed concern about surrogacy<sup>131</sup>

##### *Children*<sup>132</sup>

70. JS3 reported that the average age of the population was 16 years, and that approximately 54 per cent of the population was below the age of 18. JS3 noted a report indicating that remarkable deprivation levels existed in the nutrition particularly for children under 2 years, malaria prevention, and housing dimensions for children.<sup>133</sup>

71. Regarding accepted recommendations from the second cycle,<sup>134</sup> the Global Initiative to End All Corporal Punishment of Children (GIEACPC) stated that since the review, there had been no change in the legality of corporal punishment. In fact, the Government had recently declared that all corporal punishment of children was already criminalized, despite the absence of such prohibition in domestic legislation.<sup>135</sup> A number of new laws had been enacted but they did not prohibit all corporal punishment of children.<sup>136</sup>

72. GIEACPC recommended that Angola draft and enact legislation as a matter of priority to explicitly prohibit corporal punishment of children in all settings, including the home, and repeal all legal defences for its use.<sup>137</sup> JS6 recommended that Angola modify Article 10 of the Child Act of 2012, which left open the possibility for corporal punishment, in order to prohibit corporal punishment in all settings.<sup>138</sup>



73. JS6 remained concerned about sexual and economic exploitation of children in Angola and noted that the victims were generally poor children who lived on the streets and were coerced by adults.<sup>139</sup> JS6 noted that many children and adolescents lived on the street, suffering from abandonment or broken families. Consequently, children became involved in street crime, prostitution, and child labour.<sup>140</sup>

74. JS6 recommended that Angola: undertake an awareness campaign to bring light to the issue of child abandonment and negligence; and improve the basic services to children living in the streets.<sup>141</sup>

75. JS6 also recommended that Angola expand national programmes aimed at protecting and rehabilitating vulnerable children, and especially children in street situations from sexual exploitation and trafficking.<sup>142</sup> JS3 recommended that Angola revise the National Development Plan 2018–2022 to explicitly include all manifestations of sexual exploitation of children and outline how the government intends to address this issue.<sup>143</sup>

76. JS3 indicated that child and early marriage was widespread and was the result of poverty, high birth rates, and traditional practices that prescribed that the age of marriage to the start of puberty.<sup>144</sup> JS3 noted that though the Family Code set the age of marriage at 18 the code also allowed exceptions so that boys could marry at 16 and girls at 15 if either the child's guardians or the court, after consulting the Family Council, believed marriage was in the best interest of the child.<sup>145</sup> JS3 recommended that Angola revise the Family Code to ensure there were no exceptions to 18 as the minimum age to marry.<sup>146</sup>

77. JS2 referred to reports of difficulties in accessing civil registration and identification services, caused by distances to reach registration points, poor access conditions, limited transport services, high costs, lack of materials in the Posts, and corruption.<sup>147</sup> JS6 made related observations and noted that the existence of a requirement for both parents to be present for birth registration which presented an obstacle to the registration of some children.<sup>148</sup>

78. JS2 indicated that to improve the situation Angola should: ensure that the General Budget provided the necessary resources to meet the demand for the birth registration and issuance of the identity cards; and strengthen existing mobile stations including their action in the most distant locations.<sup>149</sup>

#### *Persons with disabilities*<sup>150</sup>

79. JS6 was concerned about the persistence of discrimination against persons with disabilities and albinism, noting that families often abandoned or hid children with disabilities because of lack of state support for their inclusion.<sup>151</sup> JS6 recommended that Angola: undertake measures to foster inclusion and to combat discrimination of children with disabilities and albinism, especially in schools; and implement a public campaign to raise awareness on the rights of people with disabilities and expand social welfare provisions to families with children who have disabilities.<sup>152</sup>

80. The African Commission on Human and Peoples' Rights recommended that Angola should introduce support measures to facilitate access to employment for persons with disabilities.<sup>153</sup>

#### *Minorities and indigenous peoples*<sup>154</sup>

81. JS5 reported on the Herero populations of the Southwest of Angola who were primarily herding populations who relied on trading with farming communities. JS5 indicated that these agro-pastoral minority communities and indigenous groups depended on rainfall for subsistence farming and on access to grazing land and water points and had suffered the impact of continuous droughts between 2012 and 2016.<sup>155</sup> JS5 recommended that Angola modernize their livelihoods and subsistence farming and cattle rearing so that they can cope with changing climatic conditions.<sup>156</sup>

#### *Migrants, refugees and asylum*<sup>157</sup>

82. JS5 noted that currently, Angola was home to about 70,000 refugees and asylum seekers and that the Government had set a good example, including refugees in its

development plan.<sup>158</sup> However, one of the main problems faced by refugees was the acquisition of official documentation and permits. With the change in the law, the mandate of the COREDA (Committee for the Recognition of Right of Asylum in Angola) had been terminated and the National Refugee Council (CNR) created. This had led to the end of issuing and renewing refugee cards, which in turn resulted in restriction of access to services by refugees, such as to employment, free movement, and birth registration of children born in Angola.<sup>159</sup>

83. JS5 recommended that Angola: ensure full and immediate implementation of Law No. 10/15 on the Right of Asylum and Refugee Statute, which guarantees the rights of refugees to access to basic services.<sup>160</sup>

84. Action by Christians for the Abolition of Torture (ACAT France) stated that since 2003 the Angolan authorities had been conducting mass expulsions of third country nationals. Tens of thousands of people were reported to have suffered severe violations of their human rights at the hands of various defence and security forces. The violence was occurring despite the fact that the Government had undertaken, for example at its previous universal periodic review, to improve the conditions of return and investigate allegations of violence against such persons.<sup>161</sup> ACAT France stated that no suspected perpetrator or senior officer in the Angolan defence and security forces had been prosecuted or even disciplined for such acts of violence.<sup>162</sup>

85. AI reported that between September and October 2018, law enforcement agents used excessive force and ill-treated over 300,000 nationals from a neighbouring country during Operation Transparency (Operação Transparência) aimed at forcibly expelling them from Angola, in particular from illegal diamond mines in Lunda Norte and Lunda Sul provinces. The mass deportation resulted in serious human rights violations by security forces on both sides of the border.<sup>163</sup>

## Notes

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org).

### *Civil society*

#### *Individual submissions:*

ACAT-France	L'Action des chrétiens pour l'abolition de la torture, Paris (France);
AI	Amnesty International, London (United Kingdom);
CGNK	Center for Global Nonkilling, Honolulu (United States of America);
CIVICUS	CIVICUS, World Alliance for Citizen Participation, Johannesburg (South Africa);
FLD	Front Line Defenders-The International Foundation for the Protection of Human Rights Defenders, Dublin (Ireland);
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London (United Kingdom);
HRW	Human Rights Watch, Geneva (Switzerland);
ICAN	International Campaign to Abolish Nuclear Weapons, Geneva (Switzerland);
IFOR	International Fellowship of Reconciliation, Grand-Saconnex (Switzerland);
LMPT	La Manif Pour Tous, Paris (France);
SALC	Southern Africa Litigation Centre, (Johannesburg) South Africa.

#### *Joint submissions:*

JS1	<b>Joint submission 1 submitted by:</b> International Service for Human Rights, Geneva (Switzerland); and Associação Justiça, Paz e Democracia (AJPD);
JS2	<b>Joint submission 2 submitted by:</b> Associação Justiça, Paz e Democracia (AJPD) Luanda (Angola), Mosaiko; Instituto para Cidadania; and Observatorio de Género Angolano;
JS3	<b>Joint submission 3 submitted by:</b> ECPAT International,

JS4	Bangkok (Thailand); SCARJoV Association; <b>Joint submission 4 submitted by:</b> Arquivo de Identidade Angolano, Geneva (Switzerland); Iris Angola Association; Women at heart: Transgender women group;
JS5	<b>Joint submission 5 submitted by:</b> The Lutheran World Federation (LWF) Geneva (Switzerland); ACM Kwanza Sul: Young Christian Association; Building Communities Association (ACC); Co-operation for the Development of the Emerging Country (COSPE); Community Action for the Development of Angola (ACDA); Mãos Livres (Lawyers Association); Association of Mutual Support for Angola (AMPA); There are no Orphans of GOD Association (ANOD); Ame Naame Omuno Association (YEAR) (I am also a person); Women and Children Association (AMC); MBAKITA: The Kubango Agricultural Charity Mission, Inclusion, Technologies and Environment; Development, Reintegration and Community Solidarity Action (ADRSC); and the Jesuit Refugee Services (JRS);
JS6	<b>Joint submission 6 submitted by:</b> Istituto Internazionale Maria Ausiliatrice, Veyrier (Switzerland); VIDES International – International Volunteerism Organization for Women, Education and Development;
JS7	<b>Joint submission 7 submitted by:</b> The Advocates for Human Rights, Minneapolis (United States of America); and the World Coalition Against the Death Penalty.

*Regional intergovernmental organization(s):*

CADHP	Commission Africaine des Droits de l'Homme et des Peuples, « Rapport de la mission conjointe de promotion des droits de l'homme en République d'Angola du 3 au 7 octobre 2016 », Banjul (Gambie).
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<sup>2</sup> The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

<sup>3</sup> For the 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, 135.27–135.29.

<sup>4</sup> For relevant recommendations see A/HRC/28/11, paras. 134.10 (Italy), 134.17 (Denmark), 134.19 (Ghana), 134.21 (Kenya), 134.33 (Togo), 134.34 (Tunisia).

- <sup>5</sup> For relevant recommendations see A/HRC/28/11, para. 134.19 (Ghana).
- <sup>6</sup> For relevant recommendations see A/HRC/28/11, paras. 134.7 (Viet Nam), 134.18 (Gabon), 134.26 (Mexico), 134.32 (South Africa), 134.34 (Tunisia).
- <sup>7</sup> For relevant recommendations see A/HRC/28/11, paras. 134.4 (Philippines), 134.13 (Burkina Faso), 134.19 (Ghana).
- <sup>8</sup> AI, p. 5.
- <sup>9</sup> AI, p. 5.
- <sup>10</sup> CGNK, p. 5.
- <sup>11</sup> For relevant recommendations see A/HRC/14/11, paras.87.1 (Brazil), 87.6 (Belgium), 87.13 (Portugal), 87.19 (Philippines).
- <sup>12</sup> For relevant recommendations see A/HRC/28/11, para. 134.30 (Portugal).
- <sup>13</sup> JS7, p.2. See also CGNK, p. 5.
- <sup>14</sup> JS7, p. 2.
- <sup>15</sup> ICAN, p. 1.
- <sup>16</sup> JS5, p. 5.
- <sup>17</sup> For the relevant recommendations, see A/HRC/28/11, paras. 134.35–134.54, 134.56–134.57, 134.61–134.64, 134.83, 135.12–135.24.
- <sup>18</sup> FLD, para. 13.
- <sup>19</sup> JS4, paras. 3.2–3.3.
- <sup>20</sup> JS1, p. 4.
- <sup>21</sup> Commission africaine des droits de l’homme et des Peuples, Rapport de la mission conjointe de promotion des droits de l’homme en la République d’Angola du 3 au 7 Octobre 2016, p. 44.
- <sup>22</sup> For the relevant recommendations, see A/HRC/28/11, paras. 134.66, 134.68.
- <sup>23</sup> SALC Annex 1, para. 26.
- <sup>24</sup> AI, p. 4.
- <sup>25</sup> JS4, p. 9.
- <sup>26</sup> For the relevant recommendations, see A/HRC/28/11, paras. 134.187–134.192, 135.26.
- <sup>27</sup> JS5, para. 12.
- <sup>28</sup> JS5, p. 6.
- <sup>29</sup> Commission africaine des droits de l’homme et des Peuples, Rapport de la mission conjointe de promotion des droits de l’homme en la République d’Angola du 3 au 7 Octobre 2016, p. 43.
- <sup>30</sup> JS5, para. 9.
- <sup>31</sup> JS5, para. 10.
- <sup>32</sup> AI, p. 3.
- <sup>33</sup> JS5, para. 11.
- <sup>34</sup> JS5, p. 5.
- <sup>35</sup> AI, p. 5.
- <sup>36</sup> For relevant recommendations see A/HRC/28/11, paras.134.82–134.84.
- <sup>37</sup> CGNK, p. 5.
- <sup>38</sup> HRW, p. 2.
- <sup>39</sup> JS2, para. 78.
- <sup>40</sup> SALC, para.11.
- <sup>41</sup> AI, p. 2.
- <sup>42</sup> HRW, p. 2.
- <sup>43</sup> AI, p. 5.
- <sup>44</sup> AI, p. 2, HRW, p. 1, JS1, p. 3 and FLD, paras. 26–29.
- <sup>45</sup> AI, p. 2, HRW, p.1.
- <sup>46</sup> FLD, para. 28.
- <sup>47</sup> For relevant recommendations see A/HRC/28/11, paras. 134.56–134.58, 134.84, 134.108–134.121.
- <sup>48</sup> JS5, para. 6.
- <sup>49</sup> JS2, para. 11.
- <sup>50</sup> For relevant recommendations see A/HRC/28/11, paras. 134.109(Benin), 134.110 (Brazil).
- <sup>51</sup> JS2, para. 7.
- <sup>52</sup> JS5, para. 7.
- <sup>53</sup> JS4, para. 4.1.
- <sup>54</sup> JS2, para. 12.
- <sup>55</sup> JS5 p. 4.
- <sup>56</sup> Commission africaine des droits de l’homme et des Peuples, Rapport de la mission conjointe de promotion des droits de l’homme en la République d’Angola du 3 au 7 Octobre 2016, pp. 42 et 44.
- <sup>57</sup> JS3, para. 38.
- <sup>58</sup> JS3, p. 12.
- <sup>59</sup> For relevant recommendations see A/HRC/28/11, paras.134.40–134.41, 134.65, 134.122–134.137, 135.30–135.34.

- 60 IFOR, p. 5.
- 61 IFOR, paras. 4–5.
- 62 IFOR, p. 4.
- 63 HRW, p. 1.
- 64 SALC, para. 7 and Annex 1 para. 3.
- 65 SALC, para. 7 and Annex 1 paras. 2, 6 and 9.
- 66 SALC, Annex 1, para. 12.
- 67 HRW, p. 2. See also CIVICUS, p. 10.
- 68 CIVICUS, para. 4.3.
- 69 SALC, para. 6.
- 70 CIVICUS, p. 10.
- 71 AI, p. 2. See also CIVICUS, para. 2.4 and JS1, p. 3.
- 72 FLD, para. 8.
- 73 SALC, para. 16.
- 74 SALC, para. 20.
- 75 FLD, para. 5.
- 76 FLD, para. 14.
- 77 JS1, p. 2.
- 78 JS1, p. 2.
- 79 JS1, p. 4.
- 80 HRW, p. 1.
- 81 CIVICUS, para. 5.3–5.4.
- 82 FLD, para. 10.
- 83 FLD, para. 11.
- 84 FLD, para. 12.
- 85 For relevant recommendations see A/HRC/28/11, para. 134.70.
- 86 JS6, para. 36.
- 87 JS6, para. 37.
- 88 For relevant recommendations see A/HRC/28/11, paras. 134.138–134.154, 134.188.
- 89 JS3, para. 4.
- 90 JS2, paras. 57–60.
- 91 JS2, para. 69.
- 92 Commission africaine des droits de l’homme et des Peuples, Rapport de la mission conjointe de promotion des droits de l’homme en la République d’Angola du 3 au 7 Octobre 2016, p. 43.
- 93 HRW, p. 2.
- 94 HRW, p. 2.
- 95 HRW, p. 3.
- 96 AI, p. 4.
- 97 JS5, para. 20.
- 98 AI, p. 6.
- 99 For relevant recommendations see A/HRC/28/11, paras. 134.138–134.139, 134.148, 134.155–134.163.
- 100 Commission africaine des droits de l’homme et des Peuples, Rapport de la mission conjointe de promotion des droits de l’homme en la République d’Angola du 3 au 7 Octobre 2016, pp. 42–43.
- 101 Commission africaine des droits de l’homme et des Peuples, Rapport de la mission conjointe de promotion des droits de l’homme en la République d’Angola du 3 au 7 Octobre 2016, p. 45.
- 102 JS5, para. 16.
- 103 JS5, para. 17.
- 104 JS6, para. 28.
- 105 JS5 p. 8.
- 106 JS6, para. 30.
- 107 JS5, para. 20.
- 108 JS6, para. 29.
- 109 SALC, Annex, paras.31–34.
- 110 JS4, p. 9.
- 111 JS4, p. 10.
- 112 For relevant recommendations see A/HRC/28/11, paras. 134.138, 134.164–134.177.
- 113 Commission africaine des droits de l’homme et des Peuples, Rapport de la mission conjointe de promotion des droits de l’homme en la République d’Angola du 3 au 7 Octobre 2016, p. 43.
- 114 Commission africaine des droits de l’homme et des Peuples, Rapport de la mission conjointe de promotion des droits de l’homme en la République d’Angola du 3 au 7 Octobre 2016, p. 45.
- 115 JS6, para. 10.
- 116 JS6, para. 12.

- <sup>117</sup> For relevant recommendations see A/HRC/28/11, para. 134.139 (Thailand).  
<sup>118</sup> JS6, para. 14.  
<sup>119</sup> JS6, para. 11.  
<sup>120</sup> JS2, para. 39.  
<sup>121</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>122</sup> JS6, para. 33.  
<sup>123</sup> JS6, para. 34.  
<sup>124</sup> Commission africaine des droits de l’homme et des Peuples, Rapport de la mission conjointe de promotion des droits de l’homme en la République d’Angola du 3 au 7 Octobre 2016, p. 45.  
<sup>125</sup> JS6, para. 11.  
<sup>126</sup> JS6, para. 14.  
<sup>127</sup> JS5, para. 18.  
<sup>128</sup> JS5, para. 19.  
<sup>129</sup> JS2, paras. 50–51. See also JS6, para. 34.  
<sup>130</sup> JS5, p. 9.  
<sup>131</sup> LMPT, pp. 1–6.  
<sup>132</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, 134.159–134.160.  
<sup>133</sup> JS3, para. 5.  
<sup>134</sup> For relevant recommendations see A/HRC/28/11, paras. 134.87 (Uruguay) and 134.95 (Portugal).  
<sup>135</sup> GIEACPC, para. 1.2.  
<sup>136</sup> GIEACPC, para. 2.1.  
<sup>137</sup> GIEACPC, para. 1.3.  
<sup>138</sup> JS6, para. 25.  
<sup>139</sup> JS6, para. 17.  
<sup>140</sup> JS6, para. 10.  
<sup>141</sup> JS6, para. 8.  
<sup>142</sup> JS6, para. 21.  
<sup>143</sup> JS3, p. 10.  
<sup>144</sup> JS3, para. 10.  
<sup>145</sup> JS3, para. 18.  
<sup>146</sup> JS3, p. 7.  
<sup>147</sup> JS2, para. 19. See also JS5, para. 16.  
<sup>148</sup> JS6, para.15.  
<sup>149</sup> JS2, paras. 20, 21 and 23.  
<sup>150</sup> For relevant recommendations see A/HRC/28/11, para. 134.178–134.181.  
<sup>151</sup> JS6 para. 7.  
<sup>152</sup> JS6, para. 8.  
<sup>153</sup> Commission africaine des droits de l’homme et des Peuples, Rapport de la mission conjointe de promotion des droits de l’homme en la République d’Angola du 3 au 7 Octobre 2016, p. 46.  
<sup>154</sup> For relevant recommendations see A/HRC/28/11, para. 134.188.  
<sup>155</sup> JS5, para. 21.  
<sup>156</sup> JS5, p. 10.  
<sup>157</sup> For relevant recommendations see A/HRC/28/11, paras. 134.182–134.186.  
<sup>158</sup> JS5, para. 22.  
<sup>159</sup> JS5, para. 23.  
<sup>160</sup> JS5, p. 1.  
<sup>161</sup> ACAT-France, pp. 1–2.  
<sup>162</sup> ACAT-France, p. 2.  
<sup>163</sup> AI, p. 3. See also JS5, para. 24.
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