



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Information received from Angola on follow-up to the
concluding observations on its seventh periodic report***

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* The present document is being issued without formal editing.



Introduction

1. In compliance with the commitments made by Angola when it ratified the Convention on the Elimination of All Forms of Discrimination against Women, and with regard to the assessment of the implementation and performance of Angola in relation to the promotion and protection of women's rights, the Government of Angola submitted its seventh periodic report under article 18 of the Convention to the Committee on the Elimination of All Forms of Discrimination against Women at its seventy-second session. On the basis of the interactive dialogue between the Committee and Angola, held in Geneva on 27 February 2019, the Committee adopted concluding observations on the report (CEDAW/C/AGO/CO/7), including a number of recommendations.

2. The present report is submitted in accordance with the Committee's request at the session for Angola to submit a progress report in order to assess its performance in implementing the Convention.

3. The present report was prepared by the National Mechanism for the Preparation of Reports and Follow-up of Recommendations and the Intersectoral Commission for the Preparation of National Human Rights Reports, and contains information on the measures taken to implement the Convention in relation to paragraphs 14 (a), 16 (a), 42 (c) and 46 (b) of the Committee's concluding observations.

4. Before responding to the follow-up questions, we would like to mention the following significant developments in the promotion and protection of human rights in implementation of the Convention in the last year:

(a) Approval and implementation of the national human rights strategy and action plan (contained in Presidential Decree No. 100/20 of 14 April 2020), which include women's rights in a cross-cutting manner and through which Angola is aligned with international human rights standards;

(b) Approval and implementation of the national action plan to combat trafficking in human beings (contained in Presidential Decree No. 31/20 of 14 February 2020), in which women and girls are special groups to be protected against trafficking;

(c) Ongoing evaluation and revision of Act No. 25/11 of 14 July 2011, against domestic violence, and the Family Code;

(d) Adoption of the Criminal Code and the Code of Criminal Procedure, including a section on crimes against women, and the criminalization of female genital mutilation and discrimination based on sex and sexual orientation, among other harmful practices;

(e) Data on women's participation in public life: parliament, 30 per cent; executive branch: 41 per cent of ministers, 19 per cent of secretaries of State, 22.2 per cent of provincial governors, 31.6 per cent of deputy governors and 28 per cent of municipal administrators; diplomatic service, 40 per cent. In the civil service, 35.5 per cent of management and leadership positions are held by women;

(f) Preparation of a manual (1,000 copies) containing the main Angolan documents related to the implementation of the Convention.

Accelerate the process of the decentralization of the courts and the creation of out-of-court dispute settlement centres throughout the State party, in particular in rural areas (para. 14 (a))

5. The Constitution of the Republic of Angola provides for a formal system of justice, the courts, and also out-of-court dispute settlement mechanisms. Article 29 enshrines access to justice, the law and effective judicial protection, article 174 establishes the means and forms of out-of-court dispute settlement, and article 196 establishes defence and aid mechanisms for citizens. See also Act No. 12/16 of 12 August 2016, on the mediation, negotiation and conciliation of disputes, and Act No. 16/03 of 25 July 2003, on voluntary arbitration.

6. Access to justice falls under theme 4 of the National Development Plan 2018–2022, entitled “Consolidating peace, strengthening the democratic State and the rule of law, good governance, State reform and decentralization”.

7. Angola is pursuing the process of legal and judicial reform that is being implemented by the Committee on Law and Justice Reform, whose objectives are to identify and propose laws that will make the judicial system more efficient, draft proposals intended to strengthen the independence of the judiciary and make a significant contribution to the fight against corruption. The Committee is composed of representatives of the judiciary, the Office of the Public Prosecutor and the Ministry of Justice and Human Rights, and lawyers, jurists and academics.

8. In the last two years, great progress has been made in terms of legislative output, in particular through the approval and publication of the new Criminal Code (Act No. 38/20 of 11 November 2020), the Code of Criminal Procedure (Act No. 39/20 of 11 November 2020) and other legal instruments.

9. As part of the justice and law reform, Act No. 2/15 of 2 February 2015, establishing the principles and rules for the organization and functioning of the courts of ordinary jurisdiction, has been adopted, as was the Courts of Appeal Act. The status of judges and prosecutors is being revised.

10. Angola continues to work to make justice more rapid, effective and accessible to citizens without discrimination against women, by expanding the system of courts so that access to justice is closer geographically, with congruence between the judicial division and the administrative division of the national territory. In this domain, the following results have been achieved:

(a) The provincial and municipal courts have been replaced by 60 district courts, of which 22 are already in operation;

(b) A total of 5 courts of appeal or courts of second instance have been established to relieve the pressure on the system and reduce the number of pending cases, and to meet demand effectively, including in rural areas (judges and prosecutors have now been trained for the Benguela, Huila and Luanda courts, which will soon become operational);

(c) The number of judges, 40 per cent of whom are women, the number of prosecutors, 40 per cent of whom are women, and the number of lawyers registered with the Order of Attorneys of Angola, 46 per cent of whom are women, have been increased.

11. In order to improve access to justice for vulnerable groups, including women, the Constitution provides for free legal aid, which is governed by Act No. 15/95 of 24 January 1995 on legal aid, implemented through the Order of Attorneys of Angola with State financial support. From January to August 2019, legal aid was provided to 3,040 indigent citizens.

12. Out-of-court dispute settlement centres were established in Executive Decree No. 230/14 of 27 June 2014, and the regulations governing them were established in Executive Decree No. 244/14 of 4 July 2014. The lawyers and trainee lawyers who staff the centres provide legal information and advice and uphold the principle of non-discrimination on the basis of sex, social status, cultural affiliation and financial status, enabling citizens to become aware of, exercise and defend their rights and legitimate interests.

13. To meet the demand for the services provided at the centres, more centres are being established at the provincial offices of the Ministry of Justice and Human Rights, which currently has more than 70 mediation and conciliation specialists.

14. The following measures are also being taken in this area: (i) specialized continuing training, at national public and private universities, on the mediation of business and family disputes and institutional arbitration at the International Court of Arbitration; and (ii) the holding of an examination for the admission of the first public defenders, to work in the eastern and north-eastern regions of the country, where the number of lawyers is limited.

Expedite the adoption of the action plan for the implementation of the national policy on gender equality and equity and incorporate a results-oriented approach (para. 16 (a))

15. Many stakeholders are participating in the achievement of the specific objectives of the national policy on gender equality and equity (see Presidential Decree No. 222/13 of 24 December 2013), including, at the national and provincial levels, groups representing women and other civil society groups, the United Nations Development Programme and the United Nations Population Fund, in order to promote the validation of the objectives set out in the policy, deepen the discussion of matters essential to implementing the policy and make progress towards achieving the results expected in each area of the policy.

16. The action plan for the implementation of the policy has been prepared and is currently being analysed for approval. It is designed as training initiative of the Government, and gender is mainstreamed into it on the basis of the existing foundations, in order to make best use of all the progress made in the area of gender equality and the defence of women's rights, and to measure holistically the results already achieved.

17. Since the policy was approved, in order to give impetus to its implementation, the steps taken at the national level include the following: the policy has been translated into English and French for regional and international dissemination; a comic-book version of the policy has been produced for dissemination in communities and among young people, in order to train and educate women from associations, cooperatives and civil society organizations in techniques for the transformation and processing of agricultural produce, and in community leadership; women and men have been trained in the formation of associations and cooperatives at the community level; forums have been held with members of the National Assembly; technical personnel from research, planning and statistics units, and focal points from the various ministries, have been trained in budgeting and planning with a gender perspective, and on gender and the Sustainable Development Goals, in accordance with public instruments and policies; and social activists have been trained.

18. In order to ensure that gender issues are internalized and assimilated in Angola, various information materials on the gender policy and related instruments have been

developed for dissemination and awareness-raising regarding the importance of gender equality, and 7,908 such materials have been distributed nationwide.

19. These steps have resulted in the establishment of the following programmes, projects and plans in defence of women's rights: the Programme for Support on Gender Issues and Advancement of Women; a project of the United Nations Development Programme to empower Angolan women, with an average annual allocation of \$80,000; a project of the United Nations Population Fund to support the Ministry for Social Action, the Family and the Advancement of Women in promoting gender equality, with an annual budget of \$50,000; and the mainstreaming of gender in the National Development Plan 2018–2022.

20. In the general State budget, 3,000,000 kwanzas are allocated to each municipality in Angola to empower women by increasing the number of women in decision-making positions and raising awareness of women's rights.

21. The poverty reduction programme also provides financial resources in the social area in which women are the main beneficiaries.

22. Currently, after six years of implementation of the policy, it is being evaluated and assessed on the basis of new social dynamics and the incorporation of legal instruments recently approved by Angola (such as the action plan for the implementation of Security Council resolution [1325 \(2000\)](#)).

Ensure the prior, free and informed consent of all women living in areas affected before the approval of any acquisition of land or the implementation of resource exploitation projects on rural land (para. 42 (c))

23. The right of rural women to own land is safeguarded in articles 15 and 98 of the Constitution, in which the State protects the property rights of natural and artificial persons, and rural communities. In Act No. 9/04 of 9 November 2004, on land, and Decree No. 58/07 of 13 July 2007, on the general regulations for the award of land, women's right to own land is clearly safeguarded (in order to adopt new requirements, a draft revision of the Act is ongoing).

24. In order to ensure the prior, free and informed consent of all women living in areas affected before the approval of any acquisition of land or the implementation of resource exploitation projects on rural land, article 16 of the Mining Code, on the rights of communities, states that mining policy must always take into account the customs of communities in the areas in which mining is carried out and must contribute to those communities' sustainable economic and social development. In addition, the body responsible for mining, in coordination with local State bodies and holders of mining rights, must establish consultation mechanisms that allow local communities affected by mining projects to participate actively in decisions related to the protection of their rights, within the constitutional limits. Consultation is mandatory in all cases in which the implementation of mining projects may cause the destruction of or damage to material, cultural and historical assets that belong to the local community as a whole. Women are included in the consultations as members of the community with their own voice. For example, one public consultation was held in 2018, in Luanda, and four were held in 2019 (two in Luanda, one in Cabinda and one in Bengo).

25. With regard to expropriation, Act No. 1/21 of 7 January 2021, on expropriation in the public interest, was passed in order to ensure and safeguard land rights in material terms, so that no one's land is expropriated without fair compensation. In accordance with the Act, the value of compensation is fairly and impartially

determined by agreement between the parties, through private negotiation or by judicial means (when there is no agreement).

26. The following programmes are being developed to meet the needs of rural people, particularly women:

(a) The national “Minha Terra” (My Land) programme, established in Presidential Order No. 14/18 of 19 February 2018 to register rural land to local communities, cooperatives and campesino associations and, in doing so, allow them to obtain bank loans, in order to foster agricultural production without discrimination against women and uphold the property and ownership rights of participants, for the promotion of small and medium-sized economic initiatives and of family and community agriculture, through, for example, the establishment of agricultural cooperatives;

(b) The award of a total of 3,600 deeds in which customary entitlement to the usufruct of a given piece of land is recognized for 31 of the 239 rural communities identified in the provinces of Benguela, Bié, Huambo and Huila through the “Minha Terra” programme, which involves partner non-governmental organizations, including Acção para o Desenvolvimento Rural e Ambiente (Action for Rural Development and the Environment). The coronavirus disease (COVID-19) pandemic has slowed the process somewhat.

27. Through the Programme for the Reintegration of Former Military Personnel, land that has mostly been demined is granted to such personnel, and their children and widows, for the cultivation of a wide range of crops. The President of the Republic, concerned about the socioeconomic integration of former military personnel, provided 104 tractors in 2019 as direct support for socioeconomic cooperatives of such personnel, 104 tractors as direct support for agricultural cooperatives, and training on driving and servicing tractors for the recipients.

28. To that end, two regional training centres have been established in the provinces of Bié and Cuanza Norte, and 120 cooperatives of former military personnel have been formed in 11 provinces, with 10,199 members, including such personnel, and widows and orphans.

Protect asylum-seeking and migrant women from extradition, deportation and expulsion from the territory of the State party to another State (para. 46 (b))

29. The right to asylum in Angola is upheld in article 71 of the Constitution and developed in Act No. 10/15 of 17 June 2015, on the right to asylum and refugee status, in which the principle of non-refoulement, applicable to all asylum seekers and refugees, regardless of gender, is enshrined.

30. Act No. 13/19 of 23 May 2019, on the legal regime for foreign nationals in the Republic of Angola, was approved, as was Presidential Decree No. 318/18 of 31 December 2018, on the migration policy of Angola, as a platform for guidance and management, with specific measures on migration. The Presidential Decree provides for the establishment of a migration observatory.

31. A body responsible for recognizing the right to asylum, the National Council for Refugees, was established pursuant to Presidential Decree No. 200/18 of 27 August 2018. It is an interministerial body that is responsible for verifying the criteria on the basis of which refugee status is granted, in accordance with international and regional instruments. The Council is composed of public institutions, non-governmental organizations and, as an observer, the Office of the United Nations High Commissioner

for Refugees (UNHCR). In addition, reception facilities for refugees and asylum seekers were established pursuant to Presidential Decree No. 204/18 of 3 September 2018.

32. Angola acceded to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness on 7 October 2019.

33. There are no data on the mass or individual expulsion of refugees and migrants, in particular women, to countries in which their lives may be at risk. The human rights of women asylum seekers, refugees and migrants are fully respected.

34. Through the above-mentioned legal instruments, respect for the human rights of refugees and asylum seekers in Angola is incorporated into the management of migratory flows (entry and stay, labour migration, the protection of refugees, and integrated border management and control) and the integration of foreign nationals (stay and establishment of residence, foreign investment and the right to establish residence, and family reunification).

35. A set of guidelines was developed to protect women asylum seekers and refugees. In Angola, asylum seekers are treated differently from other foreign nationals, including with regard to deportation. The extradition and expulsion of women migrants and asylum seekers is carried out in accordance with the law.

36. In 2017, during the conflict in the Kasai region of the Democratic Republic of the Congo, more than 36,000 people, approximately 76 per cent of whom were women or girls, were received in the province of Lunda Norte.

37. In response to the emergency, the Government of Angola, in collaboration with United Nations agencies, has provided special protection to the minor children of refugees by registering them so that they can enrol in school and receive health care, including an initial essential package of reproductive health services, with a particular emphasis on preventing maternal and neonatal mortality, and gender-based violence

38. Of the 3,273 minors who entered the education system in 2019, 1,592 were girls.

39. On the initiative of the Government of Angola, the first tripartite meeting of representatives of that Government, the Government of the Democratic Republic of the Congo and UNHCR was held in Luanda on 22 and 23 August 2019 in order to organize the facilitated or organized voluntary repatriation of Congolese refugees settled in the province of Lunda Norte. At that time, UNHCR controlled approximately 20,000 refugees, of whom about 16,177 had expressed a desire to return to the Democratic Republic of the Congo. Many did so spontaneously. Of the 5,611 residents of the Lóvua reception facility who have participated in the return programme, 626 have already returned.

40. In 2020, the National Council for Refugees began registering and granting residency to former refugees from the countries included in the cessation clause (namely, Liberia, Rwanda and Sierra Leone).

41. New cards are also being issued to refugees and asylum seekers.

42. Lastly, the national human rights strategy and action plan, which is aligned with the bodies of international treaties in general and the Convention in particular, has been approved.

Ministry of Justice and Human Rights, Luanda, 26 March 2021