



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities

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Consideration of reports submitted by parties to  
the Convention under article 35

## Replies of Angola to the list of issues in relation to its initial report\*

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\* The present document is being issued without formal editing.



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## Introduction

1. The Government of Angola hereby submits the requested additional information, in keeping with the open dialogue it maintains in all areas with the Committee.
2. These replies have been prepared by the Intersectoral Committee for the Preparation of National Human Rights Reports, which is the national mechanism for the follow-up and implementation of recommendations received under regional and international treaties.
3. The adoption of the National Human Rights Strategy and its Action Plan (Presidential Decree No. 100/20 of 14 April) marks a coming of age for Angola in the human rights sphere. The Strategy and Action Plan build endogenous capacity to promote and protect human rights, engage local human rights committees throughout the country and elevate human rights to a national security issue by having the National Security Council periodically assess the state of human rights in the country.
4. These replies bring up to date the information provided in the initial report (CRPD/C/AGO/1), which was prepared in 2016.

## Clarifications concerning the list of issues

### A. Purpose and general obligations (arts. 1–4)

#### Replies to the questions raised in paragraph 1 of the list of issues (CRPD/C/AGO/Q/1)

5. The legislative, regulatory and policy framework relating to persons with disabilities is constantly reviewed and harmonized with the Convention and the Committee's general comments. The following laws and public policies have been adopted since the submission of the initial report:
  - Act No. 10/16 of 27 July, the Accessibility Act, which establishes general accessibility rules, conditions and criteria for persons with disabilities or reduced mobility and is intended to eliminate architectural, communicational, instrumental and methodological barriers.
  - Presidential Decree No. 187/17 of 16 August, on the National Special Education Policy for Inclusive Schooling.
6. The expression “persons of unsound mind” is not used in the Angolan legal order. The term used is “persons with disabilities”, defined as all those who, by reason of loss or abnormality, whether congenital or acquired, of psychological, intellectual, physiological or anatomical functions or bodily structures, have specific difficulties that, in conjunction with environmental factors, are likely to restrict or hinder their activities and prevent them from participating on an equal basis with others. Physical, auditory, visual and mental disability are the types of disability defined by law.
7. In conformity with the Convention, “reasonable accommodation” refers to necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms. The Accessibility Act, drawn up in accordance with the principle of reasonable accommodation, enshrines the general principles of respect for human dignity; respect for difference and acceptance of persons with disabilities and/or reduced mobility; effective participation and inclusion of all in social life; non-discrimination; and full exercise of fundamental rights and freedoms. The Act provides for architectural, communicational, attitudinal, instrumental and methodological accessibility.

#### Reply to the question raised in paragraph 2

8. Under the terms of its Organic Statute (Presidential Decree No. 226/20 of 4 September), the Ministry of Social Action, the Family and the Advancement of Women is the department of the executive branch mandated to conceive, propose and implement social

policy related to the most vulnerable individuals and population groups, the promotion of local development and poverty alleviation, the defence and welfare of the family, the advancement of women, community development and the protection of women's rights, equality and gender equity.

9. To discharge this mandate, the Ministry has a National Directorate for the Inclusion of Persons with Disabilities, which is the executive body charged with formulating policies for the assistance, guidance, advancement and social and economic inclusion of persons with disabilities. Among other competencies, the Directorate cooperates with organizations of and for persons with disabilities on the drafting and implementation of laws, memorandums, protocols and international treaties and conventions.

10. The Ministry promotes the establishment of civil society organizations that support persons with disabilities, in cooperation with the Ministry of Justice and Human Rights, which under Act No. 6/12 of 18 January, the Private Associations Act, is responsible for registering such organizations.

11. Various federations and organizations are currently working with the Government to promote and protect the rights of persons with disabilities. They include the Angolan Federation of Associations of Persons with Disabilities, which has 32 member associations; the League to Support the Integration of Persons with Disabilities; the Angolan National Association of Deaf Persons; the Angolan National Association of Persons with Disabilities; the Angolan Association for the Rights and Inclusion of Women with Disabilities; the Angolan National Association of Blind and Amblyopic Persons; the Blue Heart social project for persons with autism; the Angolan Association for the Support of Persons with Albinism; and Ekanda–Association for the Support of Families and Children with Autism. Every year 100 new civil society organizations and associations are registered in Angola. The Ministry of Social Action, the Family and the Advancement of Women has begun to work with the Angolan Association for the Rights and Inclusion of Women with Disabilities on sexual and reproductive health and is preparing a guidance booklet on the rights of women with disabilities and the measures that should be adapted to provide access to health care. The National Youth Council also supports persons with disabilities.

12. Some organizations of persons with disabilities enjoy the status of associations of public interest and thus receive direct funding from the general State budget. Others benefit from tax exemptions in their field of activity.

13. The participation and cooperation of these organizations is evident from their involvement in the drafting of various laws pertaining to persons with disabilities: the Accessibility Act, the Act on Persons with Disabilities, the Strategy for the Protection of Persons with Disabilities (Presidential Decree No. 238/11 of 30 August) and the Policy for Persons with Disabilities (Presidential Decree No. 237/11 of 30 August).

14. Representatives of these associations sit on the National Council for Social Action established by Presidential Decree No. 136/16 of 17 June (regulations adopted by Presidential Decree No. 35/19 of 15 June). The Council, which is responsible for the protection of persons with disabilities, children and other vulnerable groups, replaced the National Council for Persons with Disabilities.

15. Article 9 of the Council's statute provides for the establishment, by order of the provincial governor, of provincial councils for social action, composed of the bodies that make up provincial committees for social partnership, children and persons with disabilities.

## **B. Specific rights (arts. 5–30)**

### **Equality and non-discrimination (art. 5)**

#### **Replies to the questions raised in paragraph 3**

16. In conformity with the Convention and the Committee's general comment No. 6, the principles of equality and non-discrimination form one of the pillars of the Constitution of

Angola (art. 23). They are also present in Angolan law, specifically in legislation on persons with disabilities.

17. Non-discrimination is one of the fundamental principles of the Act on Persons with Disabilities. Persons with disabilities may not be discriminated against, directly or indirectly, by action or omission, on the basis of their disability and must benefit from affirmative action to ensure that they can exercise their rights and duties, thereby remedying the situation of persistent inequality in society.

18. This principle was recently reinforced by the adoption of the new Criminal Code under Act No. 38/20 of 11 November, which entered into force on 11 February 2021 and which stipulates that anyone who commits discriminatory acts on the grounds of race, colour, ethnicity, place of birth, sex, sexual orientation, illness, physical or mental disability or other grounds may be punished by up to 2 years' imprisonment.

19. The Criminal Code also provides for aggravating circumstances and an increased penalty when the offence is motivated by race, colour, ethnicity, place of birth, sex, sexual orientation, illness, physical or mental disability, belief or religion, political or ideological conviction, social origin or status, or any other grounds of discrimination.

20. Article 380 of the Code, which condemns incitement to discrimination, states that "whoever, in a meeting, public place or through any means of dissemination or communication with the public, incites hatred against a person or group of persons on the grounds of their race, colour, ethnicity, place of birth, sex, sexual orientation, illness or physical or mental disability ... for the purpose of discriminating against them, shall be subject to a penalty of 6 months' to 6 years' imprisonment".

21. The main measure that the Government has taken to introduce and give examples of the concept of reasonable accommodation is the adoption of the Accessibility Act, which provides for a whole series of technical accessibility standards. Failure to comply with these standards may be punished on the basis of discrimination against persons with disabilities.

22. Mechanisms for lodging complaints of discrimination on grounds of disability include the courts, out-of-court dispute settlement centres and the advisory centres of the Ministry of Social Action, the Family and the Advancement of Women. In addition, the National Human Rights Strategy – the main instrument for the promotion and protection of human rights in Angola – envisages the creation of a mechanism for the reporting of human rights violations, including discrimination based on disability.

## **Women with disabilities (art. 6)**

### **Replies to the questions raised in paragraph 4**

23. As stated above, civil society organizations representing persons with disabilities, including women and girls, form part of the National Council for Social Action and actively participate in the development of different programmes and policies.

24. Gender policies and programmes are general and applicable to all, including persons with disabilities. Inclusion is achieved through projects carried out with associations of women with disabilities in the areas of entrepreneurship, psychological support, technical and vocational training and participatory inclusion.

25. In 2019 and 2020, the Assistance Programme for Persons with Disabilities, adopted by Presidential Decree No. 151/12 of 29 January, benefited 14 cooperatives of persons with disabilities – approximately two cooperatives in each of the Provinces of Luanda, Bengo, Benguela, Cabinda, Huíla, Uíge and Zaire – carrying out activities such as dressmaking, handicrafts, motorcycle taxi services, mechanics and agriculture. The Programme benefited 230 persons with disabilities, 163 of whom were women.

## **Children with disabilities (art. 7)**

### **Replies to the questions raised in paragraph 5**

26. Notable policies and strategies include:

(a) The Strategy for Action to Promote the Social Inclusion of Children with Disabilities, adopted by Presidential Decree No. 207/14 of 15 August, with the following objectives:

- (i) Intervene with children and families, in accordance with identified needs, to prevent and reduce the risk of developmental delays
- (ii) Detect and register all children under 6 years of age with early intervention needs and ensure their access to services
- (iii) Take measures to fulfil the specific needs of children with disabilities
- (iv) Identify children with disabilities at risk of marginalization and abandonment in order to refer them to the welfare services
- (v) Promote the awareness and responsibility of families as a crucial element for the harmonious development of children with disabilities
- (vi) Provide social and family support to households with children with disabilities

(b) The National Special Education Policy for Inclusive Schooling, whose aim is to promote the mainstreaming of special education in order to ensure the right of students identified as special education beneficiaries to have access to and to participate in school. The Policy is geared towards inclusion and the creation of schools open to diversity.

27. The National Council for Social Action and the National Children's Institute, within the framework of the Government's 11 Commitments to Children, raise awareness of the rights of children with disabilities among children with disabilities themselves, their parents and other family members, and professionals working for and with children. A National Children's Forum is held annually.

28. During the National Children's Forum and on other special occasions (Children's Day, the anniversary of the adoption of the Convention on the Rights of the Child and others), meetings of children are held at the communal, municipal and provincial levels to allow them to generally express their opinions, including their views on the development and adoption of legal instruments intended to safeguard their rights, in keeping with the principle of participation.

29. The Government has organized annual information campaigns on the rights of children with disabilities and has raised awareness of specialized care methods and criteria among families and professionals working with and for children, taking into account the guiding principles on the rights of the child as enshrined in the Constitution and laws of Angola and international legal instruments on the rights of the child.

30. In this context, 445 lectures were given in educational institutions, markets, villages, churches and military and police facilities, raising awareness among 113,937 people, of whom 58,508 were male and 55,429 female (40,054 adults and 73,883 children).

31. The Strategy for Action to Promote the Social Inclusion of Children with Disabilities was adopted with the goal of broadening and improving the inclusion of children with disabilities. In 2019, the Ministry of Social Action, the Family and the Advancement of Women granted temporary permission for the Angolan Association for the Support of Persons with Autism and Pervasive Developmental Disorders to establish an occupational activity centre for 1,234 children with disabilities.

## **Awareness-raising (art. 8)**

### **Replies to the questions raised in paragraph 6**

32. The Government has held regular meetings with journalists to address disability-related issues. The last such meeting was held in 2020 at the Aníbal de Melo Press Centre.

33. The Ministry of Social Action, the Family and the Advancement of Women has organized a series of conferences in universities on topics related to disability, with 705 participants.

34. The Act on Persons with Disabilities enshrines the principles of participation and cooperation and establishes measures and mechanisms for the participation of persons with disabilities.

35. The Ministry of Social Action, the Family and the Advancement of Women, the Ministry of Justice and Human Rights and other public institutions have worked with organizations of persons with disabilities on various campaigns and conferences. For example, in 2019 the Ministry of Justice and Human Rights, in cooperation with the Angolan National Association of Deaf Persons, marked the occasion of World Day of the Deaf by holding an awareness conference with the participation of 101 deaf and mute persons (30 male and 71 female). Also in 2019, the sixth National Conference on Human Rights was held under the slogan “Protecting Vulnerable Groups”, with direct contributions by representatives of persons with disabilities and persons with albinism.

36. The Ministry of Social Communication, the Ministry of Social Action, the Family and the Advancement of Women and the Ministry of Justice and Human Rights actively participated in a round table on albinism in Angola with the Angolan Association for the Support of Persons with Albinism and the network of organizations working for the defence of this group.

37. Representatives of organizations of persons with disabilities have been actively involved in and have raised concerns during the biennial National Forum on Human Rights.

38. The Ministry of Education, through the National Institute of Special Education, has carried out several projects and measures intended to prepare social actors and institutions by raising their awareness of the psychological and educational characteristics of children with disabilities. It has worked with partners such as the United Nations Children’s Fund (UNICEF), the Ministry of Higher Education, Science, Technology and Innovation, the Ministry of Health, the Ministry of Social Action, the Family and the Advancement of Women, the Ministry of Public Administration, Employment and Social Security, the Ministry of the Interior and the Ministry of Youth and Sport to promote the human rights model of disability. Awareness-raising activities and training on children with disabilities and the implementation of the National Special Education Policy for Inclusive Schooling were carried out in the 18 provinces.

39. The National School of Public Administration holds courses for sign language trainers for the public sector (including education, health and law enforcement), and manuals have been produced. The National Police is training its officers in sign language, the inclusion of persons with disabilities in the work of the Ministry of Justice and Human Rights, and the use of sign language in the media.

## **Accessibility (art. 9)**

### **Replies to the questions raised in paragraph 7**

40. The Accessibility Act lays down general rules, conditions and criteria on accessibility for persons with disabilities or reduced mobility. At the end of 2019, the Ministry of Social Action, the Family and the Advancement of Women held a training seminar on the application of the Accessibility Act with the participation of 12 ministries and the Angolan Federation of Associations of Persons with Disabilities. The seminar resulted in the first draft of an implementation plan for the Accessibility Act, setting out the cross-sectoral activities that must be carried out and the goals that must be achieved.

41. In 2020, the Ministry of Social Action, the Family and the Advancement of Women sent letters to all ministries, organizations of persons with disabilities and other partners requesting contributions to the implementation plan. However, the process of collecting these contributions was interrupted by the outbreak of the coronavirus disease (COVID-19) pandemic and by the reform of several ministries. The process resumed in 2021.

42. To ensure that the implementation plan is put into effect, ministries must include headings in their annual budgets so that planned measures and activities can be carried out, in accordance with article 56 of the Act on Persons with Disabilities.

43. The Accessibility Act provides for penalties ranging from fines to disciplinary, civil and criminal liability.

44. In the framework of the implementation plan, the Ministry of Transport has put into circulation more than 150 adapted buses for persons with disabilities. Televisão Pública de Angola broadcasts programmes with sign language interpretation and has hired four Angolan Sign Language interpreters. Between 2015 and 2019, the National Institute of Special Education trained 286 Angolan Sign Language interpreters. The National School of Public Administration has regularly provided courses in Angolan Sign Language; in 2020, it trained 98 people – 49 in Angolan Sign Language and 49 as Angolan Sign Language interpreters.

45. The Infrastructure Office of the Ministry of Education has a design for an inclusive school that will be used in the construction and reconstruction of schools throughout the country. The Ministry also has guidelines on implementing the Accessibility Act for children with disabilities through the adaptation of buildings in general, and specifically through the installation of access ramps and protective handrails, the adaptation of toilets and the installation of accessible signage for children with visual impairments.

## **Situations of risk and humanitarian emergencies (art. 11)**

### **Replies to the questions raised in paragraph 8**

46. The general objective of the National Social Action Policy, adopted by Presidential Decree No. 37/21 of 8 February, is to establish an integrated social action platform to guarantee, for individuals and households in vulnerable situations, a decent standard of living, access to basic services, the realization of their social rights and the reduction of risks and the negative consequences thereof.

47. Persons with disabilities are listed among the target groups of the Policy (chap. VI, para. 2 (c)).

48. They are included in cash transfer programmes, including the Kwenda programme.

49. Paragraph 3 of the Policy provides for sectoral social action in the area of disaster risk management and civil protection, ensuring that disaster victims and persons in crisis or emergency situations are afforded assistance and protection, taking into account the degree of vulnerability and exposure of different population groups.

50. Persons with disabilities and their organizations are called upon to participate in these processes in accordance with the principles of participation and cooperation, both of which are enshrined in the Act on Persons with Disabilities.

51. In 2020, the world was ravaged by the COVID-19 pandemic. In keeping with the measures adopted in most countries, on 27 March 2020 the President, after consulting the Council of the Republic and obtaining the approval of the National Assembly, declared a state of emergency, which lasted for 60 days. The Ministry of Social Action, the Family and the Advancement of Women took steps to train social services personnel to take action in areas such as social support, awareness-raising and training.

52. During the state of emergency, persons with disabilities and their organizations received food support from the municipal authorities.



53. At the end of this period, a state of disaster was declared on the basis of Act No. 14/20 of 22 May amending the Framework Act on Civil Protection, with the result that certain preventive measures and restrictions were maintained.

54. All measures taken during the state of emergency and the state of disaster were presented and explained to the public through a sign language interpreter. Daily press conferences on the pandemic situation are broadcast live with sign language interpretation.

### **Equal recognition before the law (art. 12)**

#### **Replies to the questions raised in paragraph 9**

55. The laws for persons with disabilities have been updated and brought into line with the new paradigm established by the Convention.

56. Article 4 (d) of the Act on Persons with Disabilities enshrines the principle of autonomy, which guarantees the right of persons with disabilities to make personal decisions about how they lead their lives.

57. The Ministry of Social Action, the Family and the Advancement of Women has, through its policies, supported the inclusion and participation of persons with disabilities in various decision-making mechanisms, including public consultations with the President of Angola, the National Assembly, provincial governors, ministries and others.

### **Access to justice (art. 13)**

#### **Replies to the questions raised in paragraph 10**

58. Article 23 of the Constitution enshrines the principle of equality by declaring that “everyone shall be equal under the Constitution and by law”.

59. Article 36 of the Act on the Office of the Prosecutor-General establishes that one of the competences of the Public Prosecution Service is to represent the State, minors, the incapable, the unknown and the absent. persons lacking legal capacity, persons having no permanent residence and those whose whereabouts are unknown.

60. The National Institute of Judicial Studies regularly provides training and professional development activities for judges and prosecutors at all levels, including on human rights and the treatment of persons with disabilities and others, often with the support of the United Nations system. Law enforcement officers also participate in this training.

61. Persons with disabilities have benefited from free legal aid provided by the Bar Association.

### **Liberty and security of the person (art. 14)**

#### **Reply to the question raised in paragraph 11**

62. Laws for the protection of persons with disabilities have been updated in accordance with the context and the new paradigm established by the Convention. They do not allow for the deprivation of liberty on the basis of actual or perceived impairment.

63. The Office of the Prosecutor-General guarantees the liberty of persons with severe disabilities and is required to monitor proceedings to which they are party as defendants or plaintiffs.

64. State organizations and institutions monitor and evaluate the laws and their application.

## **Freedom from torture and other cruel, inhuman or degrading treatment or punishment (art. 15)**

### **Replies to the questions raised in paragraph 12**

65. Under Act No. 21-B/92 of 28 August, the Framework Act on the National Health System, patients have the right to essential information for the taking of decisions on administrative and medical processes. In Angola, both the patient and his or her legal representative can have access to information about the individual's state of health. Thus, if a patient is in a serious condition, is a minor, lacks capacity or is in another situation in which he or she cannot consent to the procedure to be performed, an immediate family member may sign the declaration of prior consent.

66. Torture and cruel or degrading treatment is prohibited by the Constitution and severely punished under ordinary law, notably the Criminal Code, which makes it a specific offence.

67. In such cases, the law is applied and those found guilty are held accountable through disciplinary measures and/or imprisonment, depending on the nature and seriousness of the offence.

68. Upon becoming aware that an unlawful act of torture or cruel or inhuman treatment has been committed against a person with disabilities, the National Police investigates the facts of the case through mechanisms for collecting credible information and arrests any suspected perpetrators. A police report is then drafted and forwarded to the Office of the Prosecutor-General so that judicial proceedings may be initiated.

69. Angola ratified the Convention against Torture on 2 October 2019 pursuant to National Assembly Resolution No. 38/19 of 16 July.

70. The law provides for the award of compensation for loss and damage suffered in such cases.

## **Freedom from exploitation, violence and abuse (art. 16)**

### **Replies to the questions raised in paragraph 13**

71. Article 47 (3) of the Accessibility Act stipulates that complaints must be reported to the police authorities or the Office of the Prosecutor-General.

72. Regarding the protection of victims, Decree No. 13/06 of 17 May established day care centres for older persons and persons with disabilities. There are 13 such centres located throughout the country in the Provinces of Bengo, Lunda Sul, Huíla, Cuanza Norte, Benguela, Namibe and Huambo.

73. The national public safety hotline, 111, handles various types of complaints.

74. On 16 June 2020, the "SOS Children" hotline, 15015, was launched. All children and guardians can use this anonymous, confidential free service to report violations of children's rights. Furthermore, the 145 and 146 hotlines provide psychological support and assistance for victims of domestic violence.

75. There is also a mediation and conciliation centre that mediates in and refers cases of violations of children's rights, including in relation to issues such as stigmatization, discrimination, neglect and physical, psychological and sexual violence affecting children with disabilities.

76. Within the framework of the National Human Rights Strategy adopted in 2020, the Government plans to introduce a system for the monitoring and reporting of potential human rights violations, which may be used by persons with disabilities and/or their representatives.

## **Protecting the integrity of the person (art. 17)**

### **Reply to the question raised in paragraph 14**

77. The forced sterilization of persons with disabilities has not been detected in Angola. There are no records of such cases, nor are there laws or specific measures that permit the practice. Were any cases to occur, they would be dealt with depending on the seriousness of the case and the level of consent required.

## **Liberty of movement and nationality (art. 18)**

### **Replies to the questions raised in paragraph 15**

78. Article 71 of the Constitution enshrines the right of asylum for all persons who meet the requirements, without discrimination. Act No. 10/15 of 15 June, the Right of Asylum and Refugee Status Act, gives effect to this right.

79. The 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. It is an interministerial body that is responsible for assessing the criteria for granting asylum in accordance with the international and regional instruments on the matter. The Council is composed of public institutions, non-governmental organizations and the Office of the United Nations High Commissioner for Refugees in an observer capacity.

80. In 2020, the National Council for Refugees launched a new registration process (official documentation) which does not discriminate in any way against refugees with disabilities, in accordance with the law.

81. The children of refugees fleeing the conflict in the Kasai region of the Democratic Republic of the Congo, about 76 per cent of whom were born on Angolan territory, have been registered, as have the children of urban refugees.

82. The Constitution enshrines the rights to personal identity, civil capacity, nationality, a good name and reputation, protection of personal image, freedom of speech and privacy in personal and family life.

83. To strengthen the birth registration system, the Government is now applying Decree No. 301/19 of 16 October on the standardization and simplification of fee schedules, article 13 of which lists the following acts as being free of charge: registration of a birth occurring on Angolan territory or abroad; certification of a birth abroad conferring Angolan nationality; and registration of award of Angolan nationality. In other words, birth registration is free at any age.

84. The Ministry of Justice and Human Rights has implemented different programmes in this regard, including: a programme to expand civil registry services; the “Nascer com Registo” (Birth with Registration) programme in cooperation with UNICEF and the European Union; the “Paternidade Responsável, Eu Apoio” (I Support Responsible Fatherhood) campaign; a birth registration campaign in lower secondary schools; and the issuance in schools of children’s first identity cards, in cooperation with the Ministry of Education (mainly done between January and March, when school enrolment takes place).

85. The Government has authorized one-stop shops for public services. Citizens can register births with the municipal, communal or urban district authorities and data contained in the electoral register will be harmonized with those contained in the birth register. In 2019, more than 3 million births were registered in the framework of the programme to expand civil registry services, thanks to efforts to bring these services closer to citizens.

86. The Strategy for the Protection of Persons with Disabilities aims to facilitate access by persons with disabilities to different justice services, especially the acquisition of personal identity documents. The goal is to reduce the number of unregistered citizens.

## **Living independently and being included in the community (art. 19)**

### **Replies to the questions raised in paragraph 16**

87. The Ministry of Social Action, the Family and the Advancement of Women coordinates the implementation of policies and strategies for persons with disabilities and their social integration. The National Directorate for the Inclusion of Persons with Disabilities carries out monitoring and works with decentralized services on local monitoring.

88. In this regard, annual budgets include a heading for the acquisition of assistive devices which, once purchased, are distributed by all provinces.

89. Community-level support is provided by the municipal authorities within the scope of a poverty reduction programme.

90. Also at the community level, persons with disabilities may receive support from Integrated Social Action Centres.

## **Personal mobility (art. 20)**

### **Replies to the questions raised in paragraph 17**

91. Regarding the assessment criteria used to determine the eligibility of persons with disabilities to receive the assistive devices provided by the State, users first undergo a personal evaluation and then fill out an application form with all necessary information.

92. The provision of these devices is extended to rural areas.

## **Freedom of expression and opinion, and access to information (art. 21)**

### **Replies to the questions raised in paragraph 18**

93. The Accessibility Act defines Angolan Sign Language (art. 5) and recognizes it as a legal means of communication and expression (art. 24). The number of sign language interpreters has multiplied, with the National Institute of Special Education having trained 286 sign language interpreters between 2005 and 2019, while the National School of Public Administration regularly runs free sign language courses to support the delivery of services. By 2020, it had trained 98 persons – 49 in Angolan Sign Language and 49 as Angolan Sign Language interpreters.

94. Televisão Pública de Angola broadcasts programmes with sign language interpretation, providing persons with hearing impairments with access to information.

95. One of several inclusive projects carried out by the National Institute of Special Education, attached to the Ministry of Education, consisted in training teachers in Angolan Sign Language so that they can better impart knowledge to children with hearing impairments, thus assuming the role of sign language interpreters in the classroom and facilitating relations between persons with hearing impairments and the general population.

96. With the support of partners, the Institute has developed educational aids that children with visual impairments need for classroom learning and extracurricular activities and has acquired Braille writing devices, Braille paper, canes, magnifying glasses and other aids.

97. The Institute also has a print department that transcribes school textbooks into Braille.

98. Universities have teams to support students with disabilities; they also have admission quotas.

## **Respect for privacy (art. 22)**

### **Reply to the question raised in paragraph 19**

99. Regarding the enforcement of all constitutional provisions, different bodies, namely the courts, the Office of the Prosecutor-General and the security forces are responsible for

monitoring compliance with all laws and the realization of the rights of all citizens without exception. In this context, they conduct awareness and information campaigns on the rights and duties of citizens.

100. The Ministry of Justice and Human Rights, through the National Human Rights Strategy and its Action Plan, supports the observance of standards for the protection of persons with disabilities.

## **Respect for home and the family (art. 23)**

### **Replies to the questions raised in paragraph 20**

101. The right of persons with disabilities to live in a family is guaranteed and respected. Persons with disabilities face no legal impediment to starting a family. There are couples in Angola in which one or both persons have disabilities.

102. The family is protected by the Constitution and the Family Code.

103. Persons with leprosy are treated without discrimination. The Ministry of Health runs a specific support programme and a trypanosomiasis treatment centre.

## **Education (art. 24)**

### **Replies to the questions raised in paragraph 21**

104. The National Special Education Policy for Inclusive Schooling (Presidential Decree No. 187/17 of 16 August) was developed by the National Institute of Special Education in order to cater on a regular basis for children with disabilities in inclusive schools in an open and diversified system. Its main objective is to develop guidelines and strategies for action to ensure that the national education system guarantees the rights of students with disabilities to access, to participate in and to remain in education.

105. This Policy is accompanied by a strategic implementation plan in three stages, the first of which commenced in 2019. The second stage, covering 13 provinces, is now under way.

106. In addition, within the framework of special education for inclusive schooling, the Government has begun to provide specialized educational assistance for special education students. In doing so, it aims to develop, plan, organize and deliver accessible educational resources and materials in order to improve access to the curriculum and effective learning. Thus, it is envisaged that the National Policy will provide all students with a quality education without discrimination. The Primary Education Quality Improvement and Development Programme includes a project for the expansion and improvement of special education with a budget of 565,048,609 kwanzas for 2021.

## **Health (art. 25)**

### **Replies to the questions raised in paragraph 22**

107. Angolan law prohibits physicians or other health specialists from administering any medical treatment or performing any medical procedure without the prior written or oral consent of the patient, whether this is a person with a disability or any other person (see the reply to the question raised in paragraph 12).

108. The Policy for Persons with Disabilities lays down a set of normative guidelines that are intended to ensure the full exercise of the individual and social rights of persons with disabilities through coordinated, cross-sectoral, multidisciplinary measures that fulfil the Government's legal obligations in the areas of prevention, treatment, rehabilitation and integration.

109. Traditional birth attendants and various other health professionals receive periodic training.

110. The Strategy for the Protection of Persons with Disabilities offers guidance on the medical care and drug therapy that health institutions should provide to persons with disabilities. The Ministry of Social Action, the Family and the Advancement of Women refers persons with disabilities to various health services so that they can benefit from medical care and drug therapy. In 2019 and 2020, it referred 454 persons with disabilities to various services, mostly health services.

111. The main objective of the National Health Policy (Presidential Decree No. 262/10), implemented in accordance with the Framework Act on the National Health System, is to achieve universal access to primary health care, thereby fulfilling the duty set forth under article 77 of the Constitution, which holds that “the State shall promote and guarantee the measures needed to uphold the universal right to medical and health care and the right to care in childhood, maternity, invalidity, disability, old age and any situation in which a person is unable to work”.

112. In the context of measures to combat and control HIV/AIDS, on 1 December 2018 the First Lady of Angola, Ana Dias Lourenço, launched the “Born Free to Shine” campaign in the Province of Moxico. The campaign was subsequently rolled out in all 18 provinces.

113. The aim of this campaign is to eliminate paediatric HIV/AIDS by 2030, in line with the commitment made by African countries at the twentieth General Assembly of the Organization of African First Ladies, held in 2018 with the goals of raising awareness of the HIV/AIDS epidemic in children and creating the conditions for all children with HIV-positive mothers to be born free of the virus and in full health.

114. The Criminal Code prohibits the spreading of contagious diseases, including HIV/AIDS. Anyone who spreads a contagious disease and thereby effectively endangers the life or physical integrity of another person faces a penalty of 2 to 8 years’ imprisonment.

115. Angola has a strategic plan on sexual and reproductive health that aims to raise awareness of this topic among adolescents, including girls with disabilities. The strategy of comprehensive action for adolescent and child health also provides for the instruction and awareness-raising of adolescent girls on this subject and is implemented in urban and rural areas with the cooperation of the United Nations Population Fund, UNICEF, the United States Agency for International Development, the Ministry of Education, the Ministry of Social Action, the Family and the Advancement of Women and the Ministry of Social Communication.

## **Habilitation and rehabilitation (art. 26)**

### **Reply to the question raised in paragraph 23**

116. Habilitation and rehabilitation services are available to all persons with disabilities, in accordance with the Constitution and article 25 of the Convention. Eleven orthopaedic and physical rehabilitation centres have been established throughout the country, in such a way as to provide balanced geographical coverage, with free access for persons with disabilities. They are the Luanda Physical Medicine and Rehabilitation Centre (the referral centre); the Dr. Antonio Agostinho Neto Centre in Viana, Luanda; the Princess Diana Centre in Huambo; the Neves Bendinha Orthopaedic Centre in Luanda; the Benguela Orthopaedic Centre; the Lubango Orthopaedic Centre; the Kuito Orthopaedic Centre; the Menongue Orthopaedic Centre; the Moxico Orthopaedic Centre; the Negage Orthopaedic Centre and the Gabela Orthopaedic Centre.

117. The administration of these centres is organized by region. The southern region, headquartered in Huíla, also includes the Provinces of Namibe, Cunene and Cuando Cubango. The central-southern region, based in Huambo, also covers the Provinces of Bié, Benguela and Cuanza Sur. The eastern region, based in Moxico, includes Lunda Norte and Lunda Sul. The northern region is headquartered in Luanda and includes the Province of Malanje. The far northern region, administered from Uíge, includes the Provinces of Zaire and Cabinda.

118. Habilitation and rehabilitation services are thus provided to patients from all over the country.

## **Work and employment (art. 27)**

### **Replies to the questions raised in paragraph 24**

119. The main step taken to increase the employment rate of persons with disabilities is the adoption of Presidential Decree No. 12/16 of 15 January, which set job quotas and outlined procedures for the recruitment of persons with disabilities. Accordingly, 4 per cent of public-sector jobs and 2 per cent of private-sector jobs are reserved for persons with disabilities. The Ministry of Social Action, the Family and the Advancement of Women is preparing a study entitled “Mais Inclusão” (More Inclusion) in order to ascertain the number of persons with disabilities and women employed by 493 institutions. The preliminary findings indicate that 318 persons with disabilities are employed – 318 in the public sector and 166 in the private sector. These are provisional data that are in the process of being certified by the National Institute of Statistics.

120. To promote employment opportunities and entrepreneurship for young persons with disabilities, the Government has organized training, education, meetings and workshops on youth entrepreneurship, including for young persons with disabilities, with the participation of the banking and non-banking financial institutions that are members of the national microfinance commission.

121. Private-sector entities that fail to comply with the quotas fixed by Presidential Decree No. 12/16 of 15 January are liable to receive fines of between 10 and 50 times the minimum wage for each day of non-compliance.

122. Discrimination in employment on the grounds of disability is prohibited conduct and an offence punishable by up to 2 years’ imprisonment or a fine of up to 240 days under article 212 of the Criminal Code.

## **Adequate standard of living and social protection (art. 28)**

### **Replies to the questions raised in paragraph 25**

123. The Ministry of Social Action, the Family and the Advancement of Women administers the “Valor Criança” cash transfer programme with the goal of providing minimum social benefits to children under 5 years old, including children with disabilities. The programme benefited 18,007 children in 2020.

124. The Government is also implementing, through the Social Support Fund and with support from the World Bank, the Kwenda cash transfer programme for vulnerable families. Persons with disabilities are among the vulnerable groups registered.

125. A proposal has been made to amend Act No. 6/98 of 7 August introducing cash benefits for persons with disabilities and persons permanently unable to work who are not covered by any other welfare system and who have no financial resources of their own, thus guaranteeing their exercise of the right to social welfare as enshrined in the Constitution.

126. The Government is implementing a poverty reduction programme which, together with the other programmes mentioned above, provides support for the most vulnerable families, including persons with disabilities, military veterans and former combatants, at the level of the municipalities.

127. Persons with disabilities are exempt from the payment of certain fees and taxes.

## **Participation in political and public life (art. 29)**

### **Replies to the questions raised in paragraph 26**

128. Persons with disabilities are not subject to any constitutional or legal restrictions. They have served in the public administration, the executive branch, the National Assembly and elsewhere.

129. In 2019, the National Directorate for the Inclusion of Persons with Disabilities and the National Electoral Commission launched a project to ensure accessibility in electoral processes.

130. Taking into account the principle of participation, enshrined in article 41 (f) of the Act on Persons with Disabilities, in 2019 a meeting was held with representatives of the following organizations of persons with disabilities: the National Association of University Students with Disabilities, the League to Support the Integration of Persons with Disabilities, the Angolan Association of Military Veterans with Disabilities, the Angolan National Association of Blind and Amblyopic Persons and the Angolan National Association for the Support of Persons with Hearing Impairments. This meeting led to the development of recommendations on the participation of persons with disabilities in electoral processes.

131. These recommendations were submitted to the National Electoral Commission for its appraisal and its President convened a plenary session (attended by all political parties with parliamentary seats) at which the recommendations were examined and approved.

132. The Ministry of Social Action, the Family and the Advancement of Women, the National Electoral Commission, other ministries and organizations of persons with disabilities will continue to work to promote accessibility so that persons with disabilities can participate in electoral processes.

### **Participation in cultural life, recreation, leisure and sport (art. 30)**

#### **Replies to the questions raised in paragraph 27**

133. Angola has enjoyed great success in several Paralympic sports. It participated in the Paralympic Games for the first time in 1996 and since then has competed in all summer editions, winning its first medals in 2004 when the athlete José Sayovo took three golds in the men's 100, 200 and 400 metres in the T11 category. He competed again at the 2008 Summer Paralympics and won three silver medals. The national team won the 2018 Amputee Football World Cup.

134. Angola is in the process of ratifying the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.

## **C. Specific obligations (arts. 31–33)**

### **Statistics and data collection (art. 31)**

#### **Replies to the questions raised in paragraph 28**

135. As part of the data collection process for surveys and censuses, the National Institute of Statistics includes in its questionnaires a set of questions designed to obtain generic information on the rights of persons with disabilities.

136. The Institute is willing to begin using the Washington Group short set of questions on functioning in its surveys.

137. The National Statistical System has been strengthened since the 2014 general census.

### **International cooperation (art. 32)**

#### **Replies to the questions raised in paragraph 29**

138. The Strategy for the Protection of Persons with Disabilities states that the Government recognizes the Angolan Federation of Associations of Persons with Disabilities as its strategic partner.

139. The Government supports the Federation, insofar as it is a corporate person that is legally authorized to operate in Angolan territory.



140. In the sphere of international cooperation, in 2019 the Ministry of Social Action, the Family and the Advancement of Women signed memorandums of cooperation with its counterparts in Cuba and Uruguay with the aim of exchanging experiences in the areas of training, municipal welfare services, women's training in small business and income-generating activities, childhood development and support for children with disabilities.

141. The various civil society organizations that represent persons with disabilities have participated in different activities with the support of ministries such as the Ministry of Social Action, the Family and the Advancement of Women and the Ministry of Justice and Human Rights and international organizations such as the United Nations Development Programme.

142. The Government has an implementation plan for the 2030 Agenda for Sustainable Development which is coordinated by the Ministry of Economic Affairs and Planning and carried out in cooperation with civil society partners, including organizations of persons with disabilities.

## **National implementation and monitoring (art. 33)**

### **Replies to the questions raised in paragraph 30**

143. The National Council for Persons with Disabilities was dissolved by Presidential Decree No. 25/29 of 15 January establishing the National Council for Social Action, which deals with disability issues as part of its mandate. The National Council for Social Action is composed of the plenum, a national coordinator, a deputy national coordinator, an executive secretary, special standing committees (notably a special standing committee on persons with disabilities) and a provincial and a municipal council. As mentioned above, the Council includes civil society organizations representing persons with disabilities.

144. The mandate of the National Council for Social Action is broader than that of the National Council for Persons with Disabilities.

145. Furthermore, the Government has recognized four organizations of persons with disabilities as associations of public interest. They are the Angolan National Association of Persons with Disabilities, the League to Support the Integration of Persons with Disabilities, the Angolan Association of Military Veterans with Disabilities and the National Association for the Support of Persons with Visual Impairments, all of which receive annual funding from the general State budget to carry out projects for persons with disabilities.

146. Angola has an Ombudsman. Act No. 27/20 of 20 July, the Statute of the Ombudsman, and Act No. 29/20 of 29 July, the Organic Act on the Ombudsman, were recently revised to bring them into closer alignment and to designate the Office of the Ombudsman as the national human rights institution, considering that its principles are in conformity with this function.

147. The Office of the Ombudsman is an independent national public institution with a clear human rights mandate and its own budget.

148. In accordance with article 192 of the Constitution, the Office of the Ombudsman is an independent public entity whose purpose is to defend the rights, freedoms and safeguards enjoyed by citizens and to ensure through informal means that the actions of the public administration are just and lawful. The Ombudsman's work is independent of any non-judicial or judicial remedies provided for in the Constitution or the law.

149. The Ombudsman is a member of the African Ombudsman and Mediators Association, which he chaired from 2010 to 2014, and of the Southern African Development Community Alliance of National Human Rights Institutions. The Office of the Ombudsman works in partnership with the United Nations Development Programme.

150. The Office has fully functional local offices in five provinces (Cabinda, Bengo, Cuanza Sul, Huambo and Cunene). Where it does not have its own premises, it provides local services from the premises of other institutions.

### **Final considerations**

151. Angola is in the process of ratifying the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa, which it signed in July 2020.

152. In conclusion, the Government wishes to highlight the importance of the adoption and implementation of the National Human Rights Strategy and its Action Plan in conformity with the international human rights treaties, in particular the Convention on the Rights of Persons with Disabilities.

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