



Convention on the Rights of the Child

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Committee on the Rights of the Child

Consideration of reports submitted by States parties under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

Reports of States parties due in 2009

Angola*

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Introduction

1. Immediately after independence in 1975, Angola was mired in a lengthy war that ended only with the Bicesse-Portugal Accords in 1991, between the government, led by the MPLA and UNITA, a belligerent movement. This marked the political-economic transition of Angola.

2. Essentially, the Bicesse Accords contained a military component for a cease-fire and the complete demilitarization of UNITA. Meanwhile, the issue of child soldiers in Angola was addressed by the Lusaka Protocol and was signed by the government of the Republic of Angola and the National Union for the Total Independence of Angola (UNITA), the armed party. In 1994, child soldiers were defined as all military personnel that were in the ranks of the government FAA — (Angolan Armed Forces) and FALA — UNITA Rebel Armed Forces, who were born after 1 January 1978 (initial report of Angola CRC/C/3/Add. 66).

3. In the process, it was found there were 9,133 former child soldiers: 520 from the FAA and 8,613 from the FALA. Of this total, persons over 18 years old at that time and who agreed to continue providing military service were selected and integrated into the FAA. 5,171 were demobilized and 3,471 were not in the barracks at the time their demobilization was made formal.

4. In this context, the State of Angola ratified the Additional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC) as part of the process that began when the National Assembly enacted it in August 2002 (Resolution No. 21/02, published in the Official Gazette of 13 August) and ended when the respective ratification instruments were submitted to the United Nations Secretariat.

5. As provided in paragraph 1 of Article 8 of the Protocol, the State of Angola agreed to submit a report to the Committee on the Rights of the Child (Committee) within two years after the Protocol came into effect in Angola. The report was to have complete information on the measures taken to implement the provisions of the Protocol.

6. Despite its efforts, Angola did not submit the report on time. Thus, Angola took this opportunity to lengthen the period of coverage (2003-2014), thereby enhancing the process of analysing progress and constraints. The Intersectoral Commission did this for the Preparation of National Reports on Human Rights (CIERNDH) as part of coordination and cooperation with civil society.

I. General measures of implementation

1.1 Data on the number of children less than 18 years old recruited for the national armed forces

7. Before the date OPAC was ratified, and as a result of the armed conflict that began in Angola with independence in 1975, thousands of children were recruited or forcefully abducted for the FALA-UNITA Armed Forces. This was an armed political movement that engaged in guerrilla warfare against the MPLA government. The warfare ended only with the signing of the Luena Memorandum of Understanding, known as the peace agreement, on 4 April 2002 by the military leaders of the FAA and FALA. At that time a small percentage were registered with the FAA, entering for reasons mentioned in the introductory portion of this report.

8. The government reiterated its commitment to children that were directly involved and to all children that were victims of the armed conflict by rising to the challenge of

reintegrating them into their families and communities, giving them opportunities for mental-social rehabilitation, and most of all, training as part of a two-phase strategy: emergency intervention in the areas of treatment and support for reintegration, training and on-going service in a long-term perspective.

9. After the demobilization and reintegration process, the government redoubled its efforts to implement policies for fully protecting the child, specifically by implementing and enforcing Law No. 1/93 of 26 March (General Military Service Law).

1.2 Available data on the number of children recruited and used in hostilities by armed groups of the State Party (if applicable)

10. The Military Service Law establishes 18 years as the minimum age for conscription and 20 years for joining the Armed Forces of Angola. During the entire period of the armed conflict from 1975 to 1994, many adolescents joined military units in search of security and protection, especially in war zones or if they were displaced or evacuated to areas where minors had relatives or community links. The following are the main reasons why minors did this: the quest for security and protection including room and board, medical assistance and assistance with pharmaceuticals. According to data, there were roughly 500 children. There were also children enrolled in the Armed Forces Military Academy as students. At the height of the conflict, the Armed Forces determined that there were too many soldier candidates according to the law.

11. Due to the war scenario in Angola in the period before the date the peace agreement was signed in the city of Luena, it was impossible to know with certainty the number or ages of the children involved in hostilities with UNITA as an armed rebel group. However, it is known with certainty that at first, when the implementation of the Lusaka Protocol began, and when the UNITA troops were reunified in the barracks zones, observers from the United Nations (MONUA) observed that 15% of the soldiers in the barracks were minors in terms of age. According to data from that time, nine thousand (9,000) child soldiers and more than one hundred (100) disabled soldiers were registered. Most of them were between 14 and 18 years old; some were between 11 and 13 and were used to carry equipment and provisions, clean and serve as guards at the posts. Despite this, only a minority of these soldiers were used in battles.

1.3 Information on the number of children accused of war crimes committed while recruits or used in hostilities (if applicable).

12. Likewise, there is nothing in the books that indicates that there were any accusations due to war crimes committed by child soldiers.

13. Meanwhile, it is important to note that Angolan legislation does not permit recruiting minors for military service, which means that minors cannot be accused of war crimes.

1.4 Number of child victims of practices prohibited by the Protocol on refugees and asylum applicants under the jurisdiction of the State Party

14. In its Order No. 11/12 of 14 February, the Office of the President of the Republic of Angola (PR) created the Interministerial Commission for the Study and Revision of Law No. 8/90 of 26 May on the Status of Refugees, based on the fact that the Republic of Angola was a member of the United Nations Convention relating to the Status of Refugees of 1951, the Protocol Relating to the Status of Refugees and the African Union Convention on Refugees. The necessity of establishing an efficient and effective mechanism for coordinating the national entities involved in the process of granting refugee status was also

taken into consideration. The objective was to meet the international obligations in the relevant international legal instruments on protecting refugees.

15. Based on the establishment of the duties of said Commission, the Draft Law on the Right to Asylum and Refugee Status was drafted and then enacted by the National Assembly on 29 January 2015. The Law No. 8/90 of 26th May on Refugee Status was repealed. The situations that are not included in it should be interpreted and incorporated in a consistent manner into the Universal Declaration of Human Rights, the Geneva Convention, the New York Protocol, the African Union Organization Convention on Specific Aspects in Africa and other international legal instruments of which the Republic of Angola is a member.

16. The Law guarantees the right of asylum to all foreign or stateless citizens if they are persecuted for political reasons or grave threat as a result of their activity in favour of democracy, national independence, peace among people, freedom and human rights, in accordance with current laws and international legal instruments on refugees that Angola has signed or will sign.

17. The law establishes the rights of asylum applicants, namely:

- (a) To inform on their rights and duties in language that is easy to understand;
- (b) To remain temporarily in the country from the time they submit the application, which is when the migration authority issues a receipt for the application for asylum, until the final decision;
- (c) To an interpreter as necessary to assist in formalizing the application and during the procedures and subsequent social assistance until the final decision on the application;
- (d) To legal assistance according to the current law of the Republic of Angola;
- (e) To preserve the family unit with the members of their family that are part of the household, namely: the spouse, parents, minor children and adults that are disabled or incapacitated that they accompany and on whom they are dependent, for as long as they are in the Refugee and Asylum Applicant Intake Centre (CARA), under the Law on the Legal Regime of Aliens in effect in the Republic of Angola;
- (f) Asylum applicants and their respective family in the household are entitled to medical assistance and assistance with pharmaceuticals under the same conditions as the Angolan citizens;
- (g) To room and board in the Refugee and Asylum Applicant Intake Centre;
- (h) Vulnerable persons in particular, namely children, the elderly, unaccompanied minors, pregnant women, disabled persons, as well as persons who have been victims of torture, violence or other physical or sexual abuse, are eligible for appropriate services in the Refugee and Asylum Applicant Intake Centres and elsewhere. They have priority for room and board and health care.

18. Along with the rights, asylum applicants have a duty to observe the Constitution and the Angolan laws.

19. The Law gives refugees the following rights:

- (a) To an identification document;
- (b) To a temporary residence permit, renewable in accordance with the law;
- (c) To access the education system under the same conditions as the Angolan citizens and to access jobs and the social security system. They may engage in remunerated

employment under the same conditions as foreign citizens who legally reside in Angola, and access housing under conditions equivalent to those of aliens who legally reside in Angola.

20. Refugees who through authorization of the migration authority do not reside in the CARA¹ are required to keep this unit informed of their current domicile and are required to periodically appear in the appointed month. Failure to do so will result in the punishment provided for by the Law on the Legal Regime for Aliens in effect in the Republic of Angola.

II. Prevention

2.1 Compulsory recruiting process

21. Law No. 1/93 of 26th March (General Military Service Law) regulates compliance with military service to defend the country. This is both a right and the highest duty that is mandatory for each citizen. Citizen cannot obtain a government job, a job in another entity or enrol in any educational institution if they fail to perform their military services. However, if they fail to comply, their permanent job cannot be affected in terms of social benefits, and especially minors, as follows:

(a) Male citizens of Angola, from 1 January of the year in which they turn 20 years old, until 31 December of the year in which they turn 45 years old, are required to serve in the Armed Forces as established by the law;

(b) For conscription purposes, citizens are required to report to the PRMM, or the conscription team of the area where they reside, with the following documents: two pass-type photos; a declaration of residence; a photocopy of the ID card or other alternate document; a school declaration (if applicable); a service declaration (if applicable); a photocopy of the certificate; and a declaration of literacy and occupational skills;

(c) For citizens who on the conscription date are not in possession of the above-mentioned required documents, they may be conscripted provided they are accompanied by two witnesses who provide information on the identity of the citizen who is to be conscripted;

(d) Citizens who are conscripted, but whose degree of health is considered unfit for mandatory military service, are exempt from military service;

(e) Student citizens who are enrolled in an institution of higher learning, either in Angola or abroad, may defer their military service based on their performance in an academic year or if they are expelled from the educational system in which they are enrolled for disciplinary reasons;

(f) Military service may also be deferred for teachers who have or have not had professional training for teaching and that are teaching on a full-time basis. Under these conditions, they may obtain successive deferments to complete this until they are 30 years old and they are exempt from active military service or are placed on the reserve list;

(g) Citizens who, due to the state of their health on the date of entry into military service cannot be judged fit, but whose physical or psychological conditions appear likely to improve, may also have their military service deferred for periods of one year;

(h) The armed conflict in Angola ended in 2002. During the conflict the Armed Forces of Angola never recruited minors under 18 years old. The Military Service Law establishes 18 years as the minimum age for conscription and 20 years for joining the

¹ CARA –Refugee and Asylum Applicant Intake Centre.

Armed Forces of Angola. In the period from 2003 to 2014, a time of peace, recruitment was very selective taken into account the Military Service Law.

2.2 Information on the application of minimum guarantees in voluntary recruiting

22. The General Military Service Law, and specifically Chapter II (Active Military Service of Sergeants and Enlisted Personnel), provides minimum guarantees, and the Military Conscription Posts (PRMM) or conscription teams of the area where the volunteer citizen resides implement the guarantees as follows:

(a) Male citizen of Angola can apply to enter active military service as volunteers provided that they are at least 18 years old and physically and mentally fit for active military service with good moral and civic behaviour. Female citizens over 20 years old may apply in accordance with the regulation;

(b) In each recruiting and mobilization district, for recruiting and enlistment purposes, there will be an ad hoc commission with the following duties: perform a medical check-up of recruits under the mandatory and voluntary system; determine whether citizens are able to perform military service or grant deferrals in accordance with the instructions of the competent chief of staff of the FAA; and grant exemptions from military service under the law;

(c) If the reliability of the ages of the volunteers is confirmed, the PRMM or conscription teams in their area of residence check the data in the documents that are submitted, namely the ID card or other alternate document. For citizens that do not have them, information on the identity of citizens to be conscripted may be provided by two accompanying witnesses who are qualified to testify;

(d) Ensure that the minimum time for active service in Article 9 of the General Military Service Law is actually two years, including the basic training period, and three years for sergeants and specialist enlisted personnel of the War Navy and Air Force. If needed when service conditions so permit, the National Assembly may lengthen or shorten the periods for more or less one year;

(e) The provisions on military courts and discipline are in the law and regulations that establish procedural rules and rules for disputes, and for the respective military courts or authorities, and are applicable only to recruits and military staff. In consideration of the provision of the article of the General Military Service Law mentioned in this report, the precepts of the Military Penal Law do not apply to minors less than 16 years old. In this regard, Article 65 point 2 of the Constitution of the Republic of Angola (CRA) establishes that no one can be convicted of a crime except under the prior law that punishes an action or omission, nor can they be subject to a security measure whose precepts are not established in a previous law;

(f) A set of measures was taken to ensure, increase and expand the information available to citizens who wish to enlist in military service voluntarily and for their parents or legal guardians, and to provide means of social and other communication (radio stations, TV channels, newspapers, magazines, etc.) that disseminate the information;

(g) The FAA uses incentives to encourage volunteers under the Constitution and the law, showing the benefits under the laws, such as: the fact that the defence of Angola is the supreme right and absolute duty of each citizen; participating directly in the defence of Angola's integrity is gratifying; and with regard to international conventions, the right and duty to preserve peace, national security and progress. With regard to the State, it is everyone's right and responsibility to ensure territorial integrity. The wages paid to military personnel are consistent with their job or position and they are eligible to obtain scholarships for studies and they are given career opportunities. There are additional

incentives, such as lectures and cultural and athletic activities that are held to achieve this objective.

2.3 Information in accordance with Article 3, paragraph 5 of the Protocol

23. The State's commitment to observe and enforce the international humanitarian rights rules for children in armed conflicts is covered in measures in the laws of Angola, and in particular in the General Military Service Law. Articles 10 and 11 provide guarantees to protect children under 18, as opposed to 15 years according to Article 38 of the CRC. All Angolan and foreign children under age 18 that are on Angolan soil are protected by the law and they receive assistance if they are affected by armed conflict.

24. For interpreting and complying with the statutes, practical measures are in effect regarding:

(a) The minimum age requirement for enrolling in schools operated by or under the control of the Armed Forces, for military applicants that provide military service in accordance with the law, and for civilian applicants is that they must be at least 19 years old on 31 December of the year in which they apply;

(b) The Angolan Armed Forces schools are: the Lobito Aeronautical Military Training School; The Military Technical Institute in Luanda; and the War College in Luanda.

25. Considering the fact that documents for conscription, recruitment and entering the Armed Forces are produced throughout the country (regional branches or in rural/urban areas), they necessarily cover male citizens with ages determined by law. This is an extremely reliable indicator that shows that there are no minors in any entities or branches of the armed forces, namely: the Chief of Staff of the Armed Forces of Angola; the Army; the Angola National Air Force; the Angola War Navy; entities of the Ministry of National Defence established by law; and the Military Chief of Staff of the President of Angola. They provide applicants for training and data are disaggregated by gender, age, social and ethnic origin and others for internal use, and thus they are not necessary for the purposes of this report.

26. It is also important to underscore the fact that there are no minors in the above-mentioned schools, and thus it is obvious that no independent system for children attending military schools was created for them to submit complaints.

27. Here we repeat the fact that Angola achieved peace in 2002 with the Luena Memorandum of Understanding. This was the beginning of a demilitarization process with the largest opposition party, UNITA, and soldiers joined the Armed Forces of Angola. This was followed by the Memorandum of Understanding for Peace in Cabinda between the government and the Cabindês Forum for Dialogue.

2.4 Campaigns or other measures taken to foster public awareness of the principles and provisions of the Optional Protocol (Article 6, paragraph 2)

28. All information related to the rights of the child based on the CRC and its additional protocols has been disseminated through information and awareness campaigns by CIERNDH and facilitated by the Ministry of Social Communication as its mission of the governing apparatus, but also as a member of the Intersectoral Commission for the Preparation of Reports on Human Rights (CIERNDH), to ensure that the content is disseminated promptly through social communication and in a professional and responsible manner. This has been done through a schedule of programs that includes the national languages.

29. The signing of the Memorandum of Understanding between the government and the Cabindês Forum for Peace in Cabinda facilitated the performance of public awareness programs with special attention to children as part of reintegrating vulnerable groups affected directly by the armed conflict in that portion of the country. This involved traditional authorities in actions to protect and promote the rights of children who live in their areas of jurisdiction to fight all types of violence against children.

30. The following were produced and distributed: pamphlets, posters, folders, stickers and other graphic and audio-visual materials with sayings and messages that facilitated understanding the Convention and its additional protocols. Out door's [sic] and radio and TV spots were produced and broadcast. There were also theatrical productions to disseminate messages from the CRC to the communities.

31. Based on national and international commitments made to protect and promote human rights in Angola, the government is making efforts to carry out scheduled activities and achieve the stated objectives. In this regard, the Manual of Personal, Social and Professional Conduct Training for the Teacher Training School is being implemented. It is organized by themes on human rights, and the focuses are as follows: understand the discipline of personal, social and professional conduct training; education ethics; the meaning of moral issues; the rational bases of morality; moral behaviour; moral conscience; and moral values, rules and judgments.

32. With support from the African Studies Group of the Autonomous University of Madrid, the National Strategy of Education in Human Rights was developed. Its purpose is to provide education and training on human rights. It includes a set of activities in the areas of education, training, information, awareness and learning, with the purpose of promoting the universal and effective observance of all human rights and basic freedoms. In this way, it contributes to preventing abuses and violations of human rights. It provides people with the knowledge, capacity, understanding and development of their attitudes for them to contribute to creating and promoting a universal culture of human rights.

33. As on-going and supplemental activities, awareness programs are being developed for children for observing the principles and rights that assist them in terms of inclusion and participation and for specific groups that include the following: Deputies; members of the Armed Forces of all entities and sectors; law enforcement professionals; employees and agents of the Migration and Alien Unit; officers and judges; and teachers and other social professionals. There are also the government's efforts, the commendable activities carried out in this area by non-governmental organizations, and means of communication in particular and civil society in general.

34. There are periodic evaluations of all activities that are carried out for human rights, either to measure the effectiveness of specific programs and projects, or to determine the impact of public policies. In particular with regard to policies, programs and projects aimed at children, the impact assessment is carried out by the National Council of the Child (CNAC). This is an entity of social dialogue, support and control for implementing policies that promote and defend the rights of the child. It carries out these activities basically by monitoring and evaluating programs that are part of the 11 commitments.²

35. The National Council of the Child (CNAC) performs its duties of monitoring and evaluating programs through a Biennial National Forum on the Child, and the current forum is the sixth edition. This Forum evaluates the effectiveness and impact of programs and projects in the National Strategy to Prevent and Combat Violence Against Children.

² The 11 Commitments of the Government, United Nations System and Social Partners cover the nonexistent National Action Plan in the area of the child as follows: *children from 0 to 5 years old; children from 6 to 18 years old; the whole child; and the sustainability of victories.*

III. Prohibition and related subjects (Articles 1, 2 and 4, paragraphs 1 and 2)

3.1 Information on penal regulations and legislation in the Armed Forces (OPAC Articles 1 and 2)

36. In perfect harmony with the provisions of the Constitution of the Republic of Angola, the General Military Service Law, the Convention on the Rights of the Child and its Additional Protocol on the Involvement of children in Armed Conflicts and other national and international legal instruments on the rights of the child, the Penal Military Law is not applicable to children. The provisions of the Penal Military Law support this statement, and according to which:

(a) Article 1 of the general provisions of the above-mentioned law establishes that actions or omissions that violate any military duty or that affect security and discipline in the Armed Forces and that are considered as such in this law are military crimes;

(b) Article 2 of the same law on perpetrators of military crimes prescribes that only the following persons can be prosecuted for committing military crimes: members of the Armed Forces; members of the National Police; members of other paramilitary forces in the performance of their duties; and other persons expressly determined by law.

3.2 Information on complementary legislation on the rights of the child.:

37. Laws, decrees, military codes, manuals or regulations are instruments adopted by the State of Angola in general. Their purpose is to protect the rights of the child and they are aligned with the principles in all international legal instruments, including the Optional Protocol. As a result, the important case law adopted by the courts of Angola for implementing the Convention on the Rights of the Child, the Optional Protocol or other documents related to international instruments, is the result of the normative measures of each one for performing their duties.

3.3 Indicate whether the State of Angola is a member of the 1949 Geneva Conventions and its two Additional 1998 Protocols, International Labour Organization Convention No. 182 Concerning The Prohibition And Immediate Action For The Elimination Of The Worst Forms Of Child Labour of 1999 and the Statue of the International Criminal Court.

38. The Republic of Angola has ratified the following treaties:

(a) The Geneva Conventions and its two Additional Protocols that form the core of International Humanitarian Law (IHL). They protect persons who do not participate and who have stopped participating in hostilities, namely: Conventions I, II, III and IV, all from 1949 and Additional Protocols I, II and II to Article 3 common that indicates the fundamental rules that govern internal armed conflicts, that are not subject to suspension under any circumstances and are widely accepted as part of current international legislation;

(b) International Labour Organization Convention No. 182 Concerning The Prohibition and Immediate Action for the Elimination of the Worst Forms Of Child Labour of 1999, as a consequence of ratifying it;

(c) Regarding the ratification of the Rome Statute and joining the International Criminal Court (ICC), after the State signed it, the Executive Branch of Angola analysed the compatibility of its rules with the Constitution of Angola. It was found that there were some contradictions between the two instruments, and this had an impact on the ratification process. On the one hand, the Republic of Angola is a member of the community of African nations, and specifically the African Union. This causes Angola to commit to and support

the position taken by this continental organization, so that this jurisdictional body takes seriously Africa's position on the gap between the objectives and practice of the International Criminal Court and the leaders of Africa.

IV. Protection, rehabilitation and reintegration (Article 6, No. 3)

4.1 Information on budget allocations for rehabilitation and reintegration programs:

39. Regarding budget allocations for rehabilitation and reintegration programs, there are crosscutting and comprehensive programs, and the funds go to programs for advocacy, prevention and intervention, as shown in the tables below on the General State Budget for 2015, for example.

Table 1

Budget allocations to advocacy programs

<i>Operations of the National Social Reintegration and Prod. of demobilized and displaced persons</i>	43 500 000.00
Awareness, Counselling and Referral Project for Former Military	60 200 000.00
Proj to Update and Supplement the Survey on the Impact of Mines on Communities	129 272 459.00
Institutional Capacity Building of the I R S E M	150 100 720.00

Source: OGE/2015.

Table 2

Budget allocations to prevention programs

<i>National Mine Action Coordination</i>	120 500 550.00
Provincial Coordination of Mines/Operating Rooms	326 922 000.00
Installation of the SOS Alert Child System	19 305 976.00
National Project to Reduce the Area Suspected of Contamination from Mines	71 861 664.00
Removal of Obstacles and Explosive Devices	49 724 255.00
Removal of Obstacles, Explosive Devices Electricity Grids	1 374 105 745.00

Source: OGE/2015.

Table 3

Budget allocations to intervention programs

<i>Provision of Social Assistance</i>	241 258 331.00
Provision of Social Assistance Services	58 000 000.00
Community-based Rehabilitation Program	25 620 100.00
Population Resettlement Program	246 599 693.00
Former Military Reintegration Program	6 661 481 177.00
Repatriation Program	1 443 002 760.00
Acquisition of Resources, Equip. and Training to Support the National Mine Action Institutions	22 179 233.00
Allocation of Resources for Travel and Technical Assistance	315 010 325.00
Demining of Areas of Economic and Social Impact /Ced	1 862 669 073.00

Source: OGE/2015.

40. The table pertains to children and adults, men and women, orphans and family members of former military personnel who are eligible for support and social assistance.

41. Regarding cooperation between public entities and civil society, many government institutions such as the INAD and CNIDAH are involved and are working in collaboration with the United Nations Agencies and NGOs to map and remove mines and unexploded ordnance (UXOs). This is still a challenge and requires a monumental effort in terms of strategic cooperation. This mainly involves work on demining, information and social awareness, which are extremely important for preventing and protecting children from the danger the mines represent. Cooperation covers and involves many social stakeholders (Armed Forces, National Police, National Social Protection Commission, Churches, United Nations Agencies, Domestic and International NGOs, Local Administrations, Specialized Companies, Traditional Entities and Networks to Protect the Rights of the Child). They give lectures, produce stage plays, provide brochures and various graphical materials and carry out other important activities.

42. To overcome the difficulties that still exist, the government continues to enter into partnerships and mobilize human, physical and financial resources to strengthen programs under development and provide better security conditions for the people and hence for children. This is done in cooperation with the organizations of the United Nations System and other foreign institutions.

43. The undertaking would not be successful, nor would it have any significance for the future of Angola without the participation of children, who participate actively, in accordance with their ages and maturity in spaces set aside for them. They are involved in designing and implementing programs for prevention, rehabilitation and reintegration and on the other hand, in gender programs that are being carried out.

V. International assistance and cooperation (Article 7, No. 1)

44. Article 7 of the Protocol establishes the requirement for the State to cooperate in implementing the Protocol in terms of preventing any activity that violates it and in the rehabilitation and social reintegration of victims of acts that violate it. This is done by technical cooperation and financial assistance with the relevant international organizations through multilateral, bilateral, and other existing programs.

45. In accordance with these provisions of the Protocol, the United Nations System in Angola is predisposed to provide assistance to create a favourable environment for strengthening peace through more sustainable living conditions for Angolans, especially the most needy and vulnerable, and to make progress in achieving the Millennium Development Goals (MDGs). The efforts of the government of Angola will be supported to respond to the country's challenges and will aim to improve its performance and impact through comprehensive, coherent and coordinated coverage of Angola's necessities, priorities and objectives.

46. A national reconciliation and rehabilitation process began when peace was achieved in Angola in 2002. The National Strategy to Combat Poverty (ECP) is a key component in the process to identify national and basic essential priorities for rehabilitation in a context that fosters the establishment of the United Nations Development Assistance Framework (UNDAF). This is an extremely important and comprehensive instrument for international assistance and cooperation that recognizes and responds to the priorities mentioned in the ECP.

47. The two instruments (ECP and UNDAF) combined help achieve the following Millennium Development Goals (MDGs):

1. Eradicate extreme poverty and hunger;
2. Achieve universal primary education;
3. Promote gender equality and empower women;
4. Reduce child mortality;
5. Improve maternal health;
6. Combat HIV/AIDS, malaria and other diseases;
7. Ensure environmental sustainability;
8. Global partnership for development.

48. Against this background, the central idea of UNDAF is to assist the government in strengthening the peace process by supporting activities that promote sustainable improvements in living conditions in Angola. This applies most of all to the most vulnerable people. Create a favourable environment to promote the achievement of human rights and the MDGs, with strategic objectives focused on cross-cutting themes such as: Human Rights, Gender Equality, the Environment; HIV/AIDS; and Data/Information Management during the transition phase and over the long run.

VI. Other statutory provisions

6.1 Provisions in current national legislation that promote the achievement of the rights of the child in relation to the precepts of the Optional Protocol

49. The legislation of Angola includes a set of laws, many of which have content that promotes the achievement of the rights of the child in various areas that include the OPAC precepts.

50. It seems important to stress the fact that the foregoing themes are included in the Constitution of the Republic of Angola, and more specifically in the articles below:

(a) 80 No. 2, according to which “Public policies regarding the family, education and health must safeguard the principle of the supreme interest of the child a means of guaranteeing their full physical, mental and cultural development”;

(b) 84 No. 1, Combatants of the national independence struggle, the country’s veterans, those disabled during the course of military or paramilitary service and the minor children and surviving spouses of combatants killed in action, shall enjoy a special status and the protection of the state and society, under the terms of the Constitution and the law;

(c) 24. The age of majority shall be 18;

(d) 73. Everyone shall have the right to individually or collectively submit petitions, accusations, claims or complaints to sovereign bodies or any other authorities in defence of their rights, the Constitution, the laws or the general interest, and shall also have the right to be informed of the result of the decision for them within a reasonable period of time.

51. Aligned with the precepts of the CRA, Law 25/12 on the Full Protection and Development of the Child, whose purpose is to strengthen and harmonize the statutory and institutional instruments intended to ensure the rights of the child, provides as follows:

(a) Article 31 “magazines and publications intended for child and youth audiences may not contain illustrations, photographs, captions or advertisements for

alcoholic beverages, tobacco, arms or ammunition, and must respect the ethical and social values of children and the family”;

(b) Article “the rights enshrined in this law are materialized through all stakeholders responsible for ensuring a sound and propitious environment for the full development of the child”. The stakeholders mentioned above are:

- Families;
- National bodies of the administration of the State;
- Local bodies of the administration of the State;
- Entities of the public enterprise sector;
- Economic and social operators in the private sector;
- Organizations of civil society, non-governmental organizations and churches;
- Bodies of autonomous local authority.

(c) Article 65 “the purpose of the principle of compliance with the rights of the child is to give the child guarantees to exercise their rights, and to establish instruments whose purpose is to facilitate their development, their protection and their participation in society”;

(d) Article 67 1. Disabled children must always be included in schools along with all the other children. Their special needs are met through special services in the same schools and not in separate or segregated schools. This prevents the perpetuation of discrimination and exclusion of those children and gives them greater opportunities to adapt to real living conditions. At the same time, it gives the other children the opportunity to accept them and to learn to live with differences;

(e) Article 73 “Birth Registry:”

- Services and programs in support of children are to be provided in each community in order to register children immediately and free of charge by age 5 (five). This gives the child the right to a name, identity and access to services for children in Angola;
- The minimum mandatory services must be provided for the most vulnerable children in emergency situations, namely: register the child immediately after birth at no charge; provide and strengthen birth registration services in civil registry offices, municipal and communal administrations, maternity centres and health posts; and disseminate and promote birth registration programs in the media on an on-going basis;

(f) Article 76 “minimum mandatory services must be provided, including for the most vulnerable children who are in an emergency situation”;

(g) Article 78 “creation of SOS Child,” a support line for children. This is an anonymous and confidential service to support children, youths, families, professionals and the community in general”;

(h) Article 80 “create the National Children’s Fund to raise funds from different sources, public and private, to finance advocacy programs, improvements in the quality of services for children, support the creation and strengthening of networks to protect and promote the rights of children, and promote the exercise of the child’s right to participation.

6.2 Provisions of international law that are binding on the State and promote the achievement of the rights of children based on the provisions of the Protocol

52. The provisions of the following international treaties on the human rights of the child are binding on the State of Angola and are as follows:

- (a) International Covenant on Civil and Political Rights, Article 24:
- Every child shall have, without any discrimination as to colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by their status as a minor, on the part of his family, society and the State;
 - Every child shall be registered immediately after birth and shall have a name and to acquire a nationality;
 - International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Articles 7 and 11;

(b) The African Charter on the Rights and Welfare of the Child establishes that the States Parties recognize the precepts in Articles 2, 13, 22 and 23 and defines a child as any human being less than 18 years old, who, when mentally or physically disabled, must enjoy the right to special measures to protect their condition and their physical and moral needs, and under conditions that ensure their human dignity and promote their self-confidence and their active participation in the community.

(c) Articles 1, 2 and 3 of ILO Convention 182, Convention Concerning The Prohibition And Immediate Action For The Elimination Of The Worst Forms Of Child Labour, establish the duty of States to adopt immediate and effective measures that ban and eliminate the worst forms of labour in an emergency situation for all persons younger than 18. This includes all forms of slavery or similar practices, such as the sale and trafficking of children, debt bondage, slavery, and forced or compulsory labour for use in armed conflict.

6.3 Ratification status of the key international humanitarian rights instruments related to the recruiting and use of children in conflicts

53. The Republic of Angola observes and implements the principles of the Charter of the United Nations Organization and the Charter of the African Union. It establishes friendly and cooperative relations with all States and peoples based on principles of respect for sovereignty and national independence, equality among States, the right of people to self-determination and independence, peaceful solution to conflicts, respect for human rights, non-interference in the internal affairs of other States, reciprocal benefits, repudiation and combat of terrorism, narcotics trafficking, racism, corruption and trafficking of humans and human organs, cooperation with all peoples for peace, justice and progress for humankind. These precepts are established in Article 12 of the CRA.

54. Article 13 of said Constitution of the Republic of Angola establishes that general or common international law received under the terms of this Constitution shall form an integral part of the Angolan legal system. Duly approved or ratified international treaties and agreements shall come into force in the Angolan legal system after they have been officially published and have entered into force in the international legal system, for as long as they are internationally binding on the State of Angola.

55. These constitutional precepts are basically strong arguments for Angola to play a significant role in international instruments on humanitarian rights, including those that deal with the recruiting and use of children in conflict, including:

- (a) The Universal Declaration of Human Rights;

- (b) The International Covenant on Civil and Political Rights;
 - (c) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
 - (d) The Convention on the Rights of the Child and Its Additional Protocols;
 - (e) The African Charter on the Rights and Welfare of the Child;
 - (f) ILO Convention 182 on the Prohibition of the Worst Forms of Child Labour.
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