



**International Covenant on
Civil and Political Rights**

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Human Rights Committee

**Second periodic report submitted by Angola
under article 40 of the Covenant, due in 2017***

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Introduction

1. Angola has prepared this report in fulfilment of its commitments in the field of human rights.
2. A description of the Republic of Angola is contained in the initial report on the implementation of the International Covenant on Civil and Political Rights, reviewed by the Human Rights Committee at its 107th session, held in Geneva from 11 to 28 March 2013, and in the common core document.
3. Reference is made to the final results of the 2014 general population and housing census, conducted from 16 to 31 May 2014, particularly the changes in the country's demographic structure.
4. At the time when the census was conducted, the population of Angola stood at 25,789,024. Of that total, 63 per cent live in urban areas and 37 per cent in rural areas. The country's 13,289,983 women make up 52 per cent of the population, while the 12,499,041 men account for 48 per cent.
5. According to the census results, there are 94 men for every 100 women.
6. This report has been prepared in accordance with article 40 of the Covenant. In addition to providing details on legislative measures and policies adopted during the period under review (2013–2017), it provides responses to the concerns raised by the Committee in the concluding observations adopted at its 2975th meeting, on 27 March 2013, in compliance with the State party's commitments and with a view to strengthening its cooperation with the Committee, so as to respect the human rights of the country's citizens and monitor the implementation of the measures adopted.

I. Legal framework

7. During the reporting period, important changes were made to the legal framework for the protection and promotion of human rights. There was a need to establish legislation for the practical implementation of constitutional provisions and as part of the reform of the legal and judicial system, which aims to make needed improvements, bring all legislation into line with international human rights treaties, specifically the Covenant, and bring the justice system closer to the citizens, making it swifter and more effective.
8. The Government's efforts have included the adoption of a series of laws, with others in the pipeline, that are in keeping with the country context and aimed at ensuring continuity and enhancing the implementation of the Covenant and other international conventions to which Angola is a party. Relevant laws include:
 - Act No. 4/11 of 14 January on treaties
 - Act No. 24/11 of 23 July on the forms of acts of local State administration bodies
 - Act No. 25/11 of 14 July on domestic violence and the accompanying regulations, Presidential Decree No. 124/13 of 28 August
 - Act No. 34/11 of 12 December on combating money laundering and the financing of terrorism
 - Act No. 36/11 of 21 December on general elections
 - Act No. 10/12 of 22 March on the financing of political parties
 - Act No. 11/12 of 22 March on election observation
 - Act No. 39/11 of 29 December on the organization and functioning of local State administration bodies
 - Act No. 1/12 of 12 January on the designation and implementation of international legal instruments

- Act No. 6/12 of 18 January on private associations
- Act No. 21/12 of 30 June on persons with disabilities
- Act No. 22/12 of 14 August on the Attorney General's Office and the Public Prosecution Service
- Act No. 23/12 amending article 56 of the Code of Criminal Procedure
- Act No. 25/12 of August on the protection and comprehensive development of children
- National Assembly Resolution No. 54/12 of 14 December on the accession of Angola to the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, adopted at The Hague on 29 May 1993
- Act No. 3/14 of 10 February on crimes underlying money laundering and trafficking in persons
- Act No. 2/15 of 2 February on the principles and rules of the organization and functioning of the ordinary courts
- Act No. 7/15 of 15 June on employment
- Act No. 25/15 of 18 September on asylum and refugee status
- Act No. 11/16 of 12 August on amnesty
- Act No. 13/16 of 12 September on territorial organization
- Act No. 10/16 of 27 July on accessibility
- Act No. 12/16 of 12 August on conflict mediation and conciliation
- Acts Nos. 1/17, 2/17, 3/17, 4/17 and 5/17 of 23 January, new legislative package on the press

II. Part I of the Covenant (general considerations and art. 1)

General considerations regarding the Committee's recommendations

i. Applicability of the Covenant by the courts

9. The courts ensure compliance with the Constitution, laws and other prevailing regulatory provisions and the protection of the rights and legitimate interests of citizens and institutions, and they decide on the legality of administrative acts. Their decisions are binding on all citizens and legal persons and prevail over those of any other authority. Judges, members of the Public Prosecution Service and all other personnel involved are aware of the responsibility, when necessary, to invoke or directly apply the provisions of international human rights instruments, particularly the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and other treaties to which Angola is a party, including the Covenant.

10. Published judgments are clear and cite provisions of international human rights instruments. Some examples include:

(a) Constitutional Court: Judgment No. 375/15 on the constitutional review of the judgment of the Family Division of the Provincial Court of Huíla, which refers to the Convention on the Rights of the Child; Judgment No. 379/2015 on the constitutional review of the judgment handed down in case No. 480-A/2015; Judgment No. 380/2015 on the constitutional review of the judgment handed down in case No. 495/2015;

(b) Supreme Court: Judgment No. 384/2016 on the constitutional review of the judgment handed down in case No. 515 of the third section of the Criminal Division of the Supreme Court.

11. These are just a few examples of cases in which the Covenant has been applied by the courts.

ii. Revision of the Ombudsman Law

12. The Government is considering the recommendation to revise the Ombudsman Law to ensure that it complies with the Paris Principles or to establish a new national human rights institution. Meanwhile, it should be noted that the Office of the Ombudsman is an independent public entity whose objective is to defend the rights, liberties and safeguards of the country's citizens, ensuring through informal means the justice and legality of the public administration.

13. The statutes of the Office of the Ombudsman, which, like in other countries, performs the role of national human rights institution, are generally considered to be in line with the Paris Principles when it comes to powers, responsibilities and constitutional provisions:

- (a) Independence from other public authorities, especially the executive branch;
- (b) Democratically elected status (the Ombudsman is elected by an absolute majority of the deputies of the National Assembly);
- (c) Procedural informality in dealing with citizen complaints or claims (for example, complaints and claims can be lodged with the Ombudsman in person, by telephone, email or fax, or via the institution's website, and do not need to be submitted in writing);
- (d) Provision of services, including postal services, to citizens entirely free of charge;
- (e) Rapidity;
- (f) Neutrality and discretion.

Figure 1
Cases received by the Ombudsman, 2010–2013

<i>Year</i>	<i>Complaints</i>
2010	291
2011	469
2012	378
2013	412
2014	612
2015	460
2016	368

Source: Ombudsman's Office.

14. In general, the majority of the claims received are related to labour rights, (primarily unfair dismissals), the justice system (mainly undue delays in proceedings), and land rights (conflicts between the State and private individuals regarding land ownership), and in many cases compensation is not provided.

15. The Ombudsman has participated in several processes to rehouse citizens in the context of urban rezoning programmes and resettlement of populations living in at-risk areas, maintaining a dialogue with the authorities so as to protect the legitimate rights of individuals.

16. The Office of the Ombudsman is now represented in five provinces, including the capital, Luanda, Bengo, Cunene, Huambo and Cuanza Sul. Branches are due to open soon

in the provinces of Benguela, Lunda Norte, Moxico and Uige, and there are plans to expand representation to all provinces of the country.

iii. Measures to disseminate the Covenant and relevant reports to civil society

17. The dissemination of the Covenant and the Optional Protocols thereto is carried out by the Intersectoral Committee for the Preparation of National Human Rights Reports with the support of civil society institutions that conduct training, information, awareness-raising and social mobilization activities involving:

(a) The media (television, radio and press), which disseminate a wide range of information to the general public on events taking place both inside and outside the country in this area;

(b) Various public and civil society institutions that produce flyers, posters, brochures, stickers and other graphic and audiovisual material with messages to raise public awareness of problems that put human rights at risk, and to motivate people to act in accordance with the provisions of human rights instruments;

(c) The Intersectoral Committee and other public and civil society institutions that provide training, awareness-raising and mobilization through outdoor and radio and television advertising, round tables, seminars, conferences, debates, interviews and theatre disseminating the content of treaties, reports, observations and recommendations;

(d) The provincial human rights committees — mixed bodies composed of specialists representing public institutions and civil society organizations — which are among the most active in raising awareness of fundamental rights.

18. The Ministry of Justice and Human Rights has published important documents to disseminate international human rights treaties, including the Covenant, such as:

(a) A basic human rights training manual, edited in collaboration with the Angola Red Cross and the Spanish Red Cross (750 copies);

(b) The Ministry's new website (<http://servicos.minjusdh.gov.ao>), via which the Covenant and the Optional Protocols thereto as well as the initial report of Angola can be consulted and downloaded;

(c) Other important documents in the field of human rights available on the website or from the Ministry's human rights structures.

19. In terms of the dialogue with civil society concerning the initial report of Angola and the Committee's concluding observations, the Ministry of Justice and Human Rights organized a public debate on the Committee's recommendations on 13 April 2017, with 74 participants representing different ministerial departments, civil society and international organizations. In addition, a series of bilateral meetings was held with national, regional and international State and non-State institutions to analyse the Committee's recommendations and their implementation.

iv. Presentation of the interim report on the implementation of the Committee's recommendations

20. Angola submitted this report to the Committee as part of its strategy to strengthen the dialogue with human rights mechanisms.

Article 1: Self-determination

21. Article 1 of the Covenant, which provides that all peoples have the right to freely determine their political status and freely pursue their economic, social and cultural development, is consistent with article 2 of the Constitution of Angola. Angola is a

democratic State governed by the rule of law. Article 3 on the principle of sovereignty and article 5 on the organizational structure of the territory establish that single and indivisible sovereignty lies with the people, who exercise it through universal, free, equal, direct, secret and periodic suffrage in referendums and the various forms established in the Constitution, in order to choose their representatives.

22. In the exercise of its sovereignty and under the terms of the Constitution, the law and international law, the State controls the entirety of the Angolan territory, which includes its land, interior and territorial waters, air space, soil and subsoil, seafloor and associated seabeds. It exercises jurisdiction and rights of sovereignty over the conservation, development and use of natural, biological and non-biological resources in the contiguous zone, in the exclusive economic zone and on the continental shelf, under the terms of the law and international law.

23. Act No. 13/16 of 12 September on territorial organization provides the basis for the organization of the Angolan territory for political and administrative purposes.

24. Article 15 of the Constitution provides that land is by origin the property of the State but its use may be transferred to individuals or groups, with a view to its rational and effective use, without prejudice to the possibility of expropriation for public use, with fair compensation. Access to and use of land by local communities are expressly recognized.

25. Article 9 of the Land Act (Act No. 9/04 of 2 November) recognizes that the State respects and protects the land rights of rural communities, including those based on use and custom.

26. Angola fosters friendly and cooperative relations with all States and peoples on the basis of the principles enshrined in the Constitution and respect for national sovereignty and independence and equality between States, the rights of peoples to self-determination and independence, peaceful resolution of conflicts, respect for human rights and the internal affairs of other States, reciprocity of benefits, and cooperation with all peoples for peace, justice and the progress of humanity.

III. Part II of the Covenant (arts. 2 to 5)

Article 2: Non-discrimination

27. Article 23 (1) of the Constitution sets out the principle of the equality of all citizens before the law and the Constitution, and paragraph 2 provides that no one may be put at a disadvantage or advantage or deprived of any right or exempted from any duty on the grounds of ancestry, sex, race, ethnicity, colour, disability, language, place of birth, religion, political, ideological or philosophical beliefs, level of education, economic or social situation, or profession. Acts of discrimination can be tried before the Angolan courts through the submission of a complaint.

i. Appropriate measures to protect persons with disabilities

28. Angola signed and ratified the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto on 5 March 2013 through National Assembly resolutions 1/13 and 2/13 respectively.

29. Protection measures for persons with disabilities include:

(a) Presidential Decree No. 237/11 of 30 August adopting the policy for persons with disabilities;

(b) Presidential Decree No. 238/11 of 30 August adopting the strategy for the protection of persons with disabilities;

(c) Presidential Decree No. 105/12 of 1 June establishing the National Council of Persons with Disabilities and adopting its regulations (amended through Presidential Decree No. 137/16 of 17 June, which established the National Council for Social Action for the Protection of Persons with Disabilities, Children and Other Vulnerable Groups);

(d) Act No. 21/12 of 30 June on persons with disabilities, which establishes the legal regime applicable for the prevention of disability and the habilitation, rehabilitation and social participation of persons with disabilities; objectives include promoting equal opportunities by putting in place the conditions to ensure that persons with disabilities can participate fully in society; promoting lifelong education, training and employment opportunities; promoting access to support services; fostering a society for all by eliminating barriers and adopting measures to ensure the full participation of persons with disabilities;

(e) Presidential Decree No. 207/14 of 15 August on the intervention strategy for the social inclusion of children with disabilities;

(f) Presidential Decree No. 12/16 of 15 January on the regulations on employment quotas for persons with disabilities, which establishes the positive measure that in all recruitment, selection and admission processes in public and private institutions with a minimum of 10 employees, a certain number of positions must be reserved for persons with disabilities; the employment quotas are 4 per cent for the public sector and 2 per cent for the private sector;

(g) Act No. 10/16 of 27 July on accessibility, which establishes general accessibility rules, conditions and criteria for persons with disabilities or reduced mobility, and aims to eliminate architectural, communication, instrumental and methodological barriers.

30. The State party report on the implementation of the Convention on the Rights of Persons with Disabilities provides additional information on this point.

Article 3: Equality between men and women

i. Efforts to increase the participation of women in political and public affairs as well as in the private sector

31. When it comes to the participation of women in political and public life, the Angolan Government strictly complies with article 17 of the Constitution on political parties, according to which they compete on the basis of a vision for society and a political programme for the organization and expression of the will of citizens, participating in political life and universal suffrage by democratic and peaceful means, as well as provisions concerning quotas for women's employment; with articles 7 and 8 of the Convention on the Elimination of All Forms of Discrimination against Women regarding the obligation to eliminate discrimination against women in political and public life; and with articles 2 and 3 of the Covenant on the representation of women in public and political affairs, particularly in the executive and judicial branches and in the private sector.

32. Angola also complies with Security Council resolution 1325 (2000), adopted at the Council's 4213th meeting, in which Member States are urged to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict, and with the Secretary-General's recommendation to implement his strategic plan of action (A/49/587) for the increased participation of women at all levels of decision-making, conflict resolution and peace processes. To this end, Presidential Decree No. 143/17 of 26 June was adopted, containing the national plan of action for the implementation of resolution 1325.

33. Presidential Decree No. 222/13 of 24 December provides for the adoption of the policy and strategic plan relating to the policy for gender equality, which promotes equality between men and women, with equal opportunities, rights and responsibilities in all spheres of economic, political and social life. It is based on the principles of gender equality, gender equity, non-discrimination, respect for the human person, and mainstreaming.

Figure 2
Participation of women in public and political life, 2017

<i>Positions</i>	<i>Percentage</i>	
	<i>Men</i>	<i>Women</i>
1. Deputies	63.2	36.8
2. Ministers	80.5	19.5
3. Secretaries of State	83.6	16.4
4. Provincial governors	88.9	11.1
5. Provincial deputy governors	80.5	19.5
6. Diplomats	70.1	29.9
7. Public magistrates	65.6	34.4
8. Judges	69.0	31.0
9. Senior positions in the public sector	69.5	30.5

Source: Ministry of the Family and Women's Empowerment.

Figure 3
Economic activity rate by sex

	<i>Overall</i>	<i>Men</i>	<i>Women</i>
Angola	52.8	61.1	45.4

Source: 2014 census.

ii. Statistical data on victims of gender-based violence — Strategic Plan to Combat Domestic Violence

34. In recent years, Angola has adopted a range of legislation guaranteeing and strengthening the advancement and protection of women, particularly with a view to combating all forms of violence against women:

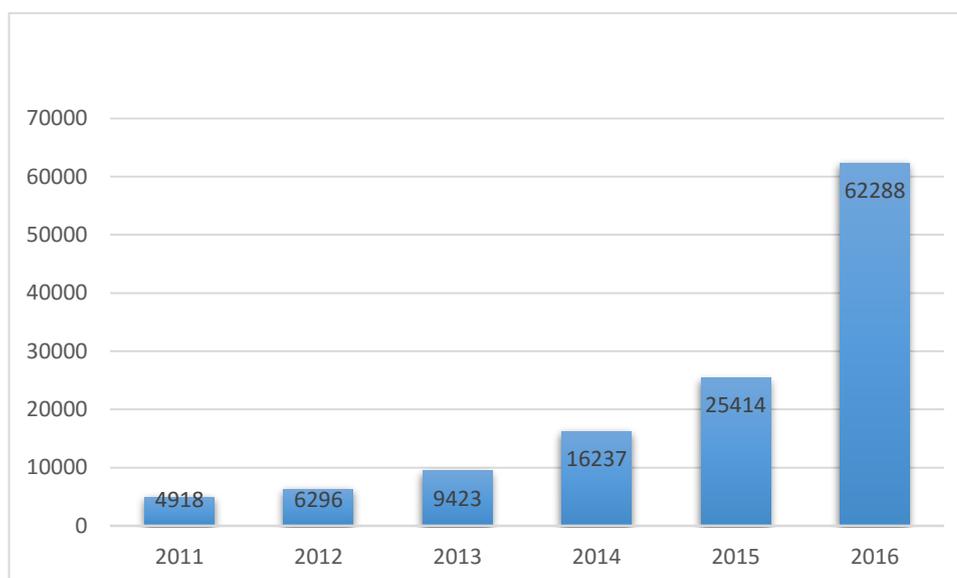
(a) Act No. 25/11 of 14 July (Domestic Violence Act); in order to ensure its effective implementation, the following instruments were also adopted:

- Presidential Decree No. 26/13 of 8 May adopting the Executive Plan to Combat Domestic Violence for the period 2012–2017 and the corresponding timeline of actions;
- Presidential Decree No. 124/13 of 28 August, which regulates the Domestic Violence Act, outlines a range of support and protection measures for victims of domestic violence and for perpetrators' recovery, and standardizes the functioning of shelters and family counselling centres.

35. In adopting these regulations, the Government has sought to ensure official compliance with the Domestic Violence Act in order to reduce the rate of domestic violence and comply with international instruments to which Angola is a party.

36. The following graph shows the trend in the number of cases and the impact of the Domestic Violence Act from a gender perspective.

Figure 4
Trend in cases of domestic violence



Source: Ministry of the Family and Women's Empowerment.

Figure 5
Cases of domestic violence handled by institutions under the Executive Plan to Combat Domestic Violence

Institution	2014	2015	2016
Ministry of the Family and Women's Empowerment	8 322	6 314	5 707
SOS Domestic Violence helpline	-	1 878	26 489
Ministry of the Interior	3 076	5 210	1 406
Organization of Angolan Women	3 316	9 948	3 819
National Institute for Children	1 523	2 064	4 874
Rede Mulher women's network	-	-	142
Total	16 237	25 414	42 437

Source: Ministry of the Family and Women's Empowerment.

37. The increase in the number of cases is primarily attributable to efforts to raise awareness among institutions and the general public.

38. The Act also provides for the status of victim of domestic violence.

39. In 2016, the Ministry of the Family and Women's Empowerment set up a free helpline for victims to report cases of domestic violence: SOS Domestic Violence 15020.

40. By way of example, in November 2015 the helpline registered the data presented in figure 6:

Figure 6
Complaints by type of violence

Category	Number of calls
Physical violence	214
Economic violence	127
Sexual violence	100

<i>Category</i>	<i>Number of calls</i>
Psychological violence	85
Violence in the workplace	3
Total	529

Source: Ministry of the Family and Women's Empowerment.

41. The objectives of the Executive Plan to Combat Domestic Violence are to prevent acts of domestic violence, protect victims, and adopt and step up multisectoral actions to guarantee comprehensive, humane and high-quality care for victims of violence.

42. In the framework of the implementation of the Executive Plan, the National Criminal Investigation Service set up a specialized department to deal with complaints of domestic violence. The ninth section of the ordinary offences division of the provincial courts was also established to deal with domestic violence cases. The judge's decision in such cases includes provision for victim compensation.

43. The mandated functions of the Ministry of the Family and Women's Empowerment, the Government body responsible for implementing the strategy for women's empowerment, were strengthened with the establishment of the National Directorate for Gender Policy and the National Directorate for Women, which coordinates the family reconciliation centres and liaises between centres run by non-governmental organizations (NGOs) and the Department for Combating Domestic Violence of the Ministry of the Interior.

44. As part of its efforts to implement the Executive Plan and provide assistance to victims of violence, the Government has created a network of 14 free legal advice centres and victim support units in different provinces, strengthened procedures for resolving family conflicts and disputes outside the court system, and established cooperation with religious bodies and civil society.

45. In addition, a national programme is under way to train family counsellors in mediation, conciliation and support for victims of domestic violence. To date, 805 family counsellors have been trained.

46. A programme to extend the network of shelters and specialized units for the care of victims of domestic violence in police stations and hospitals and set up the necessary multisectoral teams to assist victims is under way throughout the country.

47. There are currently nine shelters: one in Cabinda, six in Uige, one in Cuando Cubango and one in Lunda Sul. Many of the shelters are operated in collaboration with the Organization of Angolan Women.

48. In order to tackle some of the stereotypes and harmful and discriminatory cultural practices that persist, the Government and civil society organizations have carried out information, awareness-raising and education campaigns based on the values of liberty, respect for human rights, social harmony and solidarity, and have organized seminars at the provincial, municipal and community levels.

49. The Government has conducted public awareness-raising campaigns on the promotion and protection of women's rights and combating and preventing violence, in the form of seminars, conferences, radio and television debates, text messaging, and training of family counsellors and police and health-care personnel with a view to improving care for service users.

50. Between 2013 and 2014, these awareness-raising efforts included, among others, the publication of 9,410 flyers on Act No. 25/11, 2,220 on the accompanying regulations, 4,345 on the Executive Plan to Combat Domestic Violence, and 4,210 on domestic violence.

51. The Ministry of the Family and Women's Empowerment developed a dialogue and consultation process to identify rural women's wishes and strengthen efforts to combat domestic violence and achieve gender equality. The Government has taken responsibility for creating the conditions for these efforts to expand and bear fruit.

iii. Measures to ensure the schooling of girls

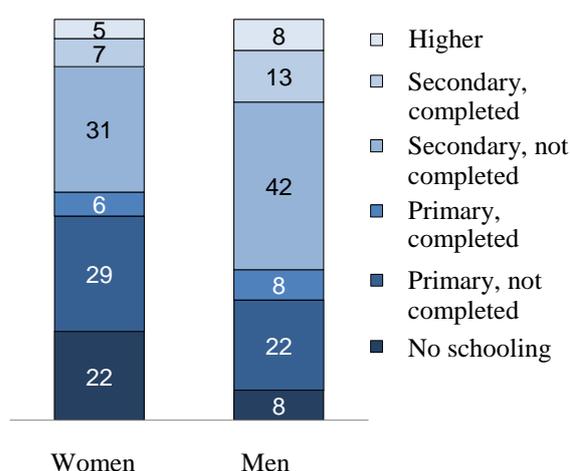
52. With regard to the measures taken to keep girls in school, the Ministry of Education, with the participation of parents and education officials, is developing a strategy to strengthen and reactivate the gender and human rights offices included with the provincial education directorates, with branches in provincial schools, with the objective of guaranteeing gender balance, providing psychological support to victims of domestic violence, forced labour and early pregnancy and to orphans, eliminating discrimination on the grounds of gender, and supporting girls' participation in the education system.

53. At the primary level, there were positive developments during the period 2012–2015, when girls' enrolment rate increased by 5.03 per cent per year, compared with an increase of 4.43 per cent among boys.

54. Girls did not fare so well at the lower secondary level during that period, as the gender parity index decreased from 0.81 in 2012 to 0.68 in 2015. At the upper secondary level, girls' enrolment rate grew by 32 per cent compared to 27.7 per cent for boys. As a result, girls' participation in upper secondary increased from 0.70 in 2012 to 0.78 in 2015.

Figure 7

Percentage distribution of men and women aged 15 to 49 by highest level of school attendance or completion



Source: National Institute of Statistics, Multiple Indicator and Health Survey.

Article 4: Derogation from the Covenant/state of emergency

55. To date, a state of emergency requiring the suspension of the Covenant in Angola has never been declared, even during the period of the armed conflict.

56. Article 58 of the Constitution defines the limitation or suspension of rights, freedoms and guarantees:

(a) Article 58 (4): The declaration of a state of war, siege or emergency shall confer on the public authorities the power and responsibility to take the appropriate steps needed to restore constitutional normality;

(b) Article 58 (5): Under no circumstances may the declaration of a state of war, siege or emergency affect (a) the application of constitutional rules concerning the responsibilities and functioning of the bodies that exercise sovereign power; (b) the rights and immunities of the members of bodies that exercise sovereign power; (c) the right to life, integrity of the person and personal identity; (d) civil capacity and citizenship; (e) the non-retroactive nature of criminal law; (f) the right to a defence; (g) freedom of conscience and religion.

57. Act No. 17/91 of 11 May on the state of siege or emergency governs such situations.

Article 5: Recognition and interpretation of the Covenant

58. Under the Constitution, duly approved or ratified international treaties and agreements take effect in the Angolan legal order following their official publication. This provision is fully in line with Act No. 14/11 on international treaties, which governs the process for the incorporation of such instruments.

59. As part of the ratification process, an international treaty is only recognized once it has been interpreted and compared with the Constitution and legislation in force in Angola.

60. The fundamental rights enshrined in the Constitution do not exclude other provisions of the applicable laws and rules of international law, and are interpreted and incorporated in accordance with the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and international treaties in this field ratified by Angola. In the event of disputes before the courts in relation to fundamental rights, international instruments are applied even if they have not been invoked by the parties (article 26 of the Constitution).

IV. Part III of the Covenant (arts. 6 to 27)

Article 6: Right to life

61. The 2010 Constitution prohibits the death penalty, enshrines the right to life, and contains provisions allowing for the establishment of monitoring mechanisms to guarantee the right to life. These fundamental rights, and others, are safeguarded under various legal instruments that are compatible with international human rights treaties.

i. Measures to collect small arms and strengthen demining efforts

62. The National Commission for Civilian Disarmament, coordinated by the Ministry of the Interior, was set up under Presidential Decree No. 7/08 and is tasked with the following:

- Raising of the civilian population's awareness of the need to voluntarily hand in any weapons in their possession;
- Creating mechanisms to ensure that those who have weapons in their possession hand them in voluntarily;
- Undertaking compulsory collection of weapons when clear dangers exist.

63. As a result of the Commission's work in cooperation with civil society institutions and international organizations, 104,514 firearms of various calibres had been handed in by May 2017, as well as 61,309 magazines, 591,538 munitions and 159,727 projectiles.

64. The Programme for the Elimination of Land Mines in Angola, implemented by the National Demining Institute, aims at the total elimination of mined areas, thus supporting the process of reconstruction and development of the country.

65. In addition to assisting victims and educating the public about risks, the intensive checking and demining operations undertaken by the National Demining Institute in collaboration with the NGO Halo Trust, the Security and Demining Society of Angola (Sedita), members of the Angolan Armed Forces and the Border Guard — a total of 4,000 men — and members of the general public, who reported mined areas or suspected mined areas in various localities to the authorities, resulted in the removal of more than five million explosives, as follows:

- (a) 444,000 anti-personnel mines
- (b) 25,000 anti-tank mines
- (c) 20,000 anti-vehicle mines
- (d) 5,000,000 undetonated explosives.

66. Having ratified the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction in 2002, Angola reported in May 2013 the existence of 1,110 areas suspected of being mined and a further 965 confirmed mined areas. In view of this situation, the Angolan Government requested and was granted a five-year moratorium in December 2012 for the continuation of its demining and security operations in mined zones, which are the result of 30 years of civil war. Angola now has to identify areas suspected of being mined and destroy them by January 2018.

ii. Review of legislation on abortion and reproductive health rights

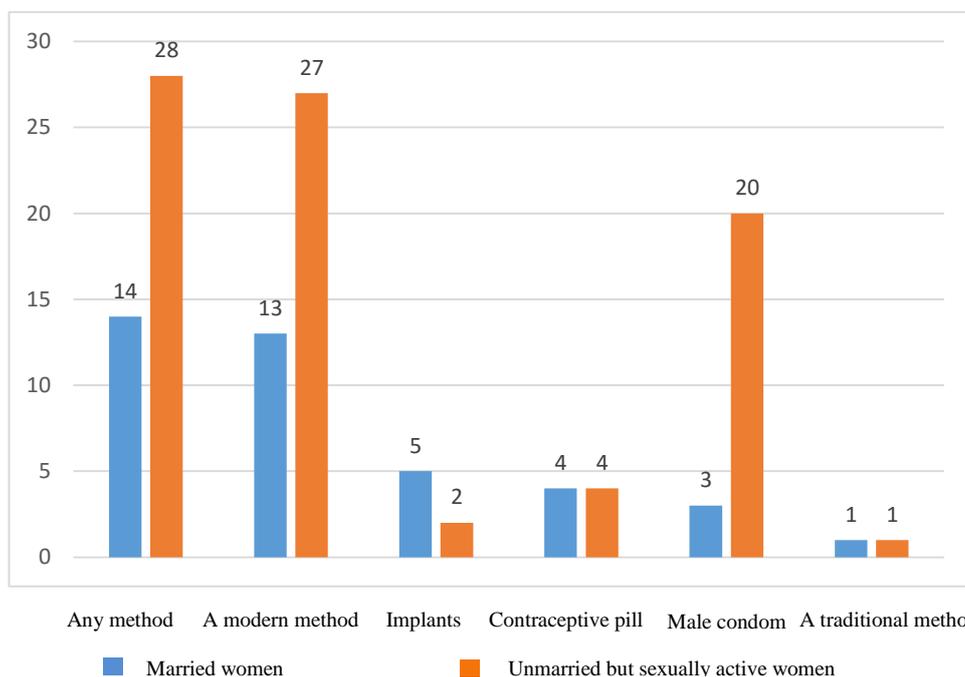
67. Under the Constitution, the State protects the right to life, and abortion is criminalized under the Criminal Code. The topic of abortion has been debated extensively since the beginning of the public consultation on the new draft of the Code, which is now before the National Assembly.

68. With regard to ensuring the accessibility of reproductive health services for all women and adolescents, the national plan for sexual and reproductive health, implemented by the Ministry of Health, has contributed to increasing coverage of prenatal consultations to 82 per cent (Multiple Indicator and Health Survey, 2015–2016) and attended childbirth in rural areas to 21 per cent (Multiple Indicator and Health Survey, 2015–2016), and has, in collaboration with the Ministry of Education, raised awareness among adolescents about sexual and reproductive health.

69. The Ministry of Health also oversees the following sexual and reproductive health programmes: family planning; prevention and treatment of infertility and sexual dysfunction in women and men; prevention of induced abortion and treatment of complications; prevention and treatment of sexually transmitted infections; control of HIV/AIDS; comprehensive health care for adolescents and young people; assistance in cases involving violence and sexual abuse; prevention and control of cervical, breast and prostate cancer; assistance during female and male menopause. A comprehensive health strategy for adolescents and young people is under way, and contraceptives are distributed free of charge throughout the country. These actions are carried out in cooperation with various organizations, such as the National Directorate for Public Health, the United Nations Population Fund, the United Nations Children's Fund (UNICEF) and the United States Agency for International Development (USAID).

70. Awareness-raising for adolescents concerning sexual and reproductive health is generally carried out by the Ministry of Health in partnership with the Ministry of the Family and Women's Empowerment, which coordinates the National Commission for the Prevention and Audit of Maternal and Neonatal Deaths.

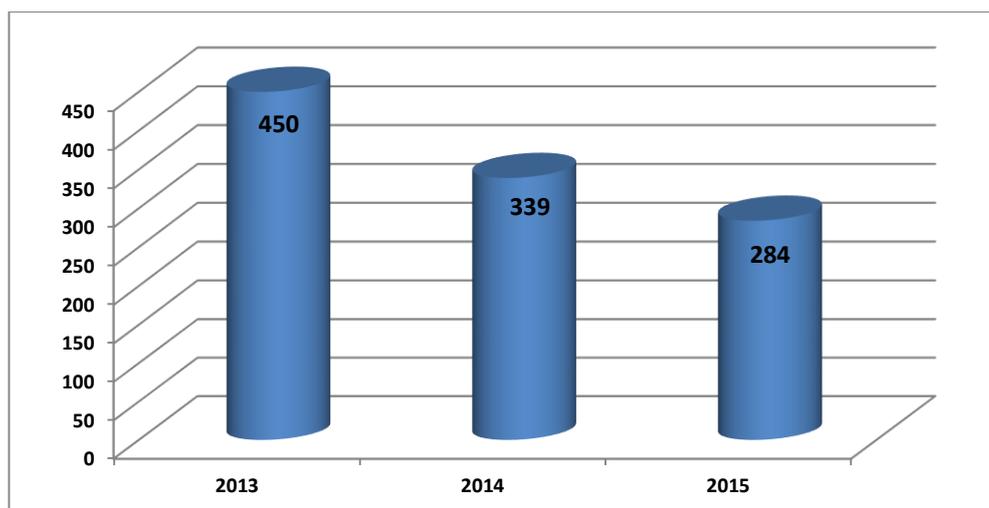
Figure 8
Percentage of married women between the ages of 15 and 49 who use some form of contraception



Source: National Institute of Statistics, Multiple Indicator and Health Survey.

71. The most recent figures show that progress has been made. In 2009, total life expectancy stood at 48 years, with 44 deaths per 1,000 live births, and a mortality rate for children under 5 of 194 per 1,000 in 2015. The number of pregnancy-related deaths among women between the ages of 14 and 49 in the past seven years was 239 per 100,000 live births.

Figure 9
Maternal mortality in Angola (per 100,000 inhabitants), 2013–2015



Source: Reports of the provincial health directorates.

iii. Practical steps to put an end to arbitrary and extrajudicial disappearances

72. Angola signed the International Convention for the Protection of All Persons from Enforced Disappearance in 2013 and is in the process of ratifying it, thus expressing its commitment in this area.

73. At the national level, such practices are classified as crimes under the Criminal Code, which is being reformed.

74. When cases of enforced disappearance have been reported, the members of the security forces identified as the perpetrators have been convicted, being held accountable in civil and criminal proceedings, and the victims' families have received compensation.

75. In order to avoid such practices, the following preventive measures are taken:

(a) Studies being conducted by the security forces' re-education department to identify the causes of such acts;

(b) Inclusion of a human rights module at the Higher Institute of Police and Criminal Sciences;

(c) Continuous education programmes for the security forces;

(d) Publication of a human rights manual by the National Police in partnership with various international organizations (three editions).

Article 7: Prohibition of torture and other cruel, inhuman or degrading treatment and punishment

76. Torture and degrading treatment are prohibited under article 60 of the Angolan Constitution, and are cross-cutting issues dealt with in all legislation on the treatment of human beings, particularly those concerning deprivation of liberty.

77. Angola signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto in September 2013 and intends to ratify them.

78. As part of the reform of the justice and legal system, the Criminal Code is being revised to include new provisions in line with the Constitution and the current context, while some existing provisions are being kept, including those related to torture, although that term does not appear in the text.

79. Chapter II on crimes against physical and psychological integrity contains articles that, when interpreted in conjunction with each other and with other legislative provisions, enable the classification of torture as a crime punishable under criminal law.

80. Torture is a crime under articles 147 and 150 of the Criminal Code, as follows:

(a) Simple offence against physical integrity, when an individual causes harm to another person's body or health;

(b) Serious offence against physical integrity, when an individual causes harm to another person's body or health in such a way as to cause serious and permanent disfigurement; loss of an organ or limb; deterioration or permanent loss of the physical or psychological health of one of the senses, a limb, an organ or a function; a particularly painful disease; or risk to life.

81. In cases of torture, the victims have the constitutional right to undertake civil and criminal proceedings against the perpetrators, whether the latter are public officials or not.

82. Between 2012 and 2015, the Ministry of the Interior registered a total of 1,341 disciplinary sanctions, including 759 dismissals, 470 demotions, 323 fines, 208 censures and 355 reprimands. Of these, 30 per cent were related to ill-treatment or dishonourable acts against private citizens. The service whose personnel have received the most sanctions is the National Police, and the Civil Protection and Fire Brigade has received the least.

83. Investigations into alleged misconduct by the police and security forces are conducted by an independent authority, the Attorney General's Office and, in some cases, the Ombudsman's Office, which also receives complaints of such practices and periodically visits prisons and other entities of the Ministry of the Interior and the Ministry of Defence.

84. In an effort to prevent such practices, law enforcement officials have received human rights training (see section on article 6).

Article 8: Prohibition of slavery and trafficking in persons

i. Specific legislation prohibiting trafficking in persons

85. Angola ratified the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol) on 20 June 2010 through National Assembly Resolution No. 21/10, thus recognizing the State's duty to prevent and combat transnational organized crime and the need to adopt appropriate measures to do so, including international cooperation activities and other measures at the regional level.

86. In compliance with this international commitment, Angola adopted Act No. 3/14 of 10 February on crimes underlying money laundering and trafficking in persons, article 19 (1) of which states: "Anyone who offers, delivers, entices, accepts, transports, houses or hosts a person for purposes of labour exploitation or extraction of organs, by means of violence, abduction or grave threat, by trickery or fraud, with abuse of authority resulting from a relation of hierarchical, economic, work-related or family dependence, while taking advantage of the mental incapacity or situation of special vulnerability of the victim or by obtaining the consent of the person who has control over the victim, shall be punished by a prison term of 8 to 12 years."

87. This act lays down harsh penalties for a series of behaviours generally associated with trafficking in persons, such as criminal association, fraud, kidnapping, abduction, sexual trafficking, taking of hostages, procurement and sexual trafficking of minors.

88. A further reflection of the Government's concern about this phenomenon was the establishment of the Interministerial Commission to Combat Human Trafficking in Angola, through Presidential Decree No. 235/14 of 2 December. The Commission is coordinated by the Ministry of Justice and Human Rights and composed of representatives of various ministries, the National Police and the Attorney General's Office, with the objective of guaranteeing protection, assistance, recovery, rehabilitation and reintegration into society for victims of trafficking.

89. The Commission's tasks include formulating a broad, integrated programme for the prevention and punishment of human trafficking, drafting the necessary rules and regulations for the effective implementation of actions to combat this crime, and monitoring and supervising their application with the support of a technical group made up of representatives of the Attorney General's Office, the National Police, the National Institute for Children and the National Youth Institute.

90. In compliance with its mandate, the Commission promotes the strengthened exchange of information with other States, which has yielded positive results and helped strengthen prevention and control measures and the surveillance of the authorities, particularly in border regions.

ii. Statistical data on trafficking in persons in Angola

91. Several cases have been investigated in Angola and abroad and two have been tried under Act No. 3/14.

iii. Enhancement of training and cooperation in relation to trafficking in persons

92. Angola is a member of the Community of Portuguese-Speaking Countries, the Southern African Development Community (SADC), the Economic Community of Central African States and the International Conference on the Great Lakes Region.

93. In the context of international and regional cooperation, Angola is developing the following projects:

(a) The International Organization for Migration (IOM) regional office and the European Union have provided technical assistance for the drafting of a national plan of action;

(b) With SADC and the United Nations Office on Drugs and Crime, training has been provided on the development of the national plan of action, the collection of statistics and the creation of networks.

94. Training activities in this area have included the following:

(a) Since 2007, the Ministry of the Interior has been working with the IOM office in Angola on projects to build the capacity of personnel of the National Police, the Migration and Foreigners Service, the Intelligence and State Security Service, the Public Prosecution Service, the Ministry of Justice and Human Rights, the Ministry of Assistance and Social Reintegration, and traditional authorities through training activities and information campaigns. To date, more than 408 police officers in five border provinces have received such training.

(b) A round table on human trafficking and migration was held in August 2014.

(c) Post-graduate training on money laundering and trafficking was provided to 12 judges in cooperation with the Faculty of Law of Agostinho Neto University, in Luanda in 2014.

(d) A seminar on judicial cooperation and human trafficking was held in October 2014 for judges serving throughout the country, including judges of the higher courts and the National Institute for Judicial Studies.

(e) The Attorney General's Office organized training for the magistrates of the Public Prosecution Service.

(f) A manual on human trafficking in Angola was published in a 1,000-copy edition.

(g) In 2016, more than 405 individuals from public institutions and civil society received relevant training.

Article 9: Right to liberty and security

95. In accordance with article 36 of the Constitution, persons may not be deprived of their liberty except as provided for in the Constitution and the law. In addition, article 56 provides that the State recognizes the inviolability of the fundamental rights and freedoms enshrined in the Constitution and shall create the political, economic, social and cultural conditions, as well as the conditions of peace and stability, needed to guarantee their effective realization and protection, and that all public authorities have a duty to respect and guarantee the free exercise of fundamental rights and freedoms and the fulfilment of constitutional and legal duties.

96. The new Act No. 25/15 of 18 September on protective measures in criminal proceedings aims to limit the number of persons detained in the pretrial phase by introducing alternative measures such as home detention and release on one's own recognizance, subject to proof of identity and place of residence. The Act is consistent with articles 9 and 14 of the Covenant.

97. The Prison Service applies a series of measures to facilitate communication and interaction between the prison, the detainee and the community/family, such as the right to visits by family members, religious groups and civil society organizations, communication through a lawyer, and communication through the Prison Service team.

i. Cases of detention of sympathizers of the Front for the Liberation of Cabinda

98. The Committee has already been provided with a response to this question.

Article 10: Treatment of persons deprived of their liberty

99. In accordance with Act No. 8/08 of 20 August 2008, the Prisons Act, the Angolan prison system is being modernized and developed with a view to resocializing persons deprived of their liberty. The State pays particular attention to the provision of health care, psychosocial and religious support, education, work, and vocational training to prisoners as essential components in the rehabilitation and social reintegration process. The programme for the humanization of the Prison Service is also under way.

100. Prisoners are assigned to different categories or prison regimes in accordance with the rules on segregation by gender, age, legal status, nationality and illness, which comply with the principles set out in the United Nations Standard Minimum Rules for the Treatment of Prisoners, the Covenant and the Prisons Act. The Act in question also defines the appropriate facilities in which individuals may be detained and may serve their sentence, prioritizing the placement of prisoners of between 16 and 18 years of age, and 18 and 21 years of age, in various activities and programmes relating to education, vocational training and socially useful work. The Angolan prison system has two women's prisons whose administrative and security staff are exclusively made up of female officials, officers and technicians. In accordance with the above-mentioned Act, female prisoners who are pregnant or have children receive special treatment and are allowed to stay with their children until the latter reach the age of 3.

101. In order to tackle overcrowding and improve living conditions in prisons, the Government has implemented a series of legislative, judicial and administrative measures, leading to the adoption and promulgation of Act No. 11/16 of 12 August on amnesty, and to the granting of presidential pardons through Presidential Decree No. 173/15 of 15 September. As a result, 2,282 prisoners were released through pardons in 2015 and, by mid-January 2017, 3,800 prisoners had been released under the Act. This has had a positive impact and has made it possible to reduce overcrowding to less than 6 per cent above design capacity.

102. The new Act No. 25/15 of 18 September on protective measures in criminal proceedings is aimed at limiting the number of persons detained during the pretrial phase through the introduction of alternative measures such as home detention and release on one's own recognizance subject to proof of identity and place of residence.

103. The Angolan prison system has 44 prison facilities in operation, including 1 prison hospital, 1 prison psychiatric hospital, 2 women's prisons and 1 prison for young people. Eleven new prisons, including 3 for young people in the provinces of Luanda, Huambo and Malanje, are being completed and fitted out.

104. In all the country's prisons, inmates are guaranteed three meals a day and health care provided by a network of prison hospitals, health centres and medical units installed in the facilities themselves. Supplementary care is provided by public hospitals.

105. To ensure that prisoners with technical and vocational skills required by the labour market are socially reintegrated, and to enhance the quality of the rehabilitation process, improve prison diets, give work to prisoners, and promote economic and social development, the State is implementing a programme called "New Direction, New Opportunities", which involves establishing industrial and agricultural units in prisons.

Figure 10
Statistics on the prison population, May 2017

	<i>Detained</i>	<i>Sentenced</i>	<i>Total</i>
Men	11 646	10 293	21 939
Women	196	306	502
Total	11 842	10 599	22 441

Source: Ministry of the Interior.

106. With regard to complaints filed by prisoners about detention conditions or ill-treatment and the taking of appropriate measures to investigate and punish those responsible, the Attorney General's Office is working with prisons to ensure that rights and detention conditions are respected. Prisoners can submit complaints directly to the Ombudsman.

Article 11: Prohibition of imprisonment for inability to fulfil a contractual obligation

107. Cases in which citizens are unable to fulfil a contractual obligation are settled by the civil courts, which do not require the police to make arrests or the judiciary to impose a custodial sentence.

108. Such cases can also be solved through extrajudicial conflict-settlement mechanisms (see art. 14).

109. Angolan law is in accordance with article 11 of the Covenant, and contractual matters are dealt with in civil forums.

Articles 12 and 13: Freedom of movement and the right of aliens not to be expelled arbitrarily

110. Every citizen who is lawfully residing in Angola can freely take up residence, move and settle in any part of the country, except in the cases provided for in the Constitution and when the law imposes restrictions on entering and residence in order to protect the environment or vital national interests. In addition, every citizen is free to emigrate, to leave the country and to return, without prejudice to restrictions arising from legal obligations, as set out in article 46 of the Constitution.

111. The rights of foreign citizens residing in the national territory are enshrined in the Constitution and set out in Act No. 2/7 on the legal status of aliens.

112. The right to asylum and the related procedures are guaranteed through Act No. 10/15 of 15 June on asylum and refugee status.

113. The body responsible for recognizing the right to asylum is the National Council for Refugees, an interministerial body that, together with the Office of the United Nations High Commissioner for Refugees (UNHCR) in Angola, is responsible for assessing the criteria by which that status is allocated in accordance with relevant international and regional instruments.

114. There are around 200,000 foreigners in Angola, most of whom are Chinese or Portuguese. Of these, 30,143 are asylum seekers of various nationalities although the majority are from Guinea. There are 16,185 refugees, most of whom are from the Democratic Republic of the Congo. (This figure does not include the approximately 32,000 Congolese refugees who, owing to the crisis taking place in their country, were given leave to stay in Angola between January and July 2017.) Angolan law allows refugees to have access to education and health care on the same footing as Angolans.

115. Immigrants in an irregular situation are repatriated in accordance with international rules and standards. Any minor incidents that may occur are dealt with when they are reported. For example, the Attorney General's Office has ordered some magistrates to address the situation of migrants, particularly in the border provinces.

116. In response to allegations that the human rights of migrants had been violated, an intersectoral commission was set up to monitor and follow up on such cases. The commission is made up of representatives of the Government, UNHCR, IOM and the International Committee of the Red Cross. The commission conducts evidence-based investigations with a view to prosecuting and punishing offenders.

117. In collaboration with the United Nations and other international organizations, the Government has improved the training on basic human rights rules, particularly in relation to mixed migration, that is provided to police officers, representatives of law-enforcement bodies and traditional authorities working in border areas. As a result, 273 officers were trained by the Ministry of the Interior and IOM in 2013. In addition, the commission conducts regular visits to border areas to oversee the repatriation process and ensure that international standards on the human rights of migrants are upheld.

118. To regularize the entry and exit of persons and goods, dialogue and information-sharing mechanisms have been established between the governments of the Angolan provinces bordering the Democratic Republic of the Congo and the Congolese authorities in general, and between the provincial governments of Lunda Norte and Kasai Occidental in particular. In 2013, for example, the Government decided to implement a process for the spontaneous return of Congolese citizens who were unlawfully residing in the diamond mining areas. As part of this process, some 80 people left with the support of the authorities in Angola. According to the stocktaking meeting held between the Democratic Republic of the Congo and Angola, this process took place without any major incidents.

119. The repatriation process in force from 2003 to 2011 was investigated and a number of steps were subsequently taken. There was one confirmed case of sexual abuse in which the officer involved was tried and convicted. A permanent system is now in place to monitor the actions of officers along all the country's borders.

Article 14: Right to a fair trial

120. The Constitution guarantees all citizens the right not to be detained or tried except in accordance with the law, the right to a defence, the right of appeal, the right to free legal counsel and the right to be presumed innocent until convicted (article 67 of the Constitution).

i. Measures to strengthen the independence of the judiciary and combat corruption

121. The courts are independent, sovereign bodies that are competent to administer justice in the name of the people and that exclusively exercise jurisdictional functions (article 105 (1) and (2); article 174 (1) and (2), No. 2 of the Constitution).

122. The Constitution guarantees all citizens the right not to be detained or tried except in accordance with the law, the right to a defence, the right of appeal, the right to free legal counsel, and the right to be presumed innocent until convicted (article 67 of the Constitution). It is fully compliant with the Covenant, the implementation of which is strengthened through regulatory laws and administrative and organizational measures intended to support citizens who believe that their rights have been violated.

123. A number of bodies uphold and administer justice in Angola in accordance with its status as a democratic State governed by the rule of law. Such bodies include the Constitutional Court, the Supreme Court, the Court of Audit, the provincial courts, the municipal courts and the military courts.

124. The bodies that oversee the activities of judges are the high councils of the Public Prosecution Service and the judiciary. They are responsible for investigating and punishing judges engaging in indecent or criminal conduct.

125. The Commission for Reforming the Judicial and Legal System has been established to analyse and propose legislation that will make the justice system more effective. The Commission drafts proposals that seek to strengthen the independence of the judiciary and contributes significantly to the fight against corruption,¹ the importance of which is revealed by the judicial and legal reform being undertaken through the implementation of organizational and structural changes. With a view to organizing the system to meet society's needs, it is taking steps to bring the administration of justice closer to citizens — in other words, to organize the courts in such a way as to address the failure to meet the demand from citizens, a factor that is key to improving the system.

126. The Commission, which is made up of representatives of the Attorney General's Office, the Supreme Court, the Constitutional Court, the Angolan Bar Association² and other experts linked to the Ministry of Justice and Human Rights, is taking steps to increase the number of qualified judges, lawyers and municipal and provincial courts and ensure that justice is accessible to all, especially disadvantaged persons, by enhancing the skills of staff members and training them in sound professional ethics. To achieve that goal, it carries out the following actions:

(a) Training staff, which involves accelerating and enhancing the reorganization of the National Institute for Judicial Studies in order to increase its ability to respond to the high demand for preparing new and current staff for new challenges that require better service quality;

(b) Taking gradual measures to increase the response capacity of new judicial magistrates, judges, magistrates attached to the Public Prosecution Service, staff who deal with the public at all levels, and all support staff, and to train and recruit new civil servants, taking into account existing constraints and the specific conditions in the country, including the restrictions imposed on the recruitment of new civil servants.

127. As part of the reform of the judicial and legal system, Act No. 2/15 of 2 February, which establishes the principles and rules governing the organization and functioning of the ordinary courts, also known as judicial courts, has been adopted.

128. The Act, which repeals Act No. 18/88 of 31 December on the unified system of justice and other legislation that clashes with it, entered into force on 1 March 2015.

129. The entry into force of this law is aimed at making justice swifter and more effective and bringing it closer to citizens by expanding the network of courts to ensure that they are less geographically remote. It is also intended to ensure that the judicial and administrative divisions of the country coincide.

ii. Steps to increase the number of courts and judges

130. There are currently 19 provincial courts, 20 municipal courts and 8 courts of justice. The territorial and substantive jurisdiction of municipal courts has been broadened to bring justice closer to citizens. Every year, the numbers of judicial magistrates (400 to date), magistrates attached to the Public Prosecution Service (500 to date), lawyers (3,954 in 2016) and jurists increase.

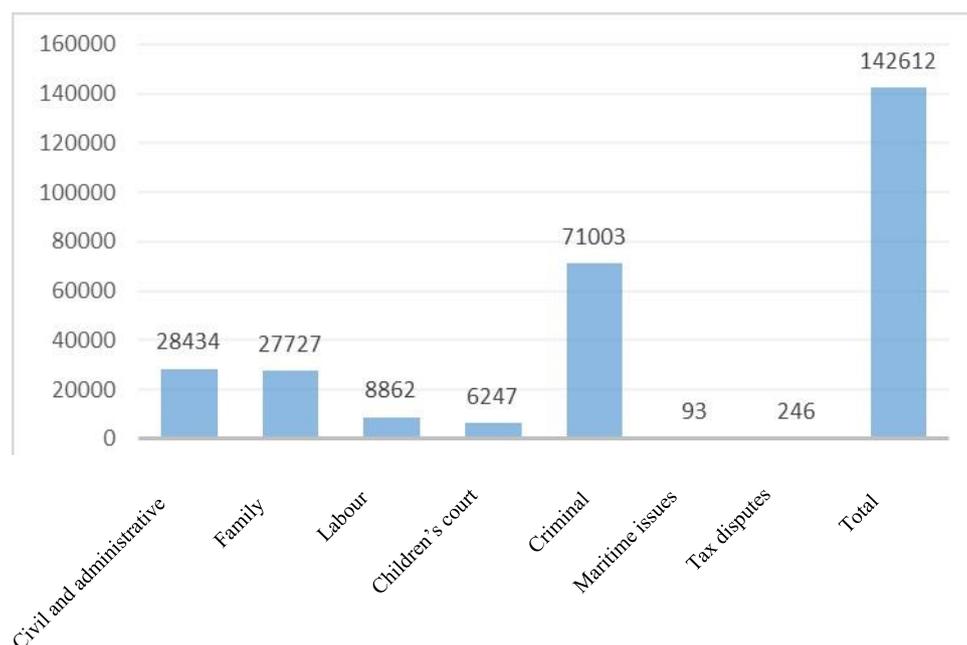
131. The following statistics provide an example:

(a) Where the ordinary courts are concerned, a total of 142,612 proceedings were held in the provincial courts in 2015. The largest provinces with the greatest number of proceedings were Luanda (40 per cent), Benguela (including the provincial court of Lobito, 15 per cent) and Huambo (6 per cent).

¹ Angola is a party to the United Nations Convention against Corruption and a member of the Union against Corruption.

² An institution representing law graduates who, in accordance with the Association's statute and other applicable legal provisions, practice law independently of State bodies.

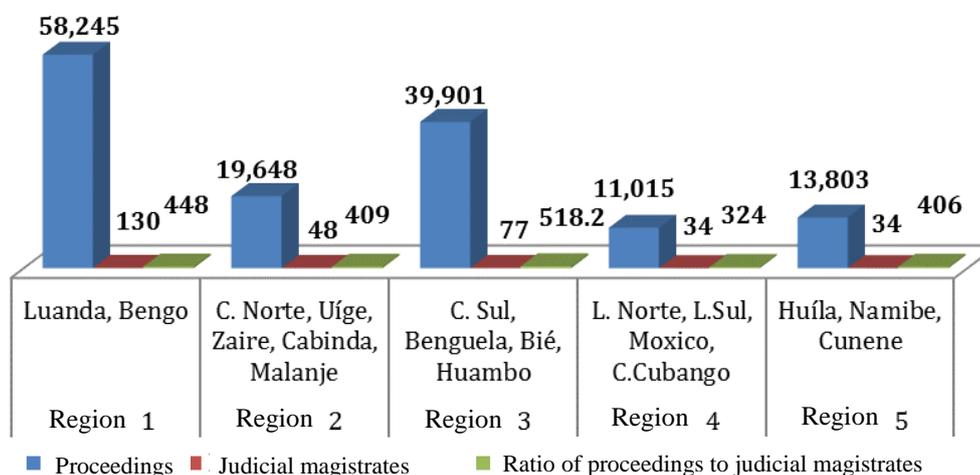
Figure 11
Number of proceedings per court type



Source: Ministry of Justice and Human Rights, 2015 Yearbook.

(b) Of the 142,612 proceedings held in 2015, the greatest number (71,003 — around half) took place in the criminal courts, followed by the civil and administrative courts, with 28,434, and the family courts, with 27,727.

Figure 12
National court activity in 2015



Source: Ministry of Justice and Human Rights, 2015 Yearbook.

(c) In 2015, at the national level, 98,414 proceedings were under way, around 44,198 new proceedings were initiated and 38,135 (27 per cent of the total) were completed. The remainder are still ongoing.

iii. Measures to increase access to justice

132. The Constitution provides for a formal justice system, courts, and extrajudicial mechanisms for settling disputes.

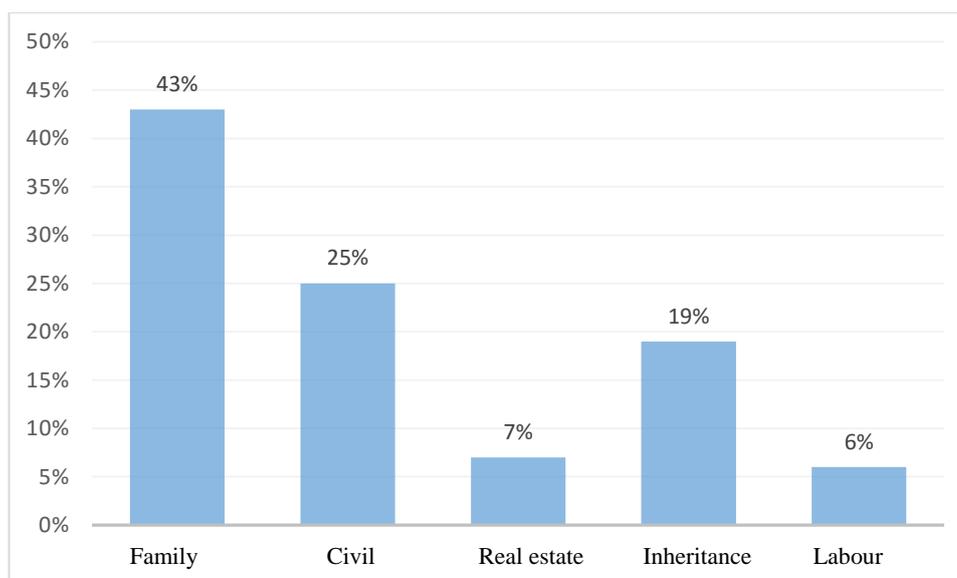
133. Extrajudicial dispute settlement centres, which are staffed by lawyers and trainee lawyers, provide information and legal advice and uphold the principle of non-discrimination on the basis of sex, social status, cultural affiliation and financial status, enabling citizens to become aware of, exercise and defend their rights and legitimate interests.

134. The mechanisms concerned are regulated by the following pieces of legislation: Act No. 16/2003 of 25 July on voluntary arbitration, an extrajudicial mechanism used not only by private actors but also by the State itself for the settlement of disputes; Decree No. 04/2006 of 27 February, which empowers the Ministry of Justice and Human Rights to authorize the establishment of arbitration centres; Executive Decree No. 230/14 of 27 June and Executive Decree No. 244/14 of 4 July, which respectively establish and regulate the Extrajudicial Dispute Settlement Centre; Act No. 12/16 of 12 August on conflict mediation and conciliation, which sets out the rules and procedures governing the exercise of these methods; and Joint Executive Decree No. 259/16 of 17 June, which regulates the rates charged by the Centre for mediation, conciliation, arbitration and legal consultation.

135. In 2015 and the second half of 2016, the Extrajudicial Dispute Settlement Centre mainly handled cases relating to contractual obligations, family disputes, and employment and real estate, including land and dwellings. This provides an indication of the types of cases generally dealt with by the various alternative dispute settlement mechanisms in Angola.

Figure 13

Legal advisory services



136. Free legal assistance is guaranteed by articles 196 and 197 of the Constitution and through Act No. 15/95 on legal assistance, which ensures that persons who cannot afford a lawyer can receive free assistance.

137. The Angolan Bar Association is responsible for managing free legal assistance. This institution represents law graduates who practice law in accordance with its statute and other relevant legal provisions. It is independent of the organs of the State and may freely and independently establish its rules and conduct its operations, having legal personality and autonomy over its administration, finances and assets.

138. It is based in Luanda and its internal structure is made up of provincial councils and delegations. When, in a particular province, there are not enough lawyers for a provincial council to be established, the National Council, by deliberation, creates a temporary interprovincial council, covering two or more provinces, which shall be subject to the budgets, duly modified, established in the statute and the specific operational rules determined by the National Council that establishes it.

139. The Angolan Bar Association, along with the bar associations of Brazil, Cabo Verde, Guinea-Bissau, Mozambique, Portugal, Sao Tome and Principe, and Macau, is a member of the Union of Portuguese-Speaking Lawyers (UALP). In accordance with the basic principles on the role of lawyers adopted at the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Havana from 27 August to 7 September 1990, the members of UALP adopted the UALP lawyers' charter, in which the principles considered essential to the practice of law are enshrined.

140. Another measure intended to guarantee access to justice for all citizens is the establishment, throughout the country, of houses of law and justice, in which citizens may obtain access to the law, justice, information, legal advice, public defence services, and dispute mediation and conciliation services. Extrajudicial dispute resolution offices will also be established in provincial courts.

Article 15: The principle of legality and non-retroactivity

141. This principle is enshrined in the Constitution, in all relevant legislation and in the Criminal Code and Civil Code. Decisions to apply a law retroactively may be overturned by the courts.

Article 16: Recognition as a person before the law

142. Under article 32 of the Constitution, all persons have the right to a personal identity.

143. The 2014 general census registered a total of 25,789,024 inhabitants, of whom 16,153,987 (62.6 per cent) were in urban areas and 9,635,037 (37.4 per cent) were in rural areas. (See figure 14.)

Figure 14

Resident population with registered births, by area of residence, 2014

<i>Country and area of residence</i>	<i>Numbers</i>	<i>Per cent</i>
Angola	13 788 694	53.5
Urban	10 940 580	67.7
Rural	2 848 118	29.6

144. When the census was taken, 13,788,694 persons (53 per cent of the resident population) were registered. For children aged 4 years or under, this figure stood at 25 per cent. The births of 75 per cent of children aged 4 years and under were not registered. These figures reveal the extent of the problems surrounding birth registration, which are compounded by the very worrying imbalance that exists between urban and rural areas. In the latter, the births of only 30 per cent of the population have been registered.

145. The Government has taken the following steps to promote universal birth registration:

(a) Actions aimed at facilitating birth registration through the creation and extension of registration stations;

(b) The implementation of the “Newborn Citizen” and “Achieving Universal Registration” projects;

(c) The implementation of an information-sharing and awareness-raising campaign involving the distribution of booklets on the importance of civil registration;

(d) The increased use of social media and community-based campaigns to raise awareness of the importance of birth registration, especially in isolated regions around the country, through the use of mobile registration units and other means.

146. To address these issues, the President of Angola issued Presidential Communiqué No. 80/13 of 5 September and Executive Decree No. 309/13 of 23 September, in

accordance with which procedures aimed at initiating birth registration and the issuing of identity cards would be exempt from fees until 31 December 2016.

147. In the light of the Communiqué, a total of 3,413,770 child and adult citizens were registered throughout the country between September 2013 and December 2016.

Figure 15

Data on exemption from fees, September 2013–December 2016

	<i>Men</i>	<i>Women</i>	<i>Total</i>
Registrations in register offices	1 665 115	1 665 311	3 330 426
Mobile registration units			83 344
Total			3 413 770

Source: Ministry of Justice and Human Rights.

Figure 16

Birth registration in the context of the universal registration campaign, September 2013–March 2017

<i>Males</i>	<i>Females</i>	<i>Total</i>
2 123 474	2 122 912	4 246 386

Source: Ministry of Justice and Human Rights.

Figure 17

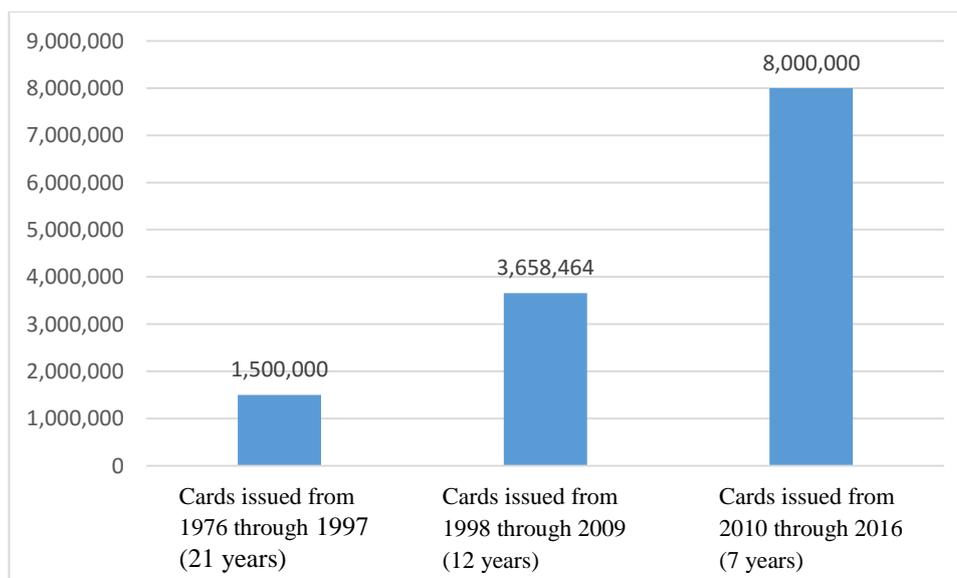
Number of identity cards issued, 2013–2016

<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>Total</i>
1 156 164	1 632 114	1 543 888	1 086 404	5 418 570

Source: Ministry of Justice and Human Rights.

Figure 18

Identity cards issued, 1976–2016



Source: Ministry of Justice and Human Rights.

Article 17: Right to privacy/private life

148. In accordance with article 31 of the Constitution, all citizens have the right to personal identity, civil capacity, citizenship, their good name and reputation, their image, freedom of expression, and privacy in personal and family life.

149. Article 33 of the Constitution provides for the inviolability of the home, establishing that no one may enter, or carry out a search or seizure in, the home of any individual without the latter's consent, except in situations set out in the Constitution and in law and when a warrant has been issued by the appropriate authority for legally prescribed cases, in the legally prescribed manner, or in cases of in flagrante delicto or when assistance must be provided in emergency situations.

150. Article 33 of the Constitution also prohibits interference in the confidentiality of correspondence and other means of private communication, which may be violated only when mandated by the competent judicial authority.

Article 18: Freedom of thought, conscience and religion

151. The freedoms of conscience, religious belief and worship are enshrined in article 41 of the Constitution, which provides that such freedoms are inviolable and that persons may not be deprived of their rights, persecuted or exempted from duties on grounds of their religious beliefs or philosophical or political convictions. Under the law, citizens enjoy the right to conscientious objection and may not be questioned by any authority about their religious convictions or practices, except for the purposes of collecting statistical data that do not enable them to be identified as individuals.

152. A bill on freedom of religion and belief, which sets out the principles governing the exercise of the freedoms of religion, belief and worship and the legal regime under which religious denominations are established, altered or terminated, is in the process of being adopted.

153. In Angola there are 82 churches and 4 religious associations (DIRA, the Synodal Evangelical Church of Angola, the National Convention of Christian Churches in Angola and the Islamic Community of Angola). A number of sects continue to exist.

Articles 19 and 20: Freedom of expression and the prohibition of propaganda for war

154. The freedom of expression, which is enshrined in article 40 of the Constitution, is considered by the State to be a fundamental right, provided that it does not violate respect for the honour, good name, reputation and image of citizens.

155. As in other legal systems, the restrictions mentioned in article 19 of the Covenant may require that persons who cause offence (whether they are journalists or not) be tried for libel or slander in accordance with article 40 (3) and (4) of the Constitution and articles 407 and 410 of the Criminal Code. Such persons may also face disciplinary and civil proceedings.

156. The restrictions imposed serve to protect the specific interests of victims and do not imply that the State has any interest in violating or restricting the right to freedom of expression.

157. The restrictions must be seen only as a means of protecting victims' interests, as the State has no interest in violating or restricting the right to freedom of expression. In practice, the offences of libel and slander are of a private nature. The State's organs of justice, including the National Criminal Investigation Service, the Attorney General's Office and the courts, are authorized to try such crimes only if victims, believing their honour to have been offended, decide to submit a formal complaint, in which they have the right to choose a lawyer to defend them in court.

158. In order to ensure freedom of expression and regulate the practice of journalism, the National Assembly recently adopted a legislative package on the press that comprises the new Press Act, the Act Establishing the Regulatory Body for Angolan Social Media, the Broadcasting Act, the Status of Journalists Act, the General Advertising Act and the Television Act (Acts Nos. 1/17, 2/17, 3/17, 4/17 and 5/17 of 23 January).

159. In recent years, no journalists have been detained for exercising their freedom of expression or killed in the exercise of their profession.

Article 21: Right of assembly

160. The freedoms of assembly, demonstration and other forms of expression are guaranteed in the Constitution. Act No. 16/91 sets out the criteria governing the exercise of this right by all citizens. The freedom to demonstrate is a right guaranteed to citizens. In order to ensure that the law effectively protects the rights and freedoms of citizens, disciplinary rules have been established to address violations of the principles enshrined in them.

161. In Angola, demonstrations and meetings are held by various political and religious groups and civil society organizations and movements. However, some demonstrations have been restricted because their organizers did not follow the established procedures. Acts of aggression have been carried out both against demonstrators and by demonstrators against law enforcement officers.

Article 22: Right to freedom of association

162. The right to freedom of association is provided for in the Constitution and in Act No. 6/12 of 18 January on private associations, which establishes the ways in which associations may be formed in Angola. There are 252 national organizations in Angola, 60 international organizations, 10 national foundations and 5 international foundations.

163. Of the new pieces of legislation that have been adopted, mention may be made of Presidential Decree No. 74/15, which brings the legal framework governing the activity and functioning of NGOs operating in Angola into line with current economic, social, legal and constitutional conditions in order to ensure and promote NGOs' effective participation in the sustainable growth of target communities.

164. At the request of the Angolan Bar Association, this legislation was revoked through a judgment issued by the Constitutional Court (Judgment No. 447/17 of 13 July), which found that the procedures leading to its adoption had been unconstitutional.

165. The Government has taken steps to strengthen the dialogue with representatives of civil society through bilateral meetings, consultative forums and councils, round tables and specialist committees, among others.

Article 23: Protection of the family and marriage

i. Measures to ensure the prohibition of polygamy and early marriage

166. Efforts to eliminate stereotypes and practices harmful to women are mainly focused on the implementation of the strategy for advocating for, and mobilizing, resources for the implementation and monitoring of the national plan for gender equality, which gives priority to the issue of domestic violence, particularly the highly worrying offences of early marriage, polygamy, levirate marriage, and acts of violence against children and older women believed to be witches.

167. In this regard, it is necessary to adopt specific legislation to prohibit polygamy, early marriage, female genital mutilation and levirate marriage, with provisions for adequate punishment for those violating such legislation. The realization of this goal depends on the outcome of the analysis of the situation in the country and the establishment of a consensus

on the revision of family law, in particular the Family Code, a process that is the focus of current public consultation.

168. Marriage is permitted by law in Angola. (See art. 35 of the Constitution.) The law also regulates de facto unions, such as unions between a man and a woman for a certain period of time. Men and women are equal before the law.

169. According to data from the 2014 census, families are composed of an average of 4.6 people. Some 62 per cent of families (households) are headed by men and 38 per cent by women. Furthermore, 14.1 per cent of the population is married, 3.5 per cent widowed, 2.9 per cent separated or divorced, 33.7 per cent living in a de facto union and 46 per cent single.

Figure 19

Demographic and social indicators used in the 2014 census

<i>Indicators</i>		<i>Indicators</i>	
<i>Qualitative</i>	<i>Quantitative</i>	<i>Qualitative</i>	<i>Quantitative</i>
Total population	25 789 024	Percentage of married persons	14.1%
Percentage of women	52%	Percentage of widowed persons	3.5%
Percentage of men	48%	Percentage of separated persons	2.5%
Households	5 544 834	Percentage of divorced persons	0.4%
Average household size	4.6	Percentage of home-owning families	76%
Percentage of households headed by men	62%	Percentage of renters	19%
Percentage of households headed by women	38%	Percentage of squat dwellers	5%

Source: National Institute of Statistics.

170. In accordance with article 24 of the Family Code, the minimum legal age for marriage is 18 years. Exceptionally, authorization to marry may be granted to men who have reached the age of 16 and women who have reached the age of 15, if, given the circumstances of the case and the interests of any minors, marriage is considered the best solution. Such authorization shall be granted by parents or guardians or by the person responsible for the minor and may be issued by a court.

171. Children are recognized as equal in regard to filiation, irrespective of whether or not they were born within a marriage.

172. Forced marriage is considered a crime under Act No. 25/11 of 14 July on domestic violence.

173. In order to prevent such practices, the Ministry of the Family and Women's Empowerment launched the nationwide campaign "Together against Pregnancy and Early Marriage in Angola" on 29 July 2015. Awareness-raising talks have been given in schools, training sessions have been held, and leaflets on the causes and consequences of early pregnancy have been distributed at youth festivals held in collaboration with the Ministry of Justice and Human Rights and civil society.

174. The national strategy for preventing and combating early pregnancy and marriage for the period 2018–2022 is in the process of being adopted. Steps are being taken to define priority actions aimed at combating such practices, to be implemented by State institutions, civil society, the private sector, churches and other participants in order to protect the rights of children and adolescents.

Article 24: Protection of children

175. With regard to the protection of children, Act No. 25/12 on the protection and comprehensive development of children has been adopted with the aim of defining the legal principles and rules governing the protection and comprehensive development of children, as well as strengthening and harmonizing the legal and institutional instruments aimed at ensuring, extending and promoting the rights of children, as defined in the Constitution, the Convention on the Rights of the Child, the African Charter on the Rights and Welfare of the Child and other applicable legislation, with an emphasis on the following areas:

- (a) The right to life and health
- (b) The right to family and community life
- (c) Special rights of children
- (d) Care measures for children
- (e) Judicial protection measures for children
- (f) The comprehensive development protection system for children.

176. The National Council for Children is a forum for coordinating, monitoring and evaluating the implementation of policies to promote and protect the rights of children. It was recently modified by Presidential Decree No. 137/16 of 17 June, which gave rise to the National Council for Social Action for the protection of persons with disabilities, minors and other vulnerable groups.

i. Effective measures to protect children accused of witchcraft

177. The procedure adopted to deal with reports of children accused of witchcraft is based on complaints received through the provincial branches of the National Institute for Children, which initiates the process concerned and refers it to the Attorney General's Office.

178. In 2007, the Institute launched a research project entitled "The Problem of Children Accused of Witchcraft" that is due to be completed in 2020.

179. The implementation of the national policy to combat poverty has brought about improvements in social conditions, including greater access to sanitation, education and information.

180. The increase in the number of vocational and technical training courses in crafts and trades in the various provinces of the country has produced a number of results.

181. The phenomenon of children accused of witchcraft was the subject of a study conducted by UNICEF in Angola that identified the causes of the accusations, their impact on child victims and their social impact. These factors led to the adoption of specific and immediate measures to address the problem in situ and other measures that form part of the national strategy for preventing and combating violence against children, in accordance with which such accusations do not justify the acts performed by officials, which fall within the various categories of violence defined by the United Nations.

182. Nowadays, cases in which children are accused of witchcraft are analysed to identify who is responsible for the accusations.

Article 25: Right to take part in public affairs

183. Article 52 of the Constitution provides that every citizen has the right to participate in political life and in the conduct of public affairs, directly or through freely chosen representatives. In Angola, elections whose outcome was inconclusive were held in 1992, and legislative and general elections were held in 2008 and 2012, respectively. The next elections are scheduled to take place on 23 August 2017. All citizens over the age of 18 are entitled to vote, and Act No. 36/11 on general elections regulates the exercise of the right to vote.

i. Participation of women in public life

184. Extremely positive progress has been made with regard to enhancing women's participation in public life (see art. 3).

ii. Measures for ensuring that persons with disabilities can enjoy the right to vote

185. With regard to the opportunities available to persons with disabilities and their ability to enjoy their rights on an equal footing with others, the State is committed to ensuring that they can take part in the conduct of public affairs, directly or through freely chosen representatives, and can enjoy the right to vote and be elected in line with any constraints that they may face as a result of their type of disability. The following provisions of the Constitution are also aimed at achieving these goals:

(a) Article 52 provides that every citizen, without discrimination, shall have the right to take part in political life and the conduct of public affairs and the duty to comply with and respect the law and obey the orders of the legitimate authorities issued under the terms of the Constitution and the law, respecting fundamental rights, freedoms and guarantees.

(b) Article 53 provides that all citizens shall have the free and equal right to stand for public office, under the terms of the Constitution and the law, and shall not face discrimination in respect of their recruitment, employment or professional career or the social benefits to which they may be entitled.

(c) Article 54 governs the age and capacities of citizens who shall have the right to vote and to stand for election to, and serve on, any national or local government body.

186. There are no situations in which persons with disabilities are discriminated against or restricted in their right to vote. In accordance with article 9 of Act No. 36/11 of 21 December on general elections, restrictions on the right to vote may be applied only to persons of unsound mind who have been committed to hospitals or have been medically certified to be mentally unsound, that is, to a specific group of persons with disabilities and not to all such persons. The Government is considering the possibility of drafting a general law on equality and non-discrimination for all citizens when the time and conditions are right.

187. Act No. 21/12 of 30 June on persons with disabilities establishes the legal regime applicable to prevention, habilitation, rehabilitation and the participation of persons with disabilities in social life, while Act No. 10/16 of 27 July on accessibility strengthens and enhances the participation of persons with disabilities in all areas, including public affairs (see the coverage of art. 2 in this report).

Article 26: Equality before the law

188. Article 23 of the Constitution establishes the principle of equality and non-discrimination as a fundamental right. Ordinary legislation shall abide by the principle of equality before the law or be considered unconstitutional.

Article 27: Rights of minorities

189. One of the Government's current aims is to gradually eliminate the imbalance that exists between urban and rural areas, particularly the least developed regions of the country, with a particular focus on areas where ethnic minority communities live.

190. Special programmes in areas where transhumance is practised address the need to ensure that the children of nomadic populations in the provinces of Namibe, Huíla and Cunene have access to social services such as education and health care. In this regard, the provincial directorate of the Ministry of Culture and the NGO Mbakati are drawing up an inventory of historical and cultural heritage in the light of Act No. 14/05 of 7 October. Given the drought in Huíla province, which particularly affects nomadic communities, steps are being taken to provide essential provisions to San families who live there.

191. Angolan law recognizes the validity and legal force of customs that are not contrary to the Constitution and do not violate the dignity of the person. Angola is home to a range of nationalities, races and ethnic groups with cultures that differ in terms of habits, customs, spoken languages, forms of coexistence, occupations and religions. For that reason, the Constitution does not allow differentiated treatment, including for groups designated as ethnic minorities. Practices and acts that are contrary to those provisions violate the principle of equality.

192. The Government is committed to the ongoing promotion of civil and political rights and to maintaining a dialogue with the various social actors to ensure that such rights are implemented. In cases where they are violated, mechanisms for the protection of human rights will be strengthened to ensure that citizens can fully enjoy their rights.
