

Country session: Angola
Date of session: 8th and 9th of May 2018

Background information

[OHCHR press release:](#)

Webcast: [First part](#) and [second part](#)

Audio file: (pending)

Reporting

Reporting methodology

Regular reporting procedure

Simplified reporting procedure

Concluding Observations with urgent measures

State report:

| Common core document | |
|------------------------------------|--------------------------------|
| Initial submission | 10 th August 2004 |
| Updated document | 27 th February 2017 |
| Annexes | - |

| | CRC | | OPAC | | OPSC |
|---------------|------------------------------------|---------------|--------------------------------|---------------|--------------------------------|
| No. of report | 5 th to 7 th | No. of report | 1 st | No. of report | 1 st |
| Due date | 1 st October 2015 | Due date | 1 st October 2015 | Due date | 1 st October 2015 |
| Submission | 30 th November 2016 | Submission | 27 th February 2016 | Submission | 27 th February 2016 |

| Written replies | |
|---------------------------------|--------------------------------|
| Submission | 29 th of March 2018 |
| Due date | |

Public reports from children's rights defenders

| Alternative reports | |
|-------------------------------------|--|
| NGOs | <ul style="list-style-type: none"> • Child Helpline Intl • ECPAT • Global Initiative to End All Corporal Punishment of Children |
| NHRIs | - |



State delegation

The delegation was composed by the head of delegation, Ruth Mixinge State Secretary supported by the director of social affairs, Ministry of Justice, Ministry of Social Communication and the Permanent Mission in Geneva.

Committee's Task Force members

| Name & Last Name | Country |
|--|------------------|
| Hynd Ayoubi Idrissi (Coordinator) | Morocco |
| José Angel Reyes | Venezuela |
| Velina Todorova | Bulgaria |

Dialogue description

i. Character of the dialogue

The atmosphere of the dialogue was very constructive and interactive, following an in depth and technical discussion with no tension between the Committee and the delegation.

ii. General assessment made by the Committee

The Committee welcomed the large progress done in terms of enacting laws aiming to harmonize national legislation with the international standards of the CRC. However the Committee was worried that the government still don't have the necessary capacity to translate those laws into practice.

iii. Main issues discussed:

Best Interest of the Child: the Committee questioned how the courts applied the best interest of the child in family disputes, whether there was any guidance for professionals on how to interpret the principle and to provide practical guidance mentioning that they were informed that are cases that takes several years to be judged. The delegation acknowledged that more implementation needed, but that the best interest of the Child is constantly cited in constitutional tribunals related to the welfare of children.

Right to be heard: The Committee highlighted that participation need guidelines and trained professionals to listen to the children, asking how does the government guarantee the participation of children in judicial procedures and school. In the same topic, the Committee asked questions on follow up procedures concerning children forums. (Kirsten) The delegation has replied by saying that children have their own meetings to evaluate State policy. The government has even created a plan for high level advocacy to sensitize decision-makers about the right to be heard, including a 30 min mandatory program produced and implemented by children.

Discrimination: the Committee questioned the practical measures to achieve sustainable equality for children in vulnerable situation and children with disabilities, including measures to tackle gender discrimination in schools and improve access to justice for children with disabilities, LGBTI and street children. The delegation replied by acknowledging that cultural practices still discriminate children, despite the body of laws, committing to create campaigns to raise awareness of the groups mentioned.



Enactment of laws and policies: The Committee inquired whether the convention has been employed in national jurisdiction or national development plans, by citing a lack of coverage on corporal punishment and early marriage. The delegation has answered that the CRC was successfully translated to national law, and that they are making efforts to implement the contents of the CRC concerning corporal punishment and early marriage. They cited the example of joint projects with UNICEF and religious communities and guidelines for social workers on the Convention.

Allocation of resources: The Committee showed concern over the effects of the economic crisis on programs benefiting children, including the issue of corruption. However, the Committee have also welcomed the plans to create an institution dedicated to the rights of the child. In this point, the Committee members asked about the possibility of children to present complaints and if so, how the government would deal with confidentiality protection of children who participate. (Ayoub) The delegation replied by saying that they are already part of several international mechanism to monitor and fight corruption part of several international mechanisms. Concerning the budget, they have highlighted that the government have spent 3,5 billion dollars in favour to projects on children.

Freedom of expression: The Committee members questioned the delegation whether civil society were consulted in the elaboration of policies and laws, including measures to facilitate civil society participation. The Committee was also worried by the recent problems of freedom of expression concerning cases of censorship of journalist and social workers due to restrictive laws. The Committee was also worried about recent cases of violent repression of youth movements, citing the example of students protests in which two students were gunned down by the police.

Mechanism of network of protection of children at community and national level with NGOs. They also participate in the encounters and formulation of the identification community needs and the politics of the State related to children. How the formation of workers in the judicial system and the educational system receive training on the promotion and protection of the children.

Exploitation of children by companies: The Committee questioned the delegation on how the government intended to improve the participation and compliance of private companies on the promotion and respect of child rights. The Committee was concerned over the cases of traffic of people to work in mining sites and the precarious situation that many children face working in illegal mines and in agriculture. The delegation replied that the Angolan penal code has laws that protects children to work in early age, highlighting that if children are ought to work it must be done in a meaningful way for their personal development, such as in the case of apprenticeships programs. Likewise, the delegation emphasized that a presidential declaration completely forbids the employment of children on certain types of work, such as mining.

Early marriage: The Committee was worried about existing exceptions on the family code for marriage at a lower age, envisaged for girls. They even cited cases where girls enter in de facto marriage bellow 15 years old, in clear breach of the law, citing that in many cases parents have greater power to decide over early marriage than the courts. The delegation committed to take into account the suggestion of the Committee to the current revision of the family code in order to abolish all the exceptions for early marriage. They also acknowledged the need to raise awareness to change the cultural practice.

Birth registration: The Committee welcomed the commitment of Angola in ensuring the registration of all births through massive campaigns of registration. However, the Committee highlighted that the percentage of birth registration is still very low. The delegation ensured that the government adopted a series of measures to tackle this problem, such as free procedure to register children and adults, including the simplification of bureaucracy. They have also provided registry books for traditional birth-inducers that have legal validity for official registration.

Violence against children: The Committee appreciated the enactment of a national plan to combat violence against children and recent protection laws. However, the Committee was worried that corporal punishment remains not comprehensively prohibited in which they have questioned the delegation on plans to prevent, identify and integrate children victims of corporal punishment and sexual abuse. The delegation replied that the country have prohibited all forms of discrimination, including sexual abuse and punishment and provides children victims with psychosocial support together with their families.

Alternative care and Adoption. The Committee asked the delegation whether the government had there policies and standards of quality to measure the quality of foster and institutional care. The Committee members also showed



concern over the cultural reservations on adoption, but highlighted that it is still a best alternative for many children, asking about the existence of data collection on children deprived of care and available for adoption.

Health: the Committee was alarmed on the persisting levels of children mortality in marginalized places and the high levels of mother mortality related to malnutrition especially among those living in rural areas. The delegation has mentioned that they established partnerships with UNICEF and other international organizations to launch a campaign to fight malnutrition and to employ mass vaccination. Likewise, the delegation highlighted that the government has integrated the services with treatments for HIV in maternity and national plan for avoiding the contamination from mother to children.

Education: the Committee was concerned over the high level of teacher evasion due to the low salaries for working in isolated communities and high evasion of students. The delegation highlighted that the government has a plan to hire 20 000 new teachers and expand schools to many other locations in the country.

OPAC

Minimal age of recruitment Welcomes that Angola is compiling fully to the protocol concerning the age of recruitment, however not typified as a war crime.

Coordination: the Committee questioned the delegation about which body was responsible for coordinating the implementation of OPAC at the national level. The delegation replied that this coordination is prerogative of the ministry of human rights, but the work on the ground is implemented by several divisions.

Dissemination: the Committee welcomed the initiative of the government of Angola to train social workers on human rights, but it still lacks specific training on children rights, including of professionals working with children that were involved in armed conflict. The delegation replied by saying that the government created pamphlets, folders and other propaganda on the issue.

Conscription and minimal age for recruitment: the Committee questioned the delegation if it was still possible for private companies and the government to conscript children under 18, including the lack of reliable proof of age. The Committee reminded that the standard procedure should include a psychosocial test on children. The delegation replied that the minimal age is 18, including for the recruitment of soldiers for private security companies.

Protection Rehabilitation and Reintegration: the Committee congratulated the delegation for the big budget allocation and their transparency on the issue, specially concerning reintegration programs, with an impressive mark of 13.000 child soldier reintegrated, but showed concern over the reintegration for refugees coming from conflict in neighbouring countries. The delegation mentioned that the government is offering medical and psychological assistance for refugees coming from conflict areas, including providing language courses to allow access to education.

OPSC

Implementation: the Committee showed concern over the outdated plan to fight pornography with children, questioning about the existence of a coordination body. The delegation replied that all ministries, specially the Ministry of Social Communication and Women's Issue have a program to tackle sexual exploitation of children, including centres for psychosocial support of victims of abuse. The delegation has also mentioned the existence of several laws that put high sentences for trafficking and producing pornography, but acknowledged that there are still no specific dispositions children, but they are currently working on a reform of the penal code to include this specific type of crime.

Internet: the Committee asked whether there were regulations that regulated online sexual exploitation and abuse.

Child pornography: the Committee was worried that the penal code did not reflect the definitions of what constitutes child pornography as set out by the OPSC, showing concern that the law only covered children up to 16 years, also questioning whether the delegation had feedback on the implementation of a recent compulsory measure where hotels must report child abuse.



Impunity: the Committee expressed concern over the lack of application of the law and punishment of crimes typified in the OPSC in the national context of Angola. The delegation highlighted that crimes on the internet are taken as an infringement of the penal code and that the police has a unit on internet crimes.

Recommendations of the Committee

Comprehensive policy and strategy

The Committee urges the State party to define a clear time frame for the development of a comprehensive policy on the rights of the child, encompassing all areas covered by the Convention, develop a strategy for children on the basis of that policy with the human, technical and financial resources necessary for its implementation; Establish an adequate evaluation and monitoring mechanism to regularly assess progress achieved and identify possible deficiencies;

Allocation of resources

The Committee recommends that the State party conduct a comprehensive assessment of the budget needs of children and allocate adequate budgetary resources, increase the budget allocated to the health, education and social sectors; Utilize a child-rights approach in planning the State budget, by implementing a tracking system for the allocation and use of resources for children, including for impact assessments on how investments in any sector may serve the best interests of the child; Conduct a comprehensive assessment of budget needs and establish transparent allocations to progressively address the disparities in indicators related to children's rights; **Ensure transparent and participatory budgeting through public dialogue, especially with children, for proper accountability of municipal authorities;** Define budgetary lines for all children, with special attention to those in disadvantaged or vulnerable situations who may require affirmative social measures; Carry out impact assessments of any austerity measures in areas directly or indirectly related to children's rights.

Dissemination, awareness-raising and training

The Committee recommends that the State party: Intensify its efforts to disseminate the Convention, including through awareness-raising programmes; Strengthen its training programmes for all professionals working with and for children; **Involve children, including child human rights defenders, in its cooperation framework with civil society.**

Children's rights and the business sector

The Committee recommends that the State party: Establish and implement regulations to ensure that the business sector complies with international and national human rights, labour, environmental and other standards, particularly with regard to children's rights including a clear regulatory framework for the industries operating in the State party; Require companies to undertake assessments, consultations and full public disclosure of the environmental, health-related and human rights impacts of their business activities and their plans to address such impacts.

Birth registration, name and nationality

The Committee **urges** the State party to: Extend the national mass birth registration campaign to parents, including non-Angolan citizens, refugees and asylum seekers, as this facilitates birth registration for their children; Allocate sufficient financial, human and technical resources to the Civil Registration and Vital Statistics Programme for Africa, which includes birth registration, and decentralise birth registration as far as possible to the benefit of rural and marginalized populations, including by establishing mobile birth registration teams; Step up efforts to remove practical obstacles, including through providing clear guidance and training to birth registration officials, to comprehensive birth registration of all children born to foreigners in Angola, including refugees and asylum seekers; Introduce legal safeguards for children in the State party who would otherwise be stateless, and consider ratifying the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness;



Take all the necessary measures to expand access to identification cards for all children, and other forms of identification documents for asylum-seeking and refugee children;

Corporal punishment: The Committee urges the State party to: explicitly prohibit the use of corporal punishment in all settings; Strengthen training programmes on the harmful effects of corporal punishment.

Harmful practices: The Committee urges the State party to ensure that the minimum age of marriage of 18 years; Expedite the review of the Family Code to ensure no exceptions to the minimum age of marriage of 18 years, including under customary law; Continue with the awareness-raising programmes, and ensure that all stakeholders are targeted, and establish protection schemes for victims of child marriage; Take active measures to put an end to all other harmful practices against children in the State party, including by specifically criminalising, in the revised Penal Code, all harmful practices amounting to acts of violence against children, especially girls.

Nutrition/breastfeeding: The Committee urges the State party to allocate sufficient financial, human and technical resources for the implementation of the National Nutrition Strategy, and ensure leadership and coordination, while swiftly adopting its envisaged new national food and nutrition policy, giving critical importance to maternal, infant and young child nutrition in rural areas; Promote nutrition awareness, food diversity and the consumption of more nutritious foods throughout the State party; Reactivate the process of approval and enforcement of the National Policy of Environmental Sanitation and expand the community water management model in villages and peri-urban areas; Step up its efforts to promote exclusive and continued breastfeeding by providing access to materials and promote exclusive breastfeeding of infants for the first six months of their lives, and adjust the duration of maternity leave to at least 14 weeks; Limit the use of milk substitutes, and implement the International Code of Marketing of Breast-milk Substitutes.

Children in street situations: the Committee urges the State party to: Assess the number of children in street situations, undertake studies on the root causes, and develop a comprehensive strategy to address the root causes of the large number of children in street, **involving children themselves**; Provide children in street situations with social, health, education and lodging services; Facilitate either reintegration with family or placement in alternative care, with full respect of the child's best interests and giving due weight to their views in accordance with their age and maturity.

Administration of juvenile justice: the Committee urges the State party to: Ensure that the juvenile justice system applies to children up to the age of 18; Continue to promote and strengthen non-judicial measures for children accused of criminal offences; Ensure that detention, including pretrial detention, is used as a measure of last resort and for the shortest possible period of time and that it is reviewed on a regular basis with a view to its withdrawal and ensure that detention is not used for minor offences; Expedite trials involving children to reduce the pretrial detention periods, ensure that children are not detained together with adults and that detention conditions are compliant with international standards; Ensure that the juvenile justice system is equipped with adequate human, technical and financial resources and continue to ensure that designated specialized judges for children receive appropriate training; Ensure the provision of qualified and independent legal aid to children in conflict with the law at an early stage of and throughout legal proceedings;

Sustainable Development Goals

- 3.2 of the Sustainable Development Goals on ending preventable deaths of newborns and children under five years of age
- 16.5 - substantially reducing corruption and bribery in all their forms
- 16.9 of the Sustainable Development Goals on providing legal identity for all, including birth registration



Next State report

| CRC | |
|---------------|-------------------------------------|
| No. of report | 8 th and 9 th |
| Due date | 1 st October 2025 |

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