

QUICK GUIDE TO ADDRESS WOMEN'S ISSUES DURING THE UNIVERSAL PERIODIC REVIEW ON ANGOLA

These Guides include:

- A list of issues mentioned in the National Report, the Compilation of official UN Documents and the Summary of Other Stakeholders Submissions, with references to the particular paragraphs in which they can be found.
- A reference to "gaps", that is, issues on which the National Report should/could have applied a gender perspective but failed to do so.
- In those cases in which the Sexual Rights Initiative has submitted reports, we have included an Annex with our recommendations.
- In all cases we have included suggested questions and recommendations

References in the two working languages of the Council (English and French) have been kept in their original language.

Issues are highlighted. References from the National Report are *in Italics*.

Recommendations - including those from UN treaty-monitoring bodies, are at the end of the document.

All women's rights issues (included sexual rights' issues related specifically to women) are referred to in this Guide. Other sexual rights issues are referred to in the Sexual Rights Guides for each state under review

CEDAW ratified. OP-CEDAW ratified. Rome Statute not ratified. Palermo Protocol not ratified.

Gaps

The National Report should/could have applied a gender perspective -that is, make reference to how the issue affects women and men in particular ways- but failed to do so in the following sections: Droit à la non-discrimination (10-11), Droit au nom et à la nationalité (13-15), Accès à la justice (18-20), Réformes judiciaires (21), Situation carcérale (22), Réforme et humanisation du système carcéral (27), Système du tribunal des mineurs (28-30), Situation migratoire des populations (31-33), Libertés D'association (35), De reunion (36), D'expression (37), De la presse (38-39), De conscience, culte et religion (40-42), Syndicale (43-44), De manifestation (45), Participation des citoyens à la vie publique (46), Exercice de la citoyenneté (47), Elections (48-49), Partis politiques (50-51), Exploitation sexuelle commerciale (56) Protection de la famille et des groupes vulnérables (57), L'enfant (58), Porteurs de handicap (62-63), Personnes âgées et ex-militaires (64-65), Lutte contre la pauvreté et les inégalités sociales(66), Droit à un logement adéquat (67-75), Droit à l'emploi et sécurité sociale (76-91), Droit à une alimentation adéquate (92-95).

ISSUE	N Report	Compilation	Summary
Abortion	Prohibition by penal code. In case of maternal life-risk or enfant ill-development, pregnancy can be interrupted before 22 weeks (12)		
Early / forced marriage		Customary practice (23)	

Economic rights/ Right to development			No recognition of women's right to de cujus succession (9) Poverty and unemployment (39)
Equality and Non discrimination	Constitutional status (10) National strategy for gender equality (59)	Constitutional revision as opportunity for strengthening gender equality (2)	
Gender mainstreaming			Attempts to coerce civil society actions (35)
Harmful traditional practices/leading to SR abuses	Sexual mutilation as part of religious rituals in many communities (42)		Sexual assaults during forced recruitment raids (13) Forced recruitment of child soldiers of both sexes (14)
HIV/AIDS		Increasing trends (38)	Spread facilitated by prevailing situation of poverty (42)
Illiteracy	Strategies to improve attendance and illiteracy decrease (110). More than 30% of people of 15 years, most of them women (111)		
Maternal mortality /maternal health	High rates (98) National policy for reduction. Tetanus vaccination for women of 15-45 years of age. (101) Extension of scope of primary assistance. Paludism causes 25% of M.M (105)		
Participation in public and political life	Low rates (17) Average rate in decision-making posts less than 21% (52)	Increase in parliament and government (7), (31)	Under-represented in Government, Parliament and political parties (10)
Patriarchal attitudes/stereotypes		Deep rooted discriminatory roles (6)	
Reproductive health/rights		Low life expectancy, high maternal mortality and fertility rates, inadequate family planning services, low contraceptive use, lack of sex education (38)	
Rights of girls		Discrimination (8)	
Right to education	Free and compulsory system. Girls' dropout because of traditional customs and early pregnancies. Sensitization policies (108)	High dropout and repetition rates. No access to free quality primary education (41)	

Right to work	Maternity protection. Special rights. (61)	Gender gaps in wages (32) Jobs precluded, stereotypical perceptions. Inequalities (34) Imbalances in decision-making posts, maternity exclusion, in private sector (36)	
Sexual Violence		Lack of specific legislation and policies. Bad attitude of law officers producing reluctance to report abuse cases (14)	
State Institutions/ Plans of Actions			Constantly use of firearms by police. Need for training in human rights issues (5) Gender Equality Strategic Plan hindered by war (10)
Trafficking of women/ Forced prostitution	Reinforcement of measures against sexual exploitation and prostitution (55)	Increasing, owing to poverty. Exploitation, esp. of young girls (15)	
Violence against Women /Gender Violence	Centers for familiar counseling. Draft mediation and conciliation, bill for prevention. Judicial assistance (60)		No specific legislation (16)
Women in prison	Mothers can live with their babies till age of 3 (24)		

Abortion

() *L'article 358 du Code pénal interdit l'avortement en tant que manière de protéger et de préserver la vie de la personne humaine depuis sa gestation. Cependant, dans des circonstances cliniques et thérapeutiques, lorsque la vie de la mère est en danger ou lorsqu'il existe des incompatibilités qui mettent en danger le développement normal de l'enfant, l'on met en place une junte médicale locale, qui décide de l'interruption de la grossesse avant les 22 semaines de gestation, puisque celle-ci n'est pas permise sous peine d'être considérée un crime passible d'une peine aux termes de la loi (Para 12, NR)*

Early marriage

The Committee on the Rights of the Child (CRC) in 2004 and United Nations Country Team (UNCT) in 2009 noted with concern the customary practice of early or child marriage (Para 23, Compilation)

See Recommendations, CRC (23)

Economic rights/Right to development

African Commission on Human & Peoples' Rights (ACHPR) indicated that although the rights of women are guaranteed institutionally and by national instruments, they are quite often violated and the status of women still needs to be consolidated. It noted that the Family Code still remains as it was during the colonial period and does not recognize the right of women to de jure succession (Para 9, Summary)

ACHPR said generalized poverty and the consequences of unemployment are taking a heavier toll on women who de facto carry the full burden of family responsibilities (Para 39, Summary)

See Recommendations, ACHPR (9, 39)

Equality and non-discrimination

L'article 18 de la loi constitutionnelle (LC) consacre le droit à l'égalité et à la non-discrimination en tant que principes fondamentaux de l'état démocratique et de doit () (Para 10, NR)

Le gouvernement met en oeuvre avec ses partenaires sociaux la stratégie nationale et le cadre stratégique pour la promotion de l'égalité de genre, fondés sur la Plate-forme d'action de Beijing et Dakar, approuvée par la Commission permanente du conseil des ministres, en 2001 (Para 59, NR)

In 2009, UNCT indicated that the current revision of the Constitutional Law creates an opportunity for strengthening the equality of women () (Para 2, Compilation)

See Recommendations, ACHPR (4)

Gender mainstreaming

Associação Justiça, Paz e Democracia (AJPD) said that there are attempts to control, limit and coerce civil society actions by the UTCAH and other Governmental organs such as the National Police (Para 35, Summary)

See Recommendations, UNCT (45); ACHPR (35)

Harmful traditional (customary) practices/traditional mindsets leading to SR abuses

Il existe plus de 900 dénominations religieuses non reconnues et beaucoup d'entre elles pratiquent des cultes contraires à la morale, aux bonnes coutumes et à l'ordre public, tels que () des mutilations sexuelles, entre autres (Para 42, NR)

Conscience and Peace Tax International (CPTI) indicated that in practice, both the Government and, during the civil war, UNITA have relied very heavily on forced recruitment raids, known locally as ruskas. () It is alleged that in the course of ruskas () there are sexual assaults on the females (Para 13, Summary). CPTI indicated that during the war against UNITA, both sides made very extensive use of child soldiers of both sexes. Some of those recruited in ruskas were as young as 14; even younger children are known to have been sent back by military commanders in the field. (Para 14, Summary)

HIV/AIDS

CEDAW was concerned at trends in HIV/AIDS infection rates of women (Para 38, Compilation). ACHPR said the control of sexually transmitted diseases (STDs), including HIV/AIDS, remains a major challenge for the Government as the spread of these diseases is facilitated by the prevailing situation of poverty (Para 42, Summary)

See Recommendations, CEDAW (38)

Illiteracy

Le gouvernement a engendré le Plan national de reconstruction du système d'enseignement, en 3 phases, en vue de la réhabilitation, consolidation et expansion du système, en cherchant à () une réduction de 59% du taux d'analphabétisme, surtout chez les femmes, jusqu'en 2015 (Para 110, NR). () Plus de 30% de la population âgée de plus de 15 ans est analphabète et la moitié de ces analphabètes sont des femmes. Le programme d'alphabétisation, auquel participent 6.698 alphabétiseurs, dont 109 superviseurs, est en cours depuis 2009 (Para 111, NR)

Maternal mortality/maternal health

Tous les efforts ont été ruinés par l'intensification de la guerre, qui a culminé avec la réduction d'environ 70% de l'accessibilité de la population aux soins de santé et aux autres services de base. Cette situation a provoqué de forts taux de mortalité maternelle, estimée à 1.700 décès pour chaque 100.000 naissance en vie (Para 98, NR). La politique nationale de santé du gouvernement s'appuie sur quatre orientations stratégiques, (entre autres) réduction de la mortalité maternelle () ainsi que de la morbidité et de la mortalité dues à des maladies prioritaires du cadre nosologique national (). Il mène des activités destinées à accélérer les programmes de vaccination, avec la fourniture () de vaccins antitétaniques aux femmes de la classe d'âge 15-45 (Para 101, NR). Le Plan stratégique pour la réduction accélérée de la mortalité maternelle et infantile en Angola, en 2004-2008, a été réajusté pour la période 2005-2009, afin d'élargir la couverture et améliorer la qualité des services du réseau primaire. Le paludisme est responsable de 25% de la mortalité maternelle, () et de 10% des hospitalisations de femmes enceintes () (Para 105, NR)

See Recommendations, UNCT (7)

Participation in public and political life

En ce qui concerne les magistrats du ministère public, il en existe 236 à niveau national, dont 179 hommes et 57 femmes (Para 17, NR). La parité entre hommes et femmes dans les organes de décision se présente comme suit: Assemblée nationale: 220 députés, 81 femmes (31%); 33 ministres, 8 femmes (24%); 55 vice-ministres, 9 femmes (16%); 2 secrétaires d'Etat, 1 femme (50%); 18 gouverneurs provinciaux, 3 femmes (17%); 29 vice-gouverneurs provinciaux, 9 femmes (23%); 163 administrateurs municipaux, 21 femmes (13%); 529 administrateurs communaux, 17 femmes (0,3%). En ce qui a trait à la magistrature judiciaire: Tribunal suprême: 14 juges conseillers, 2 femmes (14%); Cour constitutionnelle, 3 femmes; Cour des comptes, 2 femmes; tribunaux provinciaux: 129 juges, 34 femmes (26%); tribunaux municipaux, 77 juges, 12 femmes (16%) (Para 52, NR)

In 2009, UNCT pointed out that in relation to gender equality, impressive progress had been made on women's participation in parliament and in Government (Para 7, Compilation). In 2009, UNCT noted that since the legislative elections in September 2008, Angola has the second highest percentage of women in Parliament within Africa, as well as an increased number of women in key ministries and provincial governments. A 2009 United Nations Statistics Division source indicated that the proportion of seats held by women in the national parliament increased from 15 per cent in 2005 to 37.3 per cent in 2009 (Para 31, Compilation). ACHPR n noted that women remained under-represented in Government and in Parliament, as well as in the governing structures of political parties (Para 10, Summary)

See Recommendations, ACHPR (10)

Patriarchal attitudes/stereotypes

In 2004, CEDAW expressed concern at the persistence of patriarchal attitudes and deep rooted stereotypes regarding **the role and responsibilities of women** and men in society, which are **discriminatory** to women (Para 6, Compilation)

See Recommendations, CEDAW (6)

Reproductive health/rights

In 2004, CEDAW expressed concern as did OHCHR, at women's **low life expectancy, high maternal mortality and morbidity rates, high fertility rates and inadequate family planning services, low rates of contraceptive use and lack of sex education** (Para 38, Compilation)

See Recommendations, CEDAW (38)

Rights of girls

In 2004, the Committee on the Rights of the Child (CRC) expressed concern at **discrimination** faced by () girls (Para 8, Compilation)

See Recommendations, CRC (8)

Right to education

*La loi 13/01, du 31 décembre, sur les bases du système d'enseignement, consacre les principes généraux **d'intégrité, laïcité, démocratie du système d'enseignement, gratuité et obligation.** Certains facteurs contrarient ces principes, notamment ceux qui se rapportent à **certaines habitudes et coutumes négatives qui empêchent l'accès des filles à l'école ou restreignent la poursuite de leurs études au-delà de la 4e année.** Les grandes distances entre les écoles et les lieux d'habitation et **l'indice élevé de grossesses précoces** sont également des facteurs limitatifs. Afin de contrarier ces facteurs, nous menons des actions de **sensibilisation des parents et des responsables de l'éducation,** ainsi que de la communauté, au sujet de l'importance et du besoin de scolarisation de tous les enfants, sans discrimination, principe qui a contribué à l'élimination graduelle de ces manifestations culturelles anciennes (Para 108, NR)*

In 2009, UNCT noted that as a result of increased **Government funding, primary school enrolment** had increased in recent years. However, **drop-out and repetition rates remain high,** and a large number of children did not have access to a **free quality primary education.** Similar comments were made by CRC in 2004, CEDAW in 2004, The Committee on Economic, Social and Cultural Rights (CESCR) in 2008 and ILO Committee of Experts (Para 41, Compilation)

See Recommendations, ILO Committee of Experts (41)

Right to work

*La loi générale du travail assure à la travailleuse le droit à l'égalité de traitement et à la non-discrimination dans le travail, la **protection de la maternité** et en matière de travaux interdits ou conditionnés, l'interdiction de son occupation dans des travaux insalubres et dangereux, ainsi que dans tous travaux considérés à risque effectif ou potentiel pour la fonction génétique, et établit un **ensemble de droits spéciaux à respecter par les employeurs** (Para 61, NR)*

In 2008, CESCR noted with concern that some public and private companies do not comply with the **principle of equal wage** for men and women (Para 32, Compilation). In 2009, the ILO Committee of Experts noted that the General Labour Act states that a list of the **jobs that**

women are precluded from performing is established by executive decree issued jointly by the Ministries of Labour and Health. () It reminded the Government that protective measures for women based on stereotypical perceptions of their abilities and their role in society violate the principle of equality of opportunity and treatment (Para 34, Compilation). In 2009 the ILO Committee of Experts noted that () discrimination continues to occur in practice. In its report, the Government stated, inter alia, that violations of the non-discrimination provisions occur particularly in the private sector, where imbalances in participation in decision-making positions and a tendency to exclude women during and after maternity can be observed (Para 36, Compilation)

See Recommendations, CESCR (32); ILO Committee of Experts (34); UNCT (7)

Sexual violence

In 2004, CEDAW expressed concern about the lack of specific legislation on violence against women, including domestic violence, as well as the lack of adequate policies, programmes and services and their effective implementation and enforcement. It was also concerned about the attitude of law enforcement officers towards women who report cases of violence, resulting in the reluctance of women victims to report cases of abuse (Para 14, Compilation)

See Recommendations, CEDAW (14); UNCT (7)

State Institutions/Plans of Actions

AJPD reported that the curriculum of the Institute for Police Training does not include any human rights issues. () Police officers are not adequately trained on the proper use of firearms, resorting to them constantly and unnecessarily for the resolution of any conflict (Para 5, Summary)

ACHPR noted the existence of a Strategic Plan and a Programme for the Promotion of Gender Equality for the period 2000-2005, designed by the Ministry of the Family and Promotion of Women's Affairs, but indicated the implementation of these had encountered serious problems due to the situation of war which had prevailed for years in the country and the slow return of peace. (Para 10, Summary)

Trafficking of women/Forced prostitution

Les mesures contre toutes les formes de violence associées à la traite des femmes () qui sont plus vulnérables au phénomène, ont été renforcées, notamment dans les cas de lutte contre l'exploitation sexuelle commerciale et la prostitution, () entre autres (Para 55, NR)

CEDAW was also concerned that prostitution continues to thrive, owing to the poverty of women and girls. It was further concerned about the exploitation of prostitutes, especially young girls, and the lack of information about the efforts to combat this phenomenon (Para 15, Compilation)

See Recommendations, CEDAW (15)

Violence against Women/Gender Violence

Afin de prévenir la prévalence et combattre les actes de violence domestique, le gouvernement a institué des centres de conseil familial, dotés de cadres spécialisés (psychologues, sociologues, avocats) qui mènent des activités en faveur des victimes. () Le processus d'approbation de la loi sur la médiation et la conciliation est en cours parallèlement; elle constituera un outil précieux pour la prévention et l'atténuation du phénomène. Afin de garantir l'assistance juridique aux

victimes de violence ou aux personnes qui sont directement ou indirectement en rapport avec elle, l'on élabore un protocole de coopération entre le gouvernement et l'Ordre des avocats d'Angola, dans le but d'attribuer des avocats aux centres de conseil familial créés dans toutes les provinces (Para 60, NR)

ACHPR said there is no specific legislation to combat violence against women, which is quite widespread (Para 16, Summary)

See Recommendations, ACHPR (16)

Women in prison

Les femmes recluses en état de gestation ou avec des enfants bénéficient d'un traitement spécial, qui leur permet de garder les enfants avec elles jusqu'à l'âge de 3 ans (Para 24, NR)

Suggested questions and recommendations

CEDAW

- § To continue its efforts to improve the country's health infrastructure; and integrate a gender perspective in all health sector reforms, while ensuring that women's sexual and reproductive health needs are adequately addressed (Para 38, Compilation)
- § To introduce, in collaboration with civil society organizations, women's groups and community leaders, as well as teachers and the media, measures without delay to modify or eliminate cultural practices and stereotypes that discriminate against women and ensure that women's rights to non-discrimination and equality prevail (Para 6, Compilation)
- § To enact legislation on violence against women, including domestic violence and sexual abuse, as soon as possible; intensify its public awareness-raising efforts on violence against women and implement training for public officials; and increase the availability of legal aid throughout the country in order to assist and advise women victims of violence (Para 14, Compilation)
- § To pursue a holistic approach in order to provide women and girls with educational and economic alternatives to prostitution; facilitate the reintegration of prostitutes into society and to provide rehabilitation and economic empowerment programmes to women and girls exploited in prostitution; and provide detailed information on the impact of measures taken (Para 15, Compilation)

CESCR

- § To implement measures it has recently adopted to ensure equal pay for work of equal value and to reduce the wage gap between men and women (Para 32, Compilation)

CRC

- § To ensure the effective enforcement of the minimum age for marriage stipulated in the Family Code (18 years) and that such measures be accompanied by awareness-raising campaigns to prevent early marriages (Para 23, Compilation)
- § To take legislative measures explicitly to prohibit all forms of discrimination; and undertake actions, including awareness-raising and educational campaigns, to reduce and prevent discrimination in practice, particularly against girls (Para 8, Compilation)

The ILO Committee

- § To improve the quality of the **education system**, and to provide information on measures adopted in order to increase the school attendance rate at both primary and secondary levels, and decrease the school drop-out rate, so as to prevent children under 14 years of age from engaging in work, as well as on the results achieved (Para 41, Compilation)
- § To take the necessary steps to ensure that protective measures (in **labour market**) for women are strictly limited to **maternity protection** (Para 34, Compilation)

UNCT

- § To develop a national gender policy, **mainstreaming of a gender perspective** into different governmental policies and the consistent reporting on violations of women's rights (Para 45, Compilation)
- § To address such issues as equal access for women to training and to **labour markets**. In addition, specific issues required concerted attention, in particular curbing widespread **gender-based violence**, reducing **maternal mortality** and addressing the rights of groups such as **refugee women and girls** who are considered to be particularly vulnerable (Para 7, Compilation)

ACHPR

- § That Angola embark on the reform of the **family and succession code** (Para 9, Summary)
- § The drawing up of indicators for programmes on poverty eradication and other programmes, notably those relating to gender issues, and preparing **annual pro-gender national budgets** (Para 39, Summary)
- § To intensify the **integration of a gender perspective** in all economic, social, cultural and political areas; and involve women in the peace process and in the implementation of national programmes (Para 4, Summary)
- § To support and facilitate the work of NGOs and various Associations, in particular women's organizations, in order to promote their **effective empowerment** (Para 35, Summary)
- § To promote the equal or **equitable representation** of women in the decision making process, and taking corrective and positive measures wherever discrimination against women exists (Para 10, Summary)
- § The setting up of a **data system on violence** against women (Para 16, Summary)

ACHPR and FMDVP

- § The drawing up of a national policy, and formulation of specific strategies and a consistent plan of action on **HIV/AIDS with a pro-gender approach** (Para 42, Summary)