

Universal Periodic Review
(20th session, Oct–Nov 2014)
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

Angola

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

I.1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	Not state party to this Convention	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. (1989)	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	07/11/1991 Ratification			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	Not state party to this Convention			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	07/02/2012 Accession			Right to take part in cultural life

II. Input to Part III. Implementation of international human rights obligations, taking into account applicable international humanitarian law to items F, J, K, and P

Right to education

Constitutional Framework:

2. Angola adopted a new Constitution¹ in February 2010². By comparison with the Constitution of 1992, the 2010 Constitution introduces changes with regard to the right to education. According to **Article 21**, the State has the fundamental task to promote policies that ensure universal access to compulsory free education. **Article 79** guarantees the right to education and stipulates that the State promotes access to literacy and education for all. **Article 80** prohibits children of school age to work and **Article 81** stipulates that youth has a special protection in the implementation of their social, economic and cultural rights mainly concerning education and professional training. Regarding disabled people, the State promotes and supports special education and technical and vocational training (**Article 83**). According to **Article 19**, Portuguese is the official language and the State valorises and promotes the learning and use of other Angolan languages. Moreover, the Constitution guarantees the principle of equality and non-discrimination (**Articles 21 and 23**).

Legislative Framework:

3. The **Angolan Education Law**³ of 31 December 2001 instituted the reform of the educational system. It established a new system with preschool education, basic education (considered as compulsory education of 6 years instead of 4), secondary education with two cycles of 3 years, vocational education (professional and technical education); teachers training for preschool and basic education, adult education and higher education organized in two cycles.⁴

Policy Framework:

➤ Strategic documents

4. The “**National Plan for Education for All 2001-2015**”⁵ aims to establish general basis to organize and realize Education for all. It defines the conceptual and thematic framework, objectives, functions, tasks and results expected. This National Plan focuses on different topics such as Education on HIV, Literacy and Adult Education, Special Education for students with special needs, etc.

5. In 2001, the Government of Angola approved an **Integrated Strategy for the Improvement of the Educational System for the period 2001-2015** which seeks to re-launch the sector, giving priority to teacher training, the organization of the system and the rehabilitation of school infrastructures. This plan foresees a development phase of the new educational system (2002 – 2006) based mainly on the strengthening of basic education and on the promotion of technical and professional competencies at national level, on the reform and reorganization of the management of the educational system, and on the revision of the curriculum on the basis of

¹ <http://aceproject.org/ero-en/regions/africa/AO/constituicao-da-republica-de-angola-2010/>

² The new Constitution was adopted by the National Assembly of Angola on 21st January 2010, promulgated by the President on 3rd February and published on 5th, see <http://www.eisa.org.za/WEP/ang5.htm>

³ http://planipolis.iiep.unesco.org/upload/Angola/Angola_Lei_de_educacao.pdf

⁴ International Bureau of Education, World Data on Education, seventh edition 2010/11, http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Angola.pdf

⁵ <http://planipolis.iiep.unesco.org/upload/Angola/Angola%20PNA%20EPT%20French.pdf>

internationally accepted educational standards. In a second phase (2006-2015) consolidation and expansion of the new system through continuity, improvement and development of the programs launched in the previous phase is expected.⁶

6. The **Directory Plan of Teachers Training 2008-2015** would coordinate initiatives to train teachers, so that they obtain the diploma required to teach at various levels.⁷

➤ Child-friendly schools for primary education

7. In May 2010, the second **national workshop on child-friendly schools** took place in Angola. The concept focuses on the needs and rights of each individual child and aims to change the experience of schooling in Angola. “Among the current challenges faced by Angolan school children are crowded classes and poor learning conditions. Many schools have no access to water and sanitation, meaning that girls are often forced to drop out after the onset of menstruation. Less than 60 per cent of primary school-aged boys and girls attend primary school, and many children repeat classes – leading to more overcrowding.[...] The new national strategy will include school building construction, teacher training and a push for community involvement in school life, among other elements. Its ultimate aim is to achieve universal access to quality primary education across the country.”⁸

➤ Teachers training

8. “In 2009, to improve the standard of teaching and schools, the government commenced an ambitious project, the Programme of Assistance to Primary Education (PAEP), to train teachers across the country in modern teaching methods. The programme was facilitated by UNICEF and funded by a €4.1 million (approximately US\$5.2 million) contribution from the European Union. Some 350 teacher trainers were recruited across seven provinces.”⁹

Cooperation:

9. Angola is not yet party to the 1960 UNESCO Convention against Discrimination in Education.

10. Angola did not report to UNESCO on the measures taken for the implementation of the 1960 UNESCO Convention against Discrimination in Education within the framework of the:

- Sixth Consultation of Member States, 2001 (covering the periods 1994-1999)
- Seventh Consultation of Member States, 2007 (covering the periods 2000-2005)
- Eighth Consultation of Member States, 2013 (covering the period 2006-2011)

11. Angola did not report to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the:

- Fourth Consultation of Member States, 2009 (covering the period 2005-2008)

⁶ Republic of Angola/European Community, Joint annual report 2001-2002, http://ec.europa.eu/development/icenter/repository/ao_review_2003_en.pdf

⁷ International Bureau of Education, World Data on Education, seventh edition 2010/11, http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Angola.pdf

⁸ Unicef, http://www.unicef.org/infobycountry/angola_53656.html

⁹ UNICEF and EU-supported training for teachers boosts education quality in Angola, http://www.unicef.org/infobycountry/angola_61321.html, Accessed on 28/10/2013

- Fifth Consultation of Member States, 2013 (covering the period 2009-2012)

12. Angola reported to UNESCO on the measures taken for the implementation of the 1976 Recommendation on the Development of Adult Education within the framework of the:

- First Consultation of Member States (1993)
- Second Consultation of Member States (2011)

13. Angola is not party to the 1989 UNESCO Convention on Technical and Vocational Education.

Freedom of opinion and expression

Constitutional and Legislative Framework:

14. Freedom of speech is guaranteed under Article 32 of the Constitution of Angola.¹⁰

15. The Law No. 7/78 on Crimes against State Security (1978/2010)¹¹ contains provision for imprisonment up to three years for insulting the State or the President in “public meetings or by disseminating words, images, writings or sound.”¹²

16. Furthermore, defamation is a criminal offence under Article 199 of the Angolan Penal Code (2006)¹³ and shall be punished with monetary fine or imprisonment of up to two years.

17. Angola has a freedom of information since 2002 with the Law on Access to Administrative Documents which allows for public access to public information.

Media Self-Regulation:

18. Media self-regulation mechanisms exist in the country including through the Syndicate of Angolan Journalists (SJA).^{14 15}

Safety of Journalists:

19. UNESCO recorded the killing of journalist Alberto Graves Chakussanga which took place in Angola in 2010.¹⁶ The Director-General of UNESCO condemned this killing and called on the country to inform UNESCO, on a voluntary basis, of the actions taken to prevent the impunity of the perpetrators and to notify the Director-General of the status of the judicial

¹⁰ http://www.wipo.int/wipolex/en/text.jsp?file_id=196467

¹¹

<http://www.issafrika.org/cdct/mainpages/pdf/Terrorism/Legislation/Angola/Angola%20Laws%20on%20Crime%20Against%20State%20Security.pdf>

¹² <http://www.hrw.org/news/2010/12/08/angola-revise-new-security-law-free-prisoners-cabinda>

¹³ http://www.wipo.int/wipolex/en/text.jsp?file_id=244267

¹⁴ <http://sindicatodosjornalistasangolanos.org/>

¹⁵ <http://www.journalism.co.za/index.php/reporters-resources/ethics57/57-hacked-by-micky-turkish-hacker-hacked-by-micky-turkish-hacker/223-code-of-ethics-angola.html>

¹⁶ <http://www.unesco.org/new/en/communication-and-information/freedom-of-expression/press-freedom/unesco-condemns-killing-of-journalists/countries/angola/>

inquiries conducted on each of the killings condemned by UNESCO.¹⁷ By November 2013, Angola had not provided UNESCO with information concerning the judicial follow of the case.

20. Journalists are reportedly beaten and arrested by the police, including a recent case of arrest of journalists during a protest in Luanda¹⁸.

Freedom of scientific research and the right to benefit from scientific progress and its applications

21. UNESCO assists Angola in science policy review and provides the necessary expertise and policy advice to accompany Angola in the reform process of its national Science, Technology and Innovation (STI) system.

22. In 2011, the main three documents, elaborated by the Ministry of Higher Education, Science and Technology of Angola, were adopted: National Policy on STI (Presidential Decree 201/11, 20 July 2011), National Strategy of STI (Presidential Decree 196/11, 11 July 2011) and the Coordinating Mechanism (Presidential Decree 224/11, 11 August)¹⁹.

23. The Constitution of Angola establishes in Articles 21, 22, 79, 80 and 138, a number of assumptions that aim to promote the formation of the human being, excellence, quality, innovation and scientific and technological development, and encourages the pursuit of academic and scientific activity by governments or public officials. The establishment of a knowledge society through the integration of science, technology and innovation in the development strategy of the country is a key factor to build a modern, economically competitive society that allows sustainable development, combating poverty and improving the citizen's quality of life; Having the need to formulate rules to implement, in a consistent, comprehensive and effective way, the assumptions of science and technology able to support sustainable national development.²⁰

24. The Constitutional Law of 11 November 1975 provides that the state shall promote as well «the protection and conservation of the country's natural resources» and «supervise their exploitation and development for the benefit of all the community» (Article 12/2). Concerning economic, social and cultural rights, the Constitutional Law provides for the right to live in a healthy and non-polluted environment (Article 24), to work (Article 46/1, also ruled in the Constitutional Law as a duty), to medical and health assistance (Article 47), of access to education, culture and sports (Article 49) and to legal aid (Article 36/2). No violations/restrictions of academic freedoms were reported in The El Barometer (2007) in Angola²¹. In 2006, the program on academic freedom and human rights of the Council for the Development of Social Science Research in Africa (CODESRIA) aimed at the promotion and

¹⁷ Decision on the Safety of Journalists and the Issue of Impunity. Adopted by the IPDC Intergovernmental Council at its 27th Session (available at

http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/ipdc2010_safety_decision_final.pdf)

¹⁸ <http://makaangola.org/2013/09/20/english-rafael-marques-de-morais-detido-em-luanda/?lang=en>

¹⁹ http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/SC/pdf/National-Policy_Silva_Maputo_PO.pdf.

²⁰ http://c96268.r68.cf3.rackcdn.com/livro_ingl_s_final.pdf.

²¹ <http://download.ei->

ie.org/docs/IRISDocuments/Education/Higher%20Education%20and%20Research/Higher%20Education%20Policy%20Papers/2008-00037-01-E.pdf.

protection of the Academic freedom and human rights of researchers was implemented in Angola²².

Right to life, liberty and security of the person

Violence against women

25. In 2010, the Report on “The Status of women: country briefs on achievements and gaps eradicating sexual and gender based violence in the Great Lakes Region” was prepared with financial support of UNESCO²³.

26. As stated in the above-mentioned Report, following the end of Angolan civil war which lasted from 1975 to 2002²⁴, women have faced discrimination in terms of disarmament, demobilization and reintegration (DDR)²⁵. As the country works towards establishing peace and security more effort by the government is required to include women in such processes. In addition, more concerted efforts need to be applied to addressing discrimination against women as well as sexual and gender-based violence (SGBV)²⁶.

Legislative and Institutional Frameworks

27. The Angolan Constitution guarantees equal treatment under the law and the same rights regardless of gender for all citizens²⁷.

28. The Ministry of Family and Promotion of Women assisted by the United Nations Population Fund elaborated the “Strategy and Strategic Framework for the Promotion of Gender Equality by the year 2005” which was approved by the government on 7 November 2001²⁸.

29. In Angola, rape is punishable under the Criminal Code²⁹.

30. The Ministry of Family and Promotion of Women of Angola established the Family Counselling Centre in 2000 to provide legal and psycho-social assistance to victims of violence³⁰. In 2001, the Ministry signed an agreement with the Lawyers’ Association of Angola to assign lawyers to the Centre³¹.

²² <http://www.codesria.org/spip.php?article213>.

²³ http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/BSP/GENDER/Working%20Paper_JA%20Rodrigues_THE%20STATUS%20OF%20WOMEN%20-%20COUNTRY%20BRIEFS.pdf;

²⁴ <http://www.eisa.org.za/WEP/angoverview.htm>

²⁵ http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/BSP/GENDER/Working%20Paper_JA%20Rodrigues_THE%20STATUS%20OF%20WOMEN%20-%20COUNTRY%20BRIEFS.pdf

²⁶ Ibid, p.5.

²⁷ [http://www.icrc.org/ihl-nat.nsf/162d151af444ded44125673e00508141/959295348a698899c12570a500421ade/\\$FILE/Constitution%20Angola%20-%20EN.pdf](http://www.icrc.org/ihl-nat.nsf/162d151af444ded44125673e00508141/959295348a698899c12570a500421ade/$FILE/Constitution%20Angola%20-%20EN.pdf)

²⁸ Combined fourth and fifth periodic reports of States parties Angola, June 2004, p. 17.

²⁹ Ibid p. 14.

³⁰ Ibid p. 19.

³¹ Ibid.

31. The Angolan Women's Organization set up centres for female victims of violence in all provincial capitals, legal counselling centres in four provinces (Benguela, Luanda, Cabinda and Huila) and a shelter for women victims of violence in the Luanda province³².

32. Women's representation in the National Assembly after the 2008 elections was 37.37% that represents an increase compared to the 1992 elections when this figure was equal to 10.5%³³.

33. Angola observed in its country report submitted to the Committee on the Elimination of All Forms of Discrimination against Women which monitors the Convention to Eliminate All Forms of Discrimination against Women that discrimination was inherent in the Angolan Penal Code. It is stated that, compared to other crimes, only women could be punished for abortions and infanticide (Article 358) and only women could be victims of rape (Article 392)³⁴.

34. The report also stated that there was insufficient action in enforcing the law to protect women from violence and discrimination as well as reinforce their rights³⁵. The Delegation of Angola indicated that "Cultural and traditional factors also play against women as the women is always to blame and must accept violence as being part of the way of life of the Angolan woman."³⁶

35. Women who are heads of households, because they are widows, have lost sons or have been abandoned by their husbands (sometimes soldiers they were forced to marry) are particularly vulnerable to sexual abuse, poverty and/or other forms of violence because they challenge established gender-norms of men as providers for the family.³⁷ Poverty often forces women into prostitution³⁸.

36. Initiatives for disarmament, demobilization and reintegration often fail to address the needs of women either in terms of being eligible for benefits offered to male combatants or in terms of support as non-combatants who contributed to war efforts of outfits like Union for the Total Independence of Angola (UNITA)³⁹.

37. There were no prosecutions for violence against women (in 2006). Police were likely to view such abuse as a family matter, not a violation of law.⁴⁰

³² Ibid.

³³ http://www.ipu.org/parline-e/reports/2007_E.htm; and http://www.ipu.org/parline-e/reports/arc/2007_92.htm.

³⁴ Combined fourth and fifth periodic reports of States parties Angola, June 2004, p. 14.

³⁵ Combined fourth and fifth periodic reports of States parties Angola, June 2004, p.19.

³⁶ Ibid p.19.

³⁷ "Angolan women in the aftermath of conflict," Henda Ducados 2004 <http://www.c-r.org/accord-article/angolan-women-aftermath-conflict> ; "Struggling Through Peace: Return and Resettlement in Angola," August 2003 Volume 15, No. 16 (A) p. 23; Combined fourth and fifth periodic reports of States parties Angola, June 2004, p. 48.

³⁸ Angola: Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, March 6, 2007 <http://www.state.gov/j/drl/rls/hrrpt/2006/78718.htm> ; "Angolan women in the aftermath of conflict," Henda Ducados 2004 <http://www.c-r.org/accord-article/angolan-women-aftermath-conflict>.

³⁹ "Struggling Through Peace: Return and Resettlement in Angola," August 2003 Volume 15, No. 16 (A) p. 23; "Angolan women in the aftermath of conflict," Henda Ducados 2004 <http://www.c-r.org/accord-article/angolan-women-aftermath-conflict>.

⁴⁰ Angola: Country Reports on Human Rights Practices, Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, March 6, 2007 <http://www.state.gov/j/drl/rls/hrrpt/2006/78718.htm>

38. There is no National Action Plan to implement the Security Council Resolution 1325 on women and peace and security.

39. Statistics on violence against women, female ex-combatants as well as the effects of war on both women and men are difficult to find. The Multiple Indicator Cluster Survey which provides some statistics on the prevalence of gender-based violence and women's health is not available for Angola (no data presented on the relevant web site)⁴¹. The same situation is observed with regard to the Demographic and Health Survey which would also provide such information, it being noted that a survey for Angola is under elaboration⁴².

40. In spite of the fact that there is evidence that there are actions in place to help women subjected to violence in terms of counselling and legal assistance, however there does not appear to be any analysis on how effective these institutions are in reinforcing women's rights and assisting in their empowerment. It appears also there are few actions in Angola on gender-sensitization of decision-makers and the public and no documentation about the results achieved in the result of such action is available. Cultural norms that discriminate against women seem to prevail. Angola as a country that has experienced decades of armed conflict, it is interesting to note that no information is readily available on women's involvement in peacebuilding and conflict resolution.

III. RECOMMENDATIONS

Recommendations made within the framework of the Working Group on the Universal Periodic Review, considered on the 12th of February 2010⁴³

41. The following recommendations made to Angola regarding education were accepted by it:

- 47. *To continue the good work of providing legislation and policies for gender equality in keeping with international obligations, [...] and providing policies aimed at women's education, [...] (Norway);*
- 123. *To continue to develop the country's economic potential and ensure a dignified standard of living for its citizens, and to adopt further measures necessary to increase the level of access to education [...] (Belarus);*
- 132. *To consider intensifying efforts to achieve further gains in [...] the right to education for all sectors of society (Malaysia);*
- 140. *To continue to seek the assistance of the international community to help upgrade its educational system, [...] (Philippines);*
- 142. *To scale up efforts to provide high-quality goods and services, especially in the areas of education [...] (Zimbabwe);*

⁴¹ http://www.childinfo.org/mics3_surveys.html.

⁴² This resource would usually provide some information on gender-based violence. Current data available is on Malaria and Health

<http://www.measuredhs.com/Where-We-Work/and>
http://www.measuredhs.com/countries/country_main.cfm?ctry_id=76&c=Angola.

⁴³ <http://www.upr-epu.com/files/155/G.E.pdf>

- 147. *To place priority on the vital area of education, especially the education of girls in rural areas (Algeria);*
- 148. *To continue to strengthen its policies aimed at increasing the enrolment rate in primary and secondary education, and to implement the measures necessary to achieve the Millennium Development Goals in terms of reducing illiteracy rates (Bolivarian Republic of Venezuela);*
- 149. *To continue to reinforce policies aimed at improving enrolment rates at primary and secondary schools (Turkey);*
- 150. *To devise plans and strategies for guaranteeing the right to education and providing girls with equal access to education (Egypt);*
- 151. *To develop a programme for education and human rights training, as that could enhance the capacity of all stakeholders, including civil society, to facilitate such activities and ensure greater awareness among citizens with regard to human rights (Morocco);*
- 152. *To enforce or institute mechanisms for ensuring that the first grade of school is free for all children (Ireland);*
- 153. *To take further measures to improve the quality of the basic education system by increasing the number and the training of teachers, to increase the school attendance rate at the secondary level, to decrease drop-out rates, to combat child labour and to prevent discrimination against young girls (Portugal);*
- 154. *To step up efforts to promote and protect the right to education and children's rights, including by improving literacy rates and enrolment rates in primary and secondary education (Philippines);*
- 155. *To take further measures aimed at consolidating its achievements with regard to expanding education to disadvantaged areas, by according special attention to the rights of the girl child, especially in nomadic communities (Ethiopia);*
- 156. *To step up the implementation of programmes aimed at reducing illiteracy, as part of the achievement of the Millennium Development Goals (Côte d'Ivoire);*
- 157. *To actively promote access to education for young girls (Italy).*

Analysis:

42. There seems to be no indication nor report made by Angola on measures undertaken since the last review to address the recommendations made during the last review.

Specific Recommendations on the right to education for the 2nd UPR cycle:

43. Angola should be strongly encouraged to ratify the 1960 UNESCO Convention against Discrimination in Education.

44. Angola should be encouraged to submit regular state reports for the periodic consultations of UNESCO's education related standard-setting instruments, especially for the Convention against Discrimination in Education.

45. Angola could be encouraged to develop a programme for education and human rights training, as that could enhance the capacity of all stakeholders, including civil society, to facilitate such activities and ensure greater awareness among citizens with regard to human rights.

46. Angola could be encouraged to devise plans and strategies for guaranteeing the right to education for all children, and to take further measures aimed to decrease the child labour. Angola could be encouraged to take further measures aimed at consolidating its achievements with regard to expanding education to disadvantaged areas, by according special attention to the rights of the girl child, especially in nomadic communities.

Freedom of opinion and expression

47. Angola is encouraged to decriminalize defamation, currently in its Penal Code and the Law No. 7/78 and place it within a civil code that is in accordance with international standards

48. Criminalisation of insult should be removed in order to align with international standards.

49. Angola must ensure that journalists and media workers are able to practice the profession in a free and safe environment as part of their fundamental human rights and must investigate all attacks on journalists and media workers.

Freedom of scientific research and the right to benefit from scientific progress and its applications

50. With regard to contribution of science and technology to development, Angola is encouraged to report to UNESCO within the framework of the on-going consultations with Member States on the monitoring of the implementation and a possible revision of the 1974 Recommendation on the Status of Scientific Researchers, in particular on the measures undertaken in the country to implement such principles of the Recommendation as the obligation of state authorities to ensure that scientific researchers have the responsibility and the right to work in a spirit of intellectual freedom; to participate in the determination of the aims, content and methods of research, which should be compatible with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; to creativity, occupational mobility, international cooperation for furtherance of international peace, cooperation and understanding, etc.