



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Fifty-fifth session

13 September – 1 October 2010

## Consideration of reports submitted by States parties under article 44 of the Convention

### Concluding observations: Angola

1. The Committee considered the consolidated second to fourth combined periodic reports of Angola (CRC/C/AGO/2-4) at its 1545th and 1547th meetings (CRC/C/SR. 1545 and 1547), held on 14 September 2010, and adopted, at the 1583rd meeting, held on 1 October 2010, the following concluding observations.

#### A. Introduction

2. The Committee welcomes the submission of the second to fourth periodic reports as well as the written replies to its list of issues (CRC/C/AGO/Q/2-4/Add.1) and commends the frank and self-critical nature of the report, which allows for a better understanding of the situation of children in the State party. The Committee also welcomes the constructive dialogue with a multisectoral delegation at a senior level, which allowed a better understanding of the situation of children in the State party.

#### B. Follow-up measures and progress achieved by the State party

3. The Committee notes with appreciation:

(a) The entry into force of the new Constitution (2010), which creates a legal framework for the rights of the child;

(b) The creation of the National Council for Children (CNAC ) (2007);

(c) The adoption of Decree No. 31/07 establishing free birth and death registration for children up to five years of age and free identification cards for children up to 11 years of age (2007).

4. The Committee welcomes the ratification by the State party of the Optional Protocol to the Convention on the involvement of children in armed conflict (Oct. 2007); the Optional Protocol to the Convention on the sale of children, child prostitution and child

pornography (March 2005), as well as the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Nov. 2007).

5. The Committee also notes with interest the ratification of the 2003 Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Aug. 2007).

## C. Main areas of concern and recommendations

### 1. General measures of implementation (arts. 4, 42 and 44, para. 6 of the Convention)

#### The Committee's previous recommendations

6. The Committee welcomes efforts by the State party to implement the Committee's concluding observations on the State party's initial report (CRC/C/3/Add.66) which have yielded positive developments. Nevertheless, the Committee notes with regret that many of these concluding observations have not been significantly addressed.

7. **The Committee urges the State party to take all necessary measures to address those recommendations contained in the concluding observations on the initial report that have not yet or not sufficiently been implemented, in particular on harmonization of laws, appropriate budget allocations and transparent budget tracking, discrimination against girls, birth registration and violence and maltreatment, and to provide adequate follow-up to the recommendations contained in the present concluding observations.**

#### Legislation

8. The Committee notes with interest the entry into force in February 2010 of the new Constitution that, inter alia, makes specific reference to the rights of children, in particular the best interests of the child. The Committee notes with regret, however, that various pieces of legislation relating to children have not been harmonized. The Committee also notes with regret that the implementation of legislation continues to be hindered by a lack of adequate resources and capacity building and that there is a large backlog of legislation awaiting adoption by Parliament.

9. **The Committee encourages the State party to ensure that all legislation relating to children is harmonized and to fully enforce the new Constitution by creating mechanisms and adopting legislation to facilitate its implementation. The Committee urges the State party to take steps to accelerate the passing of legislation awaiting adoption by Parliament. The Committee also urges the State party to ensure that adequate human and financial resources are allocated for the implementation of this legislation.**

#### Coordination

10. The Committee welcomes the establishment in 2007 of the National Council for Children (CNAC), which has the mandate to coordinate child policies, strategies and action plans of all Ministries and other institutions of the Government involved in child issues on all levels of government. The Committee also notes with interest that provincial Councils for Children are operating in all provinces and that many provinces also have municipal Councils for Children. However, the Committee regrets that there are not municipal Councils for Children in all provinces and is concerned that there is a lack of adequate human and financial resources for the operations of the Councils on different levels. The

Committee is also concerned that despite the fact that 18 members of the CNAC are from civil society, there is a lack of transparency in the selection process for civil society participation and little accountability to non-member NGOs.

**11. The Committee recommends that the State party accelerate efforts to establish Councils for Children in all municipalities and that it ensure adequate human and financial resources for Councils for Children at all levels, national, provincial and municipal. The Committee also encourages the State party to work together with civil society to ensure its strong participation in the CNAC as well as in Councils for Children at provincial and municipal level.**

#### **National Plan of Action**

12. The Committee welcomes the finalization in 2009 of the Biannual Action Plan for Children, which, however, was not yet approved by the Parliament. The Committee also notes:

- (a) The approval by the CNAC of the “Guidelines for the implementation of the 11 Commitments towards the Child at the Provincial and Municipal level”
- (b) The National Strategy to Prevent and Combat Violence against Children 2009 and the Mid Term Development Plan 2009 based on the Strategy to Combat Poverty;
- (c) The establishment and expansion of Promotion and Protection of the Rights of the Child Networks on the provincial and local level, which also work for the implementation of child rights.

All these plans and activities aim at comprehensive objectives relevant for children and their rights. However, the Committee is concerned that the operationalization and the monitoring of these manifold activities can hardly be managed in view of the limited professional capacity available for such activities.

**13. The Committee encourages the State party to adopt the Biannual Action Plan for Children and make sure that it addresses fully all of the rights of the child enshrined in the Convention, and takes into account the outcome document “A World Fit for Children” adopted by the United Nations General Assembly at its special session on children held in May 2002 and its mid-term review of 2007, as well as the “Call for accelerated action on the implementation of the Plan of Action towards Africa Fit for Children (2008-2012)” adopted in Cairo on 2 November 2007 by the African Union. The Committee also urges the State party to fully provide the announced budget allocation and to establish an adequate evaluation and monitoring mechanisms to regularly assess progress achieved and identify possible deficiencies. The Committee also recommends that the State party ensure that the activities of the Biannual Action Plan for Children and of the other National Strategies and plans are well coordinated and monitored.**

#### **Independent monitoring**

14. The Committee notes that the Office of the Ombudsperson (*Provedor de Justiça*) has a mandate to monitor implementation of the Convention and to serve as Ombudsperson for children. The Committee is concerned, however, that the Office of the Ombudsperson does not have a clear mandate regarding the protection of children, is not established in full conformity with the Paris Principles and has no presence outside the capital city.

**15. The Committee recommends that the State party ensure that its Office of the Ombudsperson is established in accordance with the Paris Principles and the Committee’s general comment No. 2 (2002) on the role of independent national human rights institutions in the promotion and protection of the rights of the child.**

**Such a body should have a clear mandate allowing it to receive and investigate complaints from, or on behalf of children on violations of their rights, should be provided with an independent budget and should have an effective presence in all provinces. The Committee recommends that the State party seek technical assistance from, inter alia, UNICEF and OHCHR.**

#### **Allocation of resources**

16. While noting that budget allocations for health, education and child protection have been increased in recent years, the Committee remains concerned that allocations are still low and it is not clear to which extent these allocations are spent on children. While welcoming the fact that the budget, including an execution report, is published, the Committee notes with regret that there is no specific accounting of budget allocations for children. The Committee is further concerned at indications of high levels of corruption in the State party, which prevents resources allocated to various sectors from reaching their destination.

**17. The Committee urges the State party to increase budget allocations to social spending and, in particular, to prioritize and increase budgetary allocations for children. The Committee further recommends that the State party introduce budget tracking from a child rights perspective with a view to monitoring budget allocations for children, seeking technical assistance for this purpose from, inter alia, UNICEF, and that it take into account the Committee's recommendations resulting from its 2007 day of general discussion on "Resources for the rights of the child – responsibility of States". The Committee also urges the State party, in accordance with the United Nations Convention against Corruption, to which it is also a party, to take steps, to prevent corruption, including through the strengthening of control over public expenditures**

#### **Data collection**

18. The Committee notes with appreciation the efforts made by the State party to increase capacity for data collection and analysis, including the launch in 2008 of the national System of Indicators for Angolan Children (SICA) to establish key indicators against each of the 11 Commitments to Angolan children. The Committee notes, however, that the lack of capacity and resources hinder the development of a central system for comprehensive data collection in the State party. The Committee also notes from the dialogue that preliminary analyses of the recently conducted IBEP 2008-2009 (*Inquérito sobre o Bem-Estar da População*), which allows for disaggregated information on households, including income, and services, clearly demonstrate a very low base of development across the territory and income groups on such important issues as birth registration and under-five mortality rates, and also highlight equity problems in health, education, access to water and sanitation, infrastructure, by income groups, urban-rural location, gender and age.

**19. The Committee encourages the State party to continue strengthening the statistical system, ensuring competent data collection all over the geographical regions and social sectors of the country and allowing for a systematic analysis of quantitative and qualitative data at all levels disaggregated with regards to all categories of children which need specific attention. The State party should ensure that data collected incorporates all areas covered by the Convention. The Committee also recommends that the State party continue its technical cooperation with UNICEF in this area.**

### **Training**

20. The Committee notes with interest that training courses are being held for many groups of professionals and practitioners working with children in school, health, military and migration services, juvenile justice and other services and periodically also for journalists with a focus on protection of a child's right to privacy and protection from violence and commercial exploitation of children in advertising. However, the Committee is concerned that understanding of the Convention and its provisions is still low.

**21. The Committee recommends that the State party continue and strengthen the provision of adequate and systematic training of all professional groups working for and with children, including law enforcement officials, teachers, judges and lawyers, health personnel, social workers and personnel of childcare institutions.**

### **Cooperation with civil society**

22. The Committee takes notice that NGOs are strongly represented in the National Council for Children and participated in the drafting of the State party's report under review, and welcomes the State party's indication that it closely cooperates with civil society in the implementation of children's rights at all levels of the country. .

**23. The Committee recommends that the State party continue and strengthen its close cooperation with civil society both within and outside the framework of the National, Provincial and Municipal Councils.**

### **Child rights and the business sector**

24. While welcoming the fact that recent significant growth of revenues in the country, due especially to the oil and diamond industries, has allowed the State party to considerably augment the national budget and increase to a certain extent the expenditure in the social sectors, the Committee is concerned that the activities of the corporate business sector may be impacting negatively on the conditions of living of children, especially with regard to environmental degradation and health hazards.

**25. The Committee strongly recommends that the State party ensure that appropriate policies and regulations are issued with regard to the activities of the corporate business sector (whether privately or State-owned), especially the oil and diamond industry, requiring respecting and protecting the rights of children and operating in a socially and environmentally responsible manner. In this respect, the Committee encourages the State party to enable the National Council for Children (CNAC) to advise State departments cooperating with industry and trade to develop guidelines, which ensure that corporate business respects the rights of the child and protect children. Furthermore, the Committee encourages the State party to include clauses on the rights of the child in business agreements, investment treaties and other foreign investment agreements with multinational corporations and foreign governments.**

## **2. Definition of the child (art. 1 of the Convention)**

26. The Committee notes that the age of majority is set at 18. The Committee is concerned however, that the minimum age for marriage, which allows for the attainment of majority at an earlier age, is set at 16 for boys and 15 for girls and that exceptions for marriage at even younger ages are obtainable.

27. **The Committee encourages the State party to revise its legislation in order to ensure that the minimum age for marriage is set at 18 for both girls and boys and that exceptions require the approval of the competent court.**

### **3. General principles (arts. 2, 3, 6 and 12 of the Convention)**

#### **Non-discrimination**

28. The Committee welcomes the fact that the new Constitution contains an article on non-discrimination that explicitly includes children with disabilities and recognizes the efforts of the State party to combat discrimination, but is concerned about ongoing discrimination against children with disabilities, children with HIV/AIDS and San children due to traditional attitudes in society. While noting the State party's indication that the provisions of the Durban Declaration and Programme of Action from the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance will be addressed under national legislation, the Committee nevertheless regrets that the State party has not adopted these instruments.

29. **The Committee urges the State party to continue and strengthen its activities undertaken to combat discrimination, in particular with regard to children with disabilities, children with HIV/AIDS and San Children, who are still exposed to ongoing discriminatory attitudes and behaviours. It further recommends that the State party adopt as soon as possible the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and to include information in its next periodic report on measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action as well as the outcome document adopted at the 2009 Durban Review Conference.**

#### **Best interests of the child**

30. The Committee notes that both the Constitution and the Family Code make reference to the principle that "children deserve special attention inside the family..." and that "...in cooperation with the Government, it is incumbent on the family to provide them with greater protection." However, the Committee is concerned that the principle of the best interests of the child is not well understood in the family or by State authorities, and that it is not consistently applied in practice.

31. **The Committee recommends that the State party continue and strengthen its efforts to ensure that the general principle of the best interests of the child is appropriately integrated in all legal provisions as well as in judicial and administrative decisions and in laws, projects and programmes that have an impact on children.**

#### **Respect for the views of the child**

32. The Committee notes the State party's indication that children have the right to be heard in administrative and judicial proceedings, but regrets the absence of information on the extent of children's participation in student parliaments or school councils and in provincial and municipal bodies, and on the weight that is given to children's voices in these institutions. Despite the presence of children's representatives in the biannual National Forum on Children, the Committee is concerned that children's views are not given weight in the development of policies, action plans and strategies relating to them and that, due to

tradition, the public at large is still reluctant to regard children as subjects of rights and to include children's views even where they are affected by decisions and measures.

**33. The Committee recommends that the State party continue and strengthen efforts to implement article 12 of the Convention and promote respect for the views of the child at any age in administrative and judicial proceedings. The Committee also recommends that the State party promote the participation of children and respect for their views in all matters that concern them in the family, school, other children's institutions and the community and that it ensure these views are taken into account in the development of relevant policies, plans and legislation. The Committee recommends that the State party make the public at large aware that children have the right to be heard and take into account the Committee's general comment No. 12 (2009) on the right of the child to be heard .**

#### **4. Civil rights and freedoms (arts. 7, 8, 13-17, 19 and 37(a) of the Convention)**

##### **Birth registration**

34. The Committee notes with interest that legislation establishes free birth registration for children up to five years of age as well as free identification cards for children up to 11 years of age and that children are admitted to school even if they do not have a birth certificate. However, the Committee remains concerned that there has been no substantial progress on birth registration since 2002 and that a lack of human and financial resources severely constrains the implementation of universal birth registration. The Committee is also concerned that no guarantees exist for registration of children above the age of five.

**35. The Committee recommends that the State party take all necessary measures to ensure that all children are registered at birth. In particular, the State party should ensure the provision of adequate human and financial resources for entities that are responsible for this task. The Committee also urges the State party to make sure that guarantees exist to ensure retroactive registration of children above the age of five who have not yet been registered and that registration is carried out by services which are easily accessible by parents.**

##### **Corporal punishment**

36. While the Committee notes that corporal punishment is unlawful as a sentence for a crime, it is concerned that corporal punishment remains lawful in the home and that there is no explicit prohibition of corporal punishment in schools, in alternative care settings and as a disciplinary measure in penal institutions.

**37. The Committee recommends that the State party explicitly prohibit by law all forms of violence against children, including corporal punishment, in all settings, including in the family, schools, alternative childcare and places of detention for juveniles, and implement those laws effectively. It also recommends that the State party carry out awareness-raising campaigns focusing on parents, teachers and the general public on the eradication of corporal punishment and the promotion of alternative forms of discipline in a manner consistent with the child's human dignity and in accordance with the Convention, especially articles 19 and 28, paragraph 2, taking into account the Committee's general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment .**

### **Follow-up to the United Nations Study on Violence against Children**

38. The Committee encourages the State party to prioritize elimination of all forms of violence against children. With reference to the United Nations Study on Violence against Children, the Committee recommends that the State party:

(a) **Take all necessary measures to implement recommendations of the United Nations Study on violence against children (A/61/299), taking into account the outcome and recommendations of the Eastern and Southern Africa Regional Consultations (held in Johannesburg, South Africa, 18-20 July 2005). In particular, the Committee recommends that the State party pay particular attention to the following recommendations:**

- (i) **Prohibit all forms of violence against children;**
- (ii) **Promote non-violent values and awareness-raising;**
- (iii) **Enhance the capacity of all who work with and for children;**
- (iv) **Address the gender dimension of violence against children;**
- (v) **Ensure accountability and end impunity;**

(b) **Use the recommendations of the Study as a tool for action in partnership with civil society and, in particular, with the involvement of children to ensure that all children are protected from all forms of physical, sexual and psychological violence and to gain momentum for concrete and time-bound actions to prevent and respond to such violence and abuse;**

(c) **Seek technical assistance in this respect from the Special Representative of the Secretary General on violence against children.**

## **5. Family environment and alternative care (arts. 5, 18 (paras.1-2), 9-11, 19-21, 25, 27 (para.4) and 39 of the Convention)**

### **Family environment**

39. The Committee notes that the family is protected by the State party, but fostering and encouraging parent-child relationships are widely jeopardized by unstable and disintegrated family environments and the frustrating experience of poverty and unemployment which undermine parental responsibilities. The Committee notes with interest the existence of the National Family Council and efforts by the Government and the Council to improve the socio-economic situation of families by subsidies and counselling programmes, but is concerned that these support measures are limited, not enough targeted and reach a small number of families only.

40. **The Committee recommends that the State party strengthen and expand its efforts to help families invigorate parent-child relationships by increased financial, economic, infrastructural and counselling support such as allowances, micro credits, care facilities and parental information and education and further recommends that the State party pay particular attention to and make efforts for single-parent families, in particular to young-mother headed families.**

### **Children deprived of a family environment**

41. The Committee notes with interest the Government policy on the prevention of institutionalization of children. The Committee also notes with interest the State party's indication that the vast majority of children separated from their families because of the

armed conflict, have now been reunited with them or placed in foster families. The Committee, however, is concerned about the high number of children who still do not live with their parents and for whom a family-type solution for their need for care was not found. The Committee is also concerned at information that care institutions are still being expanded and that regular review of placement is missing. It notes with regret the absence of monitoring of institutions, the lack of qualified staff and of an efficient complaint mechanism.

**42. The Committee recommends that the State party strengthen its deinstitutionalization policy and expand and support the placement of children in extended and foster families. The Committee further recommends that the State party carefully monitor all care arrangements for children, particularly the placement of children in institutions as long as these facilities continue to exist. The Committee encourages the State party in this regard, to take into account the United Nations Guidelines for the Alternative Care of Children (General Assembly resolution 64/142).**

#### **Adoption**

**43. The Committee takes note that adoption is rarely used to provide children who do not enjoy the care of their biological parents with a family environment, and is concerned that the complexities of adoption regulations impede and discourage the use of these procedures by parents who are willing to adopt.**

**44. The Committee recommends that the State party promote adoption as a means to provide children with a family environment and to establish judicial and administrative regulations and qualifications required to responsibly use this form of family-based care and that it takes steps to simplify its adoption regulations in order to facilitate the use of this procedure by the general public. The Committee also encourages the State party to consider acceding to the 1993 Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry adoption and to seek technical assistance from UNICEF in revising its adoption regulations.**

#### **Abuse and neglect**

**45. The Committee welcomes the creation of the Violence against Women and Children Unit in the National Criminal Investigation Division and of public service areas, where the National Children's Institute (INAC) provides counselling, conciliation and mediation for cases of neglect, non-compliance with parental obligations and various forms of violence towards children. The Committee also notes with appreciation the establishment of child-protection networks at provincial and municipal level. The Committee notes that the victims and perpetrators units of the Ministry of the Interior allow children to file reports about physical or psychological violence. The Committee also notes the adoption of the National Strategy to Prevent and Mitigate Violence against Children. However, the Committee is concerned at the wide-spread incidence of abuse and neglect in all its forms, at the underreporting of cases, the limited implementation of the adopted measures, a lack of sensitive treatment of child victims and witnesses of violence, the absence of programmes or measures for recovery and reintegration and a lack of specific legislation to protect children from abuse and neglect.**

**46. The Committee encourages the State party to review, in consultation with experts and civil society, the effectiveness of the hitherto adopted measures to prevent abuse and neglect and to support child victims and witnesses, and to take steps to ensure the full implementation of the National Strategy to Prevent and Mitigate Violence against Children and strengthen the efforts of the provincial and municipal Promotion and Protection of the Rights of the Child Networks. The State party is urged to provide adequate human and financial resources for all measures of**

prevention of abuse and neglect and of support to victims and witnesses. The Committee further recommends that the State party ensure that judges, prosecutors, police and other professionals working with child victims and witnesses receive training on child-friendly interaction with victims and witnesses at all stages of the criminal and judicial processes in order to avoid additional traumatization. The Committee also encourages the State party to ensure that specific legislation is in place for the protection of children against abuse and neglect.

## **6. Basic health and welfare (arts. 6, 18 (para.3), 23, 24, 26, 27 (paras.1-3) of the Convention)**

### **Children with disabilities**

47. The Committee notes that the Constitution acknowledges the rights of children with physical and mental disabilities to live “full and decent lives” without discrimination based on their disability. The Committee also notes that programmes are carried out to care for persons with disabilities and to ensure their social inclusion. However, the Committee remains concerned that there is still resistance to the full integration of persons with disabilities in society, that legislative and policy gaps in the protection of the rights of children with disabilities remain and that professional staff working with children with disabilities may not be adequately trained. The Committee also notes with regret that the State party has not yet ratified the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

48. **The Committee recommends that the State party:**

- (a) Ensure full implementation of, and, if necessary create additional, legislation and policies for the protection of the rights of children with disabilities;
- (b) Continue and further strengthen its programmes and services for all children with disabilities in order to ensure that appropriate care, protection and inclusive education are provided to these children and that they can actively participate in the community. In this regard, the State party should make certain that such services receive adequate human and financial resources;
- (c) Provide adequate training for professional staff working with children with disabilities, such as teachers, social workers and medical, paramedical and related personnel,;
- (d) Consider signing and ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol;
- (e) Take into account the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee’s general comment No. 9 (2006) on the rights of children with disabilities .

### **Health and access to health services**

49. The Committee notes with appreciation the State party’s efforts to revitalize and strengthen primary health care, reorganize health services and improve availability, geographical access, supplies and the use of services. The Committee also notes with appreciation the State party’s continuing commitment to improved immunization coverage. However, the Committee notes with concern that financial and human resources allocation to primary health care remains inadequate and is dependent on external financing and that there are not enough health personnel particularly in rural areas. The Committee also

expresses its concern that the infant mortality, under-five mortality and maternal mortality rates are still high in spite of some progress made, that almost one third of children under the age of five are underweight and that exclusive breastfeeding for at least six months, while improving, remains low.

**50. The Committee recommends that the State party expand access to primary health-care services across all provinces and allocate sufficient human and financial resources to the delivery of these services in such a manner as to benefit populations in both urban and rural areas. The Committee also urges the State party to massively reduce the death rates of newborn and young children and mothers, including by more attended deliveries, and take the necessary steps to address the problem of malnutrition in children under the age of five, including through the promotion of exclusive breastfeeding until the age of six months and to implement the International Code of Marketing of Breast-milk Substitutes. The Committee also recommends that the State party carry out information and awareness campaigns on hygiene requirements in homes, public places and communities and the implementation of the basic water supply and sanitation standards for the whole population. The Committee encourages the State party to consider seeking technical assistance from, inter alia, UNICEF and WHO.**

#### **Adolescent health**

**51. The Committee notes that a sexual and reproductive health strategic plan has been developed which includes a component on adolescent health. While the Committee also notes the existence of a public education outreach programme targeting adolescents to promote health and prevent teenage pregnancies, it nevertheless expresses its concern at the high incidence of early pregnancies, with more than 50 per cent of first pregnancies being in women under 18. The Committee also notes with regret that contraceptive prevalence is low.**

**52. The Committee recommends that the State party continue and strengthen its efforts to prevent early pregnancies, including through raising awareness on contraceptives, taking into account the Committee's general comment No.4 (2003) on adolescent health and development in the context of the Convention on the Rights of the Child,**

#### **Harmful traditional practices**

**53. The Committee is concerned at the extremely high rate of teenage pregnancies and marriages at young years hindering the adolescent girls' education and development. It further notes with deep concern the ongoing practice of accusing children of witchcraft, which has resulted in abuse and abandonment of such children. The Committee notes that a study was carried out in 2005 on the impact on children of accusations of sorcery, which should help to protect children against such violence and exclusion, but regrets that children continue to be accused of such practices.**

**54. The Committee urges the State party to support programmes in schools and with youth organizations, communities and the media, which have the aim to empower girls to decide on their body and their plans for education and their future and also to make the public aware of girls' right to be respected, protected and supported in their personal development. The Committee urges the State party to effectively eliminate the practice of witchcraft accusations in collaboration with civil society organizations and traditional or community leaders and to prosecute those responsible for such accusations.**

## HIV/AIDS

55. The Committee notes with interest the National Strategic Plan to Fight HIV/AIDS and the National Action Plan to Prevent and Lower the Impact of HIV/AIDS on Families and Children. However, it is concerned that the prevalence rate of HIV/AIDS is high and that information about the statistical trends is contradictory. The Committee is also concerned that, while many youth have heard about HIV/AIDS, few realize that they are at risk and need to apply safe sex practices. The Committee further regrets that there is low coverage of programmes for the prevention of Mother to Child Transmission and Anti-retroviral Treatment of children. The Committee also notes with regret the lack of technical staff trained in diagnosis and clinical management of persons with HIV/AIDS. Furthermore, the Committee regrets the lack of information on prevalence and behaviours of high risk groups.

56. **The Committee urges the State party to take measures to reduce HIV/AIDS infection in its territory, particularly with regard to young people through, inter alia:**

- (a) **Ensuring full and efficient implementation of the National Strategic Plan to Fight HIV/AIDS;**
- (b) **Continuing activities aimed at creating awareness-raising about HIV/AIDS particularly among young people, with a particular focus on prevention and protection methods relating to HIV/AIDS, including safe sex practices;**
- (c) **Take into account the Committee's general comment No.3 (2003) on HIV/AIDS and the rights of the Child and the International Guidelines on HIV/AIDS and Human Rights.**

## Standard of living

57. The Committee takes note that the various efforts of the Government to reduce poverty, including a massive increase in the budget on social security, show some positive results, but remains deeply concerned at the very high rates of poverty and extreme poverty in the country. The Committee is particularly concerned at the immense social inequality demonstrated by economic indicators. The Committee welcomes the fact that the new Medium Term Development Plan was approved, which builds on the *Estratégia de Combate à Pobreza*, and has established a social mapping procedure to identify children that most urgently need support, including children living in street situations. The Committee reminds the State party that the Convention requires that it ensure a standard of living adequate for children's development and is concerned that the State party does not pay enough attention to programmes and institutions which provide developmental and educational incentives which disadvantaged families and underprivileged environments cannot offer.

58. **The Committee recommends that the State party strengthen its efforts to use the wealth of the country to improve the socio-economic living conditions of the majority of the population, in particular the most vulnerable groups and among them, families with a large number of children, single-parent families, child-headed families and children living in street situations. The Committee further recommends that the State party guarantee an adequate standard of living for all children, in order to ensure their physical, mental, spiritual, moral and social development and to this end establish care, developmental and educational facilities for children living in poverty in order to enrich the poor environment in which these children have to grow up.**

## **7. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)**

### **Education, including vocational training and guidance**

59. The Committee notes with interest the National Education for All Plan, which seeks to broaden access to primary and secondary education as well as the 2006-2015 Integrated Strategies to Improve the Education System in terms of Gender, Literacy and Rehabilitation of Children Left Behind, and a back-to-school campaign. The Committee is concerned that despite recent increases in budget allocations to education, the budget of the education sector remains inadequate, which also slows down efforts to rehabilitate the many schools destroyed in the war. The Committee is also concerned at:

- (a) The high number of children not enrolled in primary school and the high dropout rate of those who are enrolled;
- (b) The low attendance in secondary school;
- (c) The shortage of properly trained and qualified teachers,
- (d) The lack of appropriate teaching-learning materials and textbooks.
- (e) Reports of violence and sexual harassment by teachers or other students in many schools despite the development of child-friendly schools as models;
- (f) The limited existence of early childhood education programmes;
- (g) The absence of human rights education in the school curricula.

60. **The Committee recommends that the State party:**

- (a) **Take steps to ensure universal enrolment in primary school for both boys and girls and to increase attendance of secondary schools;**
- (b) **Strengthen efforts to prevent children from dropping out and reintegrate those children who have dropped out before completing primary school;**
- (c) **Take steps to ensure, by the construction of new schools and the rehabilitation of destroyed schools, that there are an adequate number of schools and classrooms within communities and that these schools and classrooms have gender sensitive sanitation facilities;**
- (d) **Improve the quality of education through, inter alia, ensuring that teachers are well-trained and fully qualified, curricula updated and appropriate teaching-learning materials and textbooks available in all schools and classrooms;**
- (e) **Make sure that, following the end of compulsory education at age 12, vocational training facilities are available;**
- (f) **Protect children, in particular girls, against violence and sexual harassment in school practiced by teachers and other students;**
- (g) **Take steps to ensure the integration of human rights, in particular the rights of the child, into school curricula at all levels;**
- (h) **Increase budget allocations for education, so that plans and strategies can be implemented with adequate personnel and material resources;**

- (i) Raise awareness of the general public about early childhood education and ensure that early childhood education facilities are also provided with the necessary resources so that they are adequately staffed and furnished; and
- (j) Take into account the Committee's general comment No. 1 (2001) on the aims of education.

## **8. Special protection measures (arts. 22, 38, 39, 40, 37(b) and (d), 30, 32-36 of the Convention)**

### **Children affected by armed conflict**

61. The Committee is concerned at the continued existence of landmines which endanger children playing in unsafe areas of the country and the slow removal of these devices.

**62. The Committee recommends that the State party continue to raise awareness of children about the dangers of landmines and speed up its landmine removal efforts, and that it ensure, including through international cooperation, sufficient financial resources for these efforts.**

### **Unaccompanied, refugee and internally displaced children**

63. The Committee notes with concern reports of deportation carried out by the State party of more than 30.000 children, amongst whom, according to information, were unaccompanied children, including children below the age of five, some of which were reportedly suffering from malnutrition. The Committee is concerned that returning children, who had fled to other countries during the war, and refugee children born in Angola may have difficulties having their births registered.

**64. The Committee recommends that the State party conduct inquiries into allegations regarding deported children and prosecute perpetrators of abuses against these children. The Committee urges the State party to enter into bilateral agreements with States involved in these deportations in order to organize repatriation in conformity with international law. The Committee further recommends that the State party make sure that all children in Angola, including Angolan children born abroad, are registered and have full access to institutions and services.**

### **Economic exploitation, including child labour**

65. The Committee notes vocational training is available for persons aged 14 and up who have at least six years of primary schooling. However, the Committee is concerned that, since mandatory schooling ends at age 12, children between the ages of 12 and 14 do not receive adequate guidance and vocational training in the transition to employment. The Committee is concerned about the extent to which children aged 5 to 14 work (more than 20 per cent according to the 2008-2009 IBEP study) as a result of poverty and the unavailability of quality schools, and takes note with regret of the remarkable disparities between children living in rural and urban areas. The Committee is concerned at the weak labour inspection system which does not cover the informal sector.

**66. The Committee strongly recommends that the State party combat child labour by the enforcement of an inspection system, strengthened Child Protection Networks and more support to families living in extreme poverty. The Committee further recommends that working children be invited to participate in the development of measures to reduce and abolish child labour. The Committee further recommends that the State party develop a framework to provide appropriate guidance and**

**assistance to children between the ages of 12 and 14 who have left school and need preparation and training before entering the labour market. The Committee encourages the State party to seek technical assistance from ILO/IPEC in this regard.**

#### **Sexual exploitation and abuse**

67. While noting that the State party has adopted a Tourism Code of Behaviour against Sexual Exploitation of Children and Adolescents in Angola, the Committee is concerned that commercial sexual exploitation is widespread, particularly in hotels and night clubs. The Committee is also concerned that provisions to rehabilitate victims of sexual exploitation and to protect children at risk of such exploitation are insufficient. The Committee also notes with concern that there are only limited reintegration programmes for victims of sexual exploitation.

**68. The Committee recommends that the State party implement appropriate policies and programmes for prevention of sexual exploitation and for recovery and social reintegration of child victims, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996, 2001 and 2008 World Congresses against Commercial Sexual Exploitation of Children.**

#### **Sale, trafficking and abduction**

69. The Committee notes with interest that Networks for the Protection of Children's Rights and the Prevention of Trafficking are being created, strengthened and expanded within the country. The Committee regrets the absence of information about how the networks cooperate with the Violence against Women and Children Unit in the National Criminal Investigation Division and the National Strategy to Prevent and Mitigate Violence against Children. The Committee notes that the State party has taken measures to prevent child trafficking, including through strengthening controls at airports and borders where many aliens are found, and requiring an INAC document to certify the legality of a child's departure. Nevertheless, the Committee is concerned that human trafficking, including of children, has increasingly become a problem in the State party and that there are reports of children being taken across the border and used for transportation of goods and prostitution. The Committee is further concerned that the legal definitions of these crimes and their sanctions are unclear, so that often perpetrators are not prosecuted.

**70. The Committee recommends that the State party explicitly define sale, trafficking and abduction in legislation and provide clear sanctions that ensure the prosecution of perpetrators and that it develop measures, programmes and policies to protect children from sale, trafficking and abduction and to rehabilitate and reintegrate victims of such practices.**

#### **Helplines**

71. The Committee welcomes the establishment of SOS Criança, as well as local helplines, in recent years but regrets that information is missing with regard to the extent of assistance that they can offer, and is concerned that such helplines may not be accessible all over the country.

**72. The Committee recommends that the State party ensure that its helplines are 24-hour 3 or 4 digit and toll-free, and that they are accessible from everywhere in the country and combined with services which can immediately follow-up the complaints of a child, if required.**

### **Administration of juvenile justice**

73. The Committee notes with interest the adoption of rules on alternative measures for juvenile justice. However, the Committee is concerned that the draft penal code proposes lowering the minimum age of criminal responsibility from 16 years to 14 years and that it is unclear if children in conflict with the law between the ages of 16 and 18 will continue to benefit from the specific protection for juvenile offenders. The Committee is also concerned that the application of juvenile justice in provinces other than Luanda is very limited, that specific penal procedural rules during their trial before the Provincial Family Judges are not available and that, even in Luanda province, financial and human resources are severely lacking. Furthermore, the Committee is concerned that children are detained together with adults in prisons and at reports of ill-treatment by police of children in custody.

74. **The Committee urges the State party to ensure that juvenile justice standards are fully implemented, in particular articles 37 (b), 39 and 40 of the Convention, as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules). In particular the Committee recommends that the State party, while taking into account the Committee's general comment No. 10 (2007) on the administration of juvenile justice:**

- (a) Take steps to improve the system of juvenile justice, including through the establishment of courts for children in conflict with the law in the different provinces, ensuring that the system has adequate human, technical and financial resources and that persons working with children in the juvenile system receive appropriate training;
- (b) Consider the establishment of specialized procedural rules to ensure that all juvenile justice guarantees are respected also in processes before the Provincial Family Judges;
- (c) Take all necessary measures, to ensure that children, including those aged between 16 and 18 years, benefit from the protection of specific provisions for children in conflict with the law;
- (d) Ensure that children are held in detention only as a last resort, for as short a time as possible, and separately from adults in both pre-trial detention and after being sentenced, and provide children deprived in any form of their liberty the right to a review of the decision of placement;
- (e) Continue efforts to ensure that children are not ill-treated by police officers when in custody;
- (f) Make use of the technical assistance tools developed by the United Nations Interagency Panel on Juvenile Justice and its members, which include UNODC, UNICEF, OHCHR and NGOs and seek technical assistance in the area of juvenile justice from members of the Panel.

### **Protection of witnesses and victims of crimes**

75. The Committee also recommends that the State party ensure, through adequate legal provisions and regulations, that all children victims and/or witnesses of crimes, e.g. children victims of abuse, domestic violence, sexual and economic exploitation, abduction, and trafficking and witnesses of such crimes, are provided with the protection required by the Convention and that the State party take fully into account

**the United Nations Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime (annexed to Economic and Social Council resolution 2005/20 ).**

## **9. Ratification of international instruments**

76. The Committee encourages the State party to consider ratifying:

- (a) The International Convention on the Elimination of All Forms of Racial Discrimination;
- (b) The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol;
- (c) The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families;
- (d) The Convention on the Rights of Persons with Disabilities,
- (e) The International Convention for the Protection of all Persons from Enforced Disappearance.

77. The Committee urges the State party to fulfil its reporting obligations under the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, the reports of which are overdue since November 2009 and April 2007 respectively.

## **10. Follow-up and dissemination**

### **Follow-up**

78. The Committee recommends that the State party take all appropriate measures to ensure that full implementation of the present recommendations, *inter alia*, by transmitting them to the Head of State, the Supreme Court, Parliament, relevant Ministries and local authorities for appropriate consideration and further action.

### **Dissemination**

79. The Committee further recommends that the second to fourth combined periodic report and written replies submitted by the State party and the related recommendations (concluding observations) it adopted be made widely available in the languages of the country, including (but not exclusively) through the Internet to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate and awareness of the Convention, its implementation and monitoring.

## **11. Next report**

80. The Committee invites the State party to submit its combined fifth, sixth and seventh periodic report by 1 October 2015. The Committee draws attention to its harmonized treaty-specific reporting guidelines adopted on 1 October 2010 (CRC/C/58/Rev.2) and reminds the State party that future reports should be in compliance with the guidelines and not exceed 60 pages. The Committee urges the State party to submit its report in accordance with the guidelines. In the event that a report exceeding the page limitations is submitted, the State party will be asked to review and resubmit the report in accordance with the above-mentioned guidelines.

The Committee reminds the State party that if it is not in a position to review and resubmit the report, translation of the report for purposes of examination by the treaty body cannot be guaranteed.

81. The Committee also invites the State party to submit an updated core document in accordance with the requirements of the common core document in the harmonized guidelines on reporting, approved by the fifth inter-committee meeting of the human rights treaty bodies in June 2006 (HRI/MC/2006/3). The treaty-specific report and the common core document together constitute the harmonized reporting obligation under the Convention.

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