



## **Presidential Decree N. 100/2020, April 14**

It is becoming necessary to adopt a regulatory instrument to materialize the Human Rights policies of the Executive in accordance with the Executive Governance Program for the five-year period of 2017-2022 and the National Development Plan 2018-2022.

In order to achieve the principle of national majority in Human Rights, enabling Angolans to exercise full civil and endogenous political autonomy in self-assessment, reporting, accountability of those who infringe the fundamental rights, freedoms and guarantees of citizens, by means of proper institutional articulation.

Whereas a national majority in human rights presupposes the existence of a National Human Rights Strategy, based on the Constitution of the Republic of Angola (CRA) and the international treaties ratified by Angola, namely the Universal Declaration of Human Rights of 1948 and the African Charter on Human and Peoples' Rights of 1986, as the legal basis for achieving that goal, in line with Angola's commitments to its candidacy for membership of the Human Rights Council.

Pursuant to Articles 120(d) and 125(1) of the Constitution of the Republic of Angola, the President of the Republic hereby decrees the following:

### **Article 1 (Approval)**

The National Human Rights Strategy (NHRs) is hereby approved and is an integral part of this Presidential Decree.

## **Article 2 (National Security)**

1. Human rights are now considered a Matter of National Security and merit regular analysis and evaluation at meetings of the National Security Council.
2. The National Security Council will periodically be informed by the General Coordinating Body of the National Strategy on the state of Human Rights, in order to assess its impact on the country's Defence, Security and internal Order.
3. The evaluation provided for in paragraph 1 shall aim to prevent the negative impact that non-respect for Human Rights, citizens' fundamental rights, freedoms and guarantees may have on political and social stability.

## **Article 3 (Plan of Execution of National Strategy)**

1. The National Human Rights Strategy is operationalized by the National Implementation Plan, which takes place every five years and can be readjusted whenever circumstances require.
2. The National Implementation Plan for the three-year period 2020-2022 is hereby adopted and is an integral part of the National Strategy.

## **Article 4 (General Coordination)**

The General Coordination of the National Human Rights Strategy is ensured by the Ministerial Department of Justice and Human Rights, in liaison with other public institutions and with civil society, aiming at the promotion, defence and protection of Human Rights at national level and the production of a consolidated report on their status, which will be submitted to the National Security Council.

## **Article 5 (Local Human Rights Committees)**

1. Local Human Rights Committees are established, as intersectoral organizational structures, integrated by public entities and members of civil society, acting in the provincial and local level, whose purpose is the implementation of the National Human Rights Strategy and other policies for the promotion, defence and protection of Human Rights at the level of their territorial constituencies.
2. The tasks, composition and functioning of the Local Human Rights Committees are approved by Executive Decree of the Minister of Justice and Human Rights.

## **Article 6 (Local Coordination)**

1. Coordination of the implementation of the National Human Rights Strategy at local level is ensured by the Local Human Rights Committees, aiming to monitor in their respective areas of jurisdiction, with the involvement of local civil society, the defence, promotion and protection of Human Rights, based on the Constitution of the Republic of Angola and other national and international legal instruments.
2. The Local Coordination of the National Human Rights Strategy is responsible for the production of information from the Local Human Rights Committees, with the aim of producing reports to be submitted to the General Coordination of the National Strategy.
3. The Local Human Rights Committees are methodologically subordinated to the General Coordination of the Strategy, safeguarding their organizational structures and operating model in accordance with the current legislation.
4. Local Human Rights Committees should promote the involvement of all citizens in the defence, promotion and protection of Human Rights by providing regular information on the state of Human Rights in their territorial constituencies.

## **Article 7 (Budget)**

1. The budget for the implementation of the National Human Rights Strategy Implementation Plan is set annually in the General State Budget.

2. At the central level, the budget is allocated to the ministerial department responsible for Coordinating the Strategy, in accordance with the terms and procedures for drawing up the General State Budget.
3. At the local level, the revenues are allocated to the provincial and local Human Rights Committees, and to this end, the budget estimates of the respective local entities, in the framework of the implementation of the Strategy.
4. In the implementation of the Execution Plan, local coordinations may promote alternative sources of funding, since that they are provided under the partnerships and agreements signed by the Central Coordination for Human Rights.

## **Article 8** **(Doubts and omissions)**

The doubts and omissions resulting from the interpretation and application of this Presidential Decree are resolved by the President of the Republic.

## **Article 9** **(Entry into force)**

This Presidential Decree shall enter into force on the day of its publication. Appreciated by the Council of Ministers, in Luanda, on February 27, 2020. To be published.

Luanda, 3rd of April of 2020.

**The President of the Republic, João Manuel Gonçalves Lourenço.**

## **NATIONAL HUMAN RIGHTS STRATEGY (NHRS)**

### **1. INTRODUCTION**

The present National Human Rights Strategy (NHRS) is part of the process of participatory construction of public policies on Human Rights, coordinated by the Ministry of Justice and Human Rights, with the participation of public institutions, civil society and international institutional partners. As part of the mainstreaming of Human Rights policies and the necessary institutional linkage, the Action Plan to Combat Trafficking of Human Beings will be incorporated as a key part of this Strategy.

The NHRS is a guiding document which aims to frame the actions of the Government of Angola in the field of Human Rights, with reference to the Governance Plan 2017-2022 and the National Development Plan 2018-2022.

The strategy is based on the Constitution of the Republic of Angola (CRA) and the international treaties ratified by Angola on Human Rights, namely the Universal Declaration of Human Rights of 1948 and the African Charter on Human and Peoples' Rights of 1986 and Angola's commitments for election as a member of the Human Rights Council 2018-2020.

For this reason, the present National Strategy, which was designed in the context of the International System of Human Rights, becomes a compass for the effective implementation of the governance agenda on Human Rights, and should be absorbed and reflected in all sectoral public policies, as well as in the most distinctive national policy instruments.

### **2. GENERAL FRAMEWORK**

#### **2.1. Mission**

The aim of this strategy is to achieve the "**National Majority in Human Rights**", elevating Human Rights to the category of "**Issue of National Security**" worthy of evaluation, prevention and measures to guarantee stability and social peace, as well as to assess, prevent and take measures for the issues of Defence, Security and Internal Order and, in this measure, return to Angolans the civic and political sovereignty of their defence and protection, through permanent self-assessment, denunciation, condemnation and correction of Human Rights violations committed by ourselves, Angolans, or by external entities, thus seeking to diminish the external "paternalism" with which Angola is often guided, evaluated, denounced and condemned by some private-law organizations, considered independent, that deal with Human Rights.

This is the fundamental axis of the strategy, and it is on it that the Human Rights policy contained in the Strategy was built upon.

## **2.2. Vision**

For this Strategy to be successfully implemented, it is necessary to clearly distinguish international political-diplomatic management from Angola's responsibilities and commitments in the field of Human Rights, from internal political-administrative management, with the involvement of the entire society in the defence, promotion and protection of Human Rights.

At an International Level, the Strategy foresees the strengthening of the role of the competent national institutions in the United Nations Human Rights organizations, strictly implementing the rules and principles contained in the legal and international Human Rights instruments, notably the Universal Declaration of Human Rights of 1948 and the African Charter on Human and Peoples' Rights of 1968 and other international Human Rights conventions.

Internally, it is imperative that the National Strategy foresees and creates instruments to effectively and efficiently operationalize the involvement of Angolan society in the defence, promotion and protection of human rights, based on the Constitution of the Republic of Angola and other existing or future national legal instruments.

In order for Angolan society to be proactively involved in the defence, promotion and monitoring of human rights, the instruments that are intended to do so are the Human Rights Local Committees (CLDH) in provinces, municipalities, districts and communes.

According to this perspective, the Human Rights Local Committees should produce reports on the state of Human Rights in each commune, district, municipality and province.

These reports will then be consolidated into a **National Human Rights Report** that will be subject to evaluation, prevention and corrective action by the National Security Council.

A national public stimulus to encourage the defence, promotion and endogenous protection of Human Rights is the institution of the "**4th of April Human Rights Award**" to be awarded annually to entities, organizations and people who stand out in the national panorama of Human Rights.

The main objective is to make Angola a reference in the guarantee, respect and defence of Human Rights, based on the principle of human dignity. Ensuring respect for and compliance with Human Rights in Angola.

### **2.3. Principles**

The mission, vision and actions reflected in this Strategy are guided by two sets of principles: historical-cultural principles and normative principles.

The historical and cultural principles are anchored in the national culture of respect for human dignity, especially of the most vulnerable, and in the generational transmission of the values and references by which Angolan society is governed in its ethnocultural diversity. Furthermore, the Strategy draws on the history of the Angolan people's secular struggle to achieve freedom and human dignity, the highest point of which was the struggle for national liberation from colonialism and its historical outcome, which was the conquest of national independence in 1975. In this sense, the Strategy is an appanage of the

values of African civilization as an inspiring element of the African concept of Human and Peoples' Rights contained in the 1986 *African Charter on Human and Peoples' Rights*.

The normative principles are enshrined in the Constitution of the Republic of Angola, in the treaties ratified by the Angolan state, as well as in the international Human Rights instruments adopted by the UN and the AU. The NHRS absorbs each of the rector principles listed in the internal legal order, through the different regulations, with which the Angolan state seeks to guarantee the rights of citizens. These include the principle of universality and inalienable, dignity, justice and the rule of law, social participation and inclusion and equality and non-discrimination,

#### **2.4. Specific Objectives**

The Strategy is a governance tool to achieve, among other, the following specific objectives:

- (a) guarantee the effective enjoyment of Human Rights in Angola for all persons, on equal terms and without discrimination of any kind;
- (b) Ensure effective participation of civil society in the management and implementation of Human Rights;
- (c) enshrine the principle of stimulating and encouraging institutions, persons and entities that excel in the promotion, defence and protection of Human Rights through public recognition;
- (d) provide decentralized Human Rights management through local Human Rights Committees;
- (e) establish institutional coordination mechanisms for the integrated and cross-sectoral management of Human Rights;
- (f) define mechanisms for collecting and reporting on actions that threaten Human Rights throughout the national territory;
- (g) define mechanisms for liaison between the Delegations of Justice and Human Rights and the Local Human Rights Committees;
- (h) create institutional conditions for the teaching of Human Rights issues in schools and Higher Education Institutions;

- (i) allow specific links with the defence, security and internal order forces in terms of education and specific training of their personnel;
- (j) disseminate the culture of internal autonomy in terms of evaluation, denunciation, condemnation and correction of internal institutional weaknesses;
- (k) ensure and strengthen the highest standards of recognition, respect and protection of economic, social and political rights in all public and private institutions;
- (l) Ensure increasingly transparent public governance through the consolidation of inclusive public policies;
- (m) Deepen the sense of the relationship between good governance and the positive effects on citizens' Human Rights.

## **2.5. Systematization**

The NHRS is structured in two parts.

- (a) The first is general and gives theoretical support and methodological scope to it. This part contains the background and explains the reasons for providing technical support to the NHRS. Also in the first part, the structuring principles and the public policies guiding the Strategy are defined.
- (b) In the second part, the 9 (nine) structuring axes, on which the NHRS is broken down, are dealt with in a concrete and detailed manner, namely:
  - i. equality and non-discrimination;
  - ii. culture and education in Human Rights;
  - iii. civil and political rights;
  - iv. economic, social and cultural rights;
  - v. justice;
  - vi. Action plan to address challenges and constraints in Human Rights;
  - vii. Framework of Actions to be developed to achieve majority in Human Rights;

- viii. means and instruments for the implementation of HUMAN RIGHTS;
- ix. NHRS implementation plan.

## **2.6. Axes of Approach**

The Strategy has been designed based on the following axes of approach:

- (a) Historical Development of Human Rights in Angola;
- (b) Legal and Institutional Framework for Human Rights;
- (c) The current Human Rights situation;
- (d) The Human Rights Action Plan;
- (e) Instruments of Action.

## **3. HISTORICAL EVOLUTION OF HUMAN RIGHTS IN ANGOLA**

This axis of approach of the National Strategy for Human Rights aims to provide an objective view of the evolution of Human Rights in Angola, thus allowing to identify the main causes of the constraints of its management over the various periods of the historical evolution of Angola. The aim of this approach is to assess the evolution of human rights from colonial times to the present day, as well as the progress achieved so far, with the instrumental purpose of politically committing the Executive to Human Rights in the current era, consolidating the advances achieved and creating conditions to achieve excellence in human rights. In this perspective, the definition of concrete policies and programs aimed at the continued strengthening of their systematic promotion and defence will have to reflect progress compared to previous periods.

There are three different periods in the history of Angola for the purpose of analysing the degree of evolution in the promotion and defence of Human Rights, namely:

- a) the period before independence until 1975;
- b) period of war, from 1975 to 2002;

c) period of peace, from 2002 to the present time.

### **3.1. Period Before National Independence**

As is clear from the spirit and the letter of the African Charter on Human and Peoples' Rights of the African Union, during the period of colonial domination of Africa the most elementary civil, political, economic, social and cultural rights and freedoms were denied to African peoples. These rights are now enshrined in the Universal Declaration of Human Rights. The dignity of the human person was not a value that was included in the policies of the colonizing powers.

It can be concluded that in the run-up to the processes of independence and self-determination of African peoples, the culture of Human Rights in Africa was nonexistent.

Angola, as an African country which has undergone a process of colonial domination for five centuries, is not out of this historical reality, and it can be said that prior to the national independence that was conquered in 1975, there were no conditions in Angola for the systematic and just promotion and defence of the Human Rights of Angolans. The conquest of these rights and the redemption of the dignity of the Angolan citizen as a human being was, truly, one of the main motivations of the struggle to achieve independence and self-determination.

### **3.2. Period of War, from 1975 to 2002**

This period is characterized by armed military confrontation. At first the war developed to guarantee national sovereignty, threatened by foreign invasion (1975-1992). At a second moment the war involved national military forces, assuming the character of civil war aiming at internal dispute for political power (1992-2002).

During this period, the priorities of the political authorities in power were focused on the war effort, channelling the existing human

potential, namely the young people of productive age and the available financial resources, into this process.

This was a time of great political instability, when the power of the State and the strength of public institutions defending citizens' rights was weakened. Internal public order was under permanent threat.

At that time, there was a high degree of destruction of economic and social infrastructure, a high rate of degradation of the moral and ethical values of society, family de-structuring and the forced relocation of population groups out of their places of residence, abandoning homes and seeking safe places in large cities to ensure their survival.

As in all environments of war and political instability, the process of promotion and defence of Human Rights in Angola during the war period from 1975 to 2002 encountered strong constraints.

During this period Angola had the worst evaluations by the International Community and suffered the harshest condemnations from international organizations for the defence and promotion of Human Rights. The national citizens who were victims of the war also pointed the accusing finger at the government and the political and military forces who were waging the war. One of the most important events of that era which marked the state of degradation of Human Rights which the country was in, was the process of May 27, and the procession of Human Rights violations in which the violent acts of the coup attempt manifested itself and the exaggerated reaction to this act by forces loyal to the government.

In spite of this, in the post-independence period it was possible to redeem the human dignity of Angolans lost in the colonial process, to guarantee the affirmation of cultural values, to start the process of raising awareness to Human Rights and to create the bases for their systematic promotion and defence, especially after the first free and democratic elections (1992).

This period dates the establishment of the Multiparty Democratic System (1991), the first free and democratic elections (1992), the abolition of the death penalty, and the emergence of the first social

organizations for promoting and safeguarding citizens' rights, for example: Acção para o Desenvolvimento Rural e Ambiente (ADRA), Fórum das Organizações Não Governamentais Angolanas (FONGA), Associação Cívica de Angola (ACA), a Associação ANGOLA 2000, a Associação Juvenil para o Desenvolvimento Comunitário de Angola (AJUDECA), a Organização Não Governamental Development Workshop (DW), etc.

During this period, we can highlight the following historical legal milestones, with direct focus on promoting and institutionally advocating Human Rights:

- 1992 - Constitutional Review Law, Law 23/92, of 16 September, which approved the multiparty political regime, the market economy and consecrated the Ombudsman as National Human Rights Institution;
- 1996 – Establishment of the Human Rights and Legislation Study Office, at the level of the Central Technical Support Bodies of the Ministry of Justice, through Decree-Law no. 4/96 of 26 March, which amended the Organic Statute in force of the Ministry of Justice, approved by Decree-Law n. 1/94, of March 11<sup>th</sup>;
- 1999- Establishment of the Human Rights Department in the National Directorate of Justice (DNJ), D. L.P. No. 2/2006 of July 24;
- First ratifications of International Human Rights Treaties:
  - (i) the International Covenant on Civil and Political Rights;
  - (ii) the International Covenant on Economic, Social and Cultural Rights;
  - (iii) Convention on the Rights of the Child;
  - (iv) Convention on all Forms of Discrimination against Women;
  - (v) African Charter on Human and Peoples' Rights;

(vi) African Charter on the Rights and Welfare of the Child.

It can be concluded that, despite the war that characterized this period, and the effects of this phenomenon on the promotion and defence of the fundamental rights and freedoms of citizens, the period between 1975 and 2002 saw positive developments, both in formal terms, as well as in institutional terms and in terms of the implementation of policies for the defence and promotion of Human Rights, when compared to the period before 1975.

### **3.3. Period of Peace, from 2002 to Present Time**

This period is characterized by the conquest of peace and national reconciliation, formalized by the Peace Agreement between the internal warring forces, signed on the 4<sup>th</sup> of April, 2002.

The environment of peace and political stability brought about by peace has allowed the political authorities to redirect their priorities towards objectives more focused on valuing the human being and protecting his dignity.

In that period, the strong investment in the recovery of the economic and social infrastructure destroyed by the war and the construction of new ones, through massive public and private investment, at a rate of economic growth of up to 16%, led to the emergence of a large number of schools, hospitals and medical centres, universities, roads, railways, modern communication infrastructure, electricity and drinking water production, new cities and population centres throughout the country, which were joined by a diverse range of economic, commercial and social structures, with direct effects on job creation and citizens' access to these available goods and services, resulting in an increase in the improvement of the quality of life of citizens.

During this period, we witness a strong increase in the system of promotion and defence of Human Rights by public institutions, in partnership with civil society organizations. More than 450 social organizations emerged to defend and promote citizens' rights in the most diverse areas of social life.

It was also during this period that Angola cooperated more closely with the international Human Rights organizations of the United Nations System, with other states and with independent international organizations. Angola has, in fact, become a member of the United Nations Human Rights Council for two terms and is now an indispensable player in the international process of promoting and defending Human Rights.

The human rights situation in Angola has improved significantly since the end of the war and the holding of elections in 2008, 2012 and 2017.

During this period, we can highlight the following historical institutional landmarks with a direct focus on the promotion and defence of Human Rights:

- 2006 - Establishment of the Office of Human Rights at the level of instrumental support services of the Ministry of Justice, through Decree-Law n. 2/06, of July 24, which approves the Organic Statute of the Ministry of Justice;
- 2008 - Establishment of the Office of the Minister Without Portfolio (with the task of monitoring the process of implementation of the Memorandum of Understanding for Cabinda and the tasks in the field of Human Rights) (Presidential Decree No. 20/08, of September 12);
- 2010 - Establishment of the State Secretariat for Human Rights (Presidential Legislative Decree No. 1/10, March 5);
- 2013 - Establishment of the Ministry of Justice and Human Rights;

During this period, the following international human rights treaties were ratified:

- Protocol to the African Charter (CADHP) on the Rights of Women in Africa;
- Protocols to the Convention on the Rights of the Child;
- Additional Protocols to the Convention against All Forms of Discrimination against Women (CEDAW);
- Convention on the Rights of Persons with Disabilities.

It was also during this period that the greatest advances were achieved in very specific social and human areas, such as:

- Plan for Gender Equality;
- Plan against Domestic Violence;
- Extension of Access to Health, Education, Housing; Implementation of the Rights of the Child (Law No. 25/12 of 22 August on the Comprehensive Protection of the Child, which are the 11 Commitments for the Child);
- Specific and systematic programs to combat poverty;
- Civil and Political Rights of Freedom of Expression (New Press Package), Right of Association (Law No. 06/12, of January 18) and demonstration (Law n. 16/91, of May 11).

However, given the political environment of greater democratic openness, better political awareness and a sense of the political causes that generate difficulties and shortcomings, such as corruption and bad governance, this period exposed the Angolan state to greater internal and international scrutiny of its Human Rights policy, some of which led to international criticism and condemnations from international organizations, reflected in the negative assessment in some annual reports.

Criticism and denouncements made by domestic and international organizations to the Human Rights Council, the African Commission on Human and Peoples' Rights and other international institutions have sought to have Angola's image affected, which has repeatedly hit the country's external Human Rights image.

### **3.4. Conclusions on the Historical Evolution of Human Rights in Angola**

The historical diagnosis just carried out shows that in the period before independence there was no promotion and defence of Human Rights in Angola, considering such rights were not recognized to Angolans.

In the period from 1975 to 2002, the defence and promotion of Human Rights suffered severe constraints, motivated by the prolonged armed conflict that the country experienced.

Development in the promotion and defence of Human Rights in Angola has seen its greatest increase in the period of peace since 2002. This period marked a turning point in terms of the defence and promotion of Human Rights. This period posed numerous challenges for public institutions on the need to ensure a sound institutional system for the promotion and defence of Human Rights in Angola.

In order to deepen this process, this Strategy recognizes the principles underpinning the **Plan for Reconciliation in Memory of the Victims of Political Conflicts**, as a key factor for achieving **peace and spiritual reconciliation among Angolans, in the framework of the consolidation of the Democratic State of Law and the continuous deepening of fundamental rights, freedoms and guarantees**.

## **4 - LEGAL AND INSTITUTIONAL FRAMEWORK FOR HUMAN RIGHTS**

### **4.1. Legal Framework**

The notion of Human Rights states that these are natural rights inherent to every human being and therefore enjoy universal legal protection. Human Rights designed as such are the subject of universal legal guarantees which protect individuals and groups against actions and omissions which interfere with fundamental freedoms and rights, or with the dignity of the human person.

It is a universal consensus that Human Rights must be guaranteed to all citizens, from any part of the world and without any kind of discrimination.

The Constitution of the Republic of Angola (CRA) of 2010 establishes, in Title II, the fundamental rights and duties of citizens and establishes that the international legal instruments that Angola has ratified must have direct application in the Angolan legal order, including their direct application by the Courts (Articles 13 and 26 CRA).

The United Nations Universal Declaration of Human Rights of 1948 has been widely accepted as the universal legal instrument containing the fundamental norms of Human Rights.

At regional level, the African Charter on Human and Peoples' Rights of 1986, adopted by the then Organization of the African Union (OAU), mentions in its preamble the values of African civilization as an inspiring element of the African concept of "Human and Peoples' Rights". In addition to the individual rights referred to in the 1948 Universal Declaration, the African Charter extends the concept to the scope of the rights of people. This enlargement is historically based on the fact that the rights of the African peoples have been ignored for centuries by the colonizing powers, with direct effects on the Human Rights of African citizens. Its explicit reference in the African Charter is intended to induce African states to keep the recovery of these African values and the non-regression of the rights of peoples in their political agendas, once Africans have gained political independence and social and cultural self-determination.

These are the main International Human Rights Legal Instruments of which Angola is part of:

#### **4.1.1. At United Nations Level**

- Convention on the Elimination of All Forms of Discrimination against Women (National Assembly Resolution 15/84 of September 19);
- Convention on the Rights of the Child (National Assembly Resolution 20/90 of November 10);
- International Covenant on Civil and Political Rights (National Assembly Resolution 26-B/91 of December 27);
- International Covenant on Economic, Social and Cultural Rights (National Assembly Resolution 26-B/91 of December 27);

- Optional Protocol to the Convention on the Rights of the Child in Armed Conflict (National Assembly Resolution 21/02 of August 13);
- Optional Protocol to the Convention on the Rights of the Child, Child Prostitution and Pornography (National Assembly Resolution 22/02 of August 13);
- Convention on the Rights of Persons with Disabilities (National Assembly Resolution 1/13 of January 11);
- Optional Protocol to the Convention on the Rights of Persons with Disabilities (National Assembly Resolution 2/13 of January 11);
- Convention for the Elimination of All Forms of Racial Discrimination (National Assembly Resolution 35/19 of July 9);
- Second Protocol to the International Covenant on Civil and Political Rights, on the Abolition of the Death Penalty (National Assembly Resolution 37/19 of July 9);
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (National Assembly Resolution 38/19 of July 16).

#### **4.1.2. At African Union level**

- African Charter on Human and Peoples' Rights (National Assembly Resolution 1/91 of January 19);
- Protocol to the African Charter on the Rights of Women in Africa (Maputo Protocol) (National Assembly Resolution 25/07 of July 16);
- Charter on the Rights and Welfare of the Child (National Assembly Resolution 1-B/92 of May 15)

#### **4.1.3. Ongoing Ratification/Accession Processes**

Have not yet been ratified/acceded to, but have already been signed and are in the process of being approved:

- Convention for Protection against Enforced and Involuntary Disappearance;
- Protocols to the African Charter on the Rights of the Elderly and Disabled.

## **4.2. Institutional Framework**

### **4.2.1. Public Administration of Human Rights**

At the level of the Public Administration, in accordance with Presidential Decree No. 77/18 of March 15, which approves the Organic Statute of the Ministry of Justice and Human Rights, the Ministry was given the competence to propose the formulation, as well as to conduct, implement and evaluate policies for justice and the promotion, protection and observance of Human Rights, with the following tasks:

- Designing, formulating, outlining and conducting the policy for the promotion and protection of human rights to be submitted for approval by the Holder of the Executive Power;
- Coordinating Human Rights, asylum and action under international conventions;
- Ensure and promote respect for Human Rights in different fields throughout the national territory, representing the Angolan state in all international Human Rights forums;
- To carry out studies aimed at improving the entities involved in the respect and compliance of Human Rights.

In order to implement these statutory powers, the Ministry of Justice and Human Rights has a **Secretary of State for Human Rights and Citizenship** (SEDHC) and a **National Directorate for Human Rights** (DNDH), whose function is to ensure the defence and observance of Human Rights, in accordance with the principles enshrined in the Constitution, the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and other international legal instruments related to Human Rights to which Angola is a party.

The Minister of Justice and Human Rights coordinates the **Inter-Sectoral Commission for the Preparation of National Human Rights Reports** (CIERNDH), approved by Order No. 29/14 of 26<sup>th</sup> of March, updated by Presidential Order No. 190/14 of 2<sup>nd</sup> of October. The main task of this commission is to prepare the National Human Rights Reports. The Minister of Justice and Human Rights also coordinates the **Interministerial Commission against Trafficking of Human Beings** (CICTSH) approved by Presidential Order No. 235/14 of 2<sup>nd</sup> of December.

The **Provincial Human Rights Committees**, created by Presidencial Decree No. 121/13 of 23<sup>rd</sup> of August, are also part of the set of institutional means for the implementation of Human Rights policies under the supervision of the Ministry of Justice and Human Rights, as joint entities composed of representatives of public institutions and civil society organizations, operating at the level of each province.

The Ministry of Social Action, Family and Women's Promotion (MASFAMU); the Ministry of Health (MINSA); the Ministry of Education (MED); the Ministry of Higher Education, Science and Technology (MESCIT) and the Ministry of the Interior (MININT) are also involved in the cross-cutting nature of Human Rights. These Ministerial Departments are joined by other institutions, such as the National Council for Social Action, the Family Counselling Centres and the Networks for the Promotion and Protection of the Rights of the Child, among others.

#### **4.2.2. Judicial Defence of Human Rights**

From the point of view of the system of administration of justice and the legal guarantee of citizens, the **Courts**, the **Attorney General's Office** (PGR), the **National Police** and the **Angolan Bar Association** (OAA) intervene in the execution of Human Rights.

#### **4.2.3. Independent Public Defence of Human Rights**

At the level of the National Assembly there is the **Committee on Human Rights, Petitions, Complaints and Suggestions of Citizens**

**(10th Commission)** which receives complaints from citizens and can carry out inquiries.

The **Ombudsman**, an independent entity that contributes to the guarantee of Human Rights, acts as an independent public institution for the defence of citizens' rights, freedoms and guarantees, ensuring, through informal means, the justice and the legality of the activities of the Public Administration (Art. 192.1 CRA).

The different partners of **Civil Society** are, in a broad perspective, Associations, Churches, the Media, the Academia, among others.

## **5. STRATEGY STRENGTHS AND WEAKNESSES**

### **5.1. Strengths of the National Strategy**

This Strategy benefits from a number of endogenous and exogenous factors for its efficient and effective implementation.

The most important of these factors is the current moral and ethical climate, characterized by the fight against corruption and impunity, the efforts of the Executive to introduce the culture of good governance, transparency in the management of public affairs and good practices.

The following conditions may be considered favourable to the success of this Strategy:

- a) greater political openness and freedom of expression and demonstration;
- b) substantial improvement of the moral and ethical environment of society;
- c) the state of mobilization and general awareness of society about the tasks of citizenship and good governance;
- d) the excellent cooperation relations of the Republic of Angola with the Human Rights mechanisms of the United Nations and the African Commission on Human and Peoples' Rights, the SADC and the CPLP;

- e) the historical developments observed in the country in the implementation of Human Rights and Fundamental Freedoms;
- f) The beginning of a new era of partnership with Civil Society, marked by the strengthening of relations between the Ministry of Justice and Human Rights and civil society organizations;
- g) Angola's experiences and gains in international Human Rights institutions;
- h) Angola's successful experience in achieving peace and national reconciliation;
- i) Angola's successful experience in dialogue with its international human rights partners;
- j) the accumulated experience of civil society organizations and their impact on the management of issues relating to the protection, promotion and protection of Human Rights;
- k) the existence of several institutions and legal acts which have as their powers and competences the recognition, promotion and protection of Human Rights at national level;
- l) Real possibility of involvement and constructive engagement of the whole of society in the project of consolidation of the Democratic State and the Rule of Law, fundamentally motivated by the current political scenario.

## **5.2. Weaknesses of the National Strategy**

Although there is a very favourable climate for the success of the National Human Rights Strategy, its implementation is still subject to great challenges and threats.

The following main threats can be pointed out:

- a) Difficulty in interiorisation of the principle of majority in Human Rights, motivated by a prolonged external paradigm system of Human Rights management and institutional mechanisms for its implementation in a certain way;

- b) Difficulty in implementing the principle of majority in Human Rights due to possible external resistance to national sovereignty in the management of Human Rights by Angolans;
- c) Difficulty in disseminating the principle of majority in Human Rights to society and its absorption by Human Rights actors, in particular due to insufficient institutional mechanisms of the Ministry of Justice and Human Rights;
- d) The current economic and financial crisis and its negative impact on the financing of the implementation programs of the Strategy;
- e) The possibility that this Strategy might not be taken over and integrated by other sectors of governance, as they may consider it to be the sole responsibility of the Ministry of Justice and Human Rights;
- f) Possible blockages and difficulties created by political circles or people of society that bode the failure of strategies and policies of the Executive, for political or other reasons;
- g) Possible seedbeds of resistance by institutional or personal circles averse to change and reform.

## **6. MAIN CHALLENGES AND HUMAN RIGHTS CONSTRAINTS IN ANGOLA**

### **6.1. At National Level**

Despite the progress achieved in the period of peace and political stability, the country faces serious challenges in the realization of economic, social and cultural rights, including the right to health, education, access to land or housing, especially in rural areas, or civil and political rights such as the right to freedom of expression, information or peaceful assembly.

As a result, Human Rights have become a fundamental component of the Executive's system of governance in the current political cycle.

At the time of his inauguration, the President of the Republic stated that Human Rights are a priority for the Executive. This priority is included in the Government Program for 2017 - 2022 and is also part of the “Angola 2025” Mid-Term Plan, with the specific objective of promoting and protecting Human Rights through awareness raising and institutional strengthening of the sector.

Within the framework of this political commitment, a very concrete goal has been set: “By 2022 Angola should improve its position in the Human Rights ranking of the Ibrahim Index of Governance in Africa, compared to 2016.”.

The greatest challenges to be faced and overcome in the face of this commitment are the following:

- The general ignorance of Human Rights standards and related legislation by the population;
- Liaison between the entities responsible for the administration of Justice and Law enforcement, the police and the citizen;
- The effective implementation of the right to health, education, access to land and housing by citizens, particularly in rural areas;
- Improving the exercise of the right to demonstrate, to associate and freedom of press;
- Access to information and justice;
- Gender equality issues (women's empowerment, domestic violence, etc.).

In order to tackle these constraints, serious attention must be paid to the following factors, so that concrete results can be achieved before the end of the current term of office:

- Promote Human Rights Education involving public and private educational institutions;
- Strengthen the Dialog with Civil Society for active and participatory citizenship in a partnership relationship with the State;

- Improve the relationship between the entities responsible for the administration of justice and law enforcement with citizens;
- Increase investment leading to access to health, education, access to land and housing, particularly in rural areas;
- Annul the administrative mechanisms which restrict or impede the exercise of the right to demonstrate, to associate and the freedom of the press;
- Improve access to information and justice;
- Promote gender equality (empowerment of women, domestic violence).

## **6.2. At International Level**

The Republic of Angola develops excellent cooperative relations with the UN Human Rights Mechanisms and the African Commission on Human and Peoples' Rights, as well as the SADC and the CPLP.

The Republic of Angola is a member of the UN Human Rights Council for the period of 2018-2020, elected by the United Nations General Assembly on October 16<sup>th</sup>, 2017 for the third time, since it had previously served two consecutive terms from 2007 to 2013. There is the prospect of being elected for a new term 2020-2022.

Within the African Union (AU) and the Southern African Development Community (SADC) Angola has occupied prominent positions in Defence and Security Commissions and in Peace and Development Promotion.

On the basis of this international political commitment, when applying for membership of the Human Rights Council, Angola made the following commitments for the current term of office:

- Continue to promote and protect Human Rights at regional and international level;
- Ratify the UN Human Rights Treaties which have not yet been finalized;

- Seek progress in Human Rights of access to education, right to health, rights of the person with disabilities, rights of the child, women's rights and combating gender-based violence.

In addition to these commitments, on which Angola has undertaken to pay more attention as a member of the Human Rights Council, our country has an obligation to honour all other commitments inherent in both the ratification of the International Human Rights Treaties and the regular reporting of the recommendations of the Treaty Bodies, namely:

- Human Rights Council in the framework of the Universal Periodic Review;
- Committee on Human Rights;
- Committee on Economic, Social and Cultural Rights;
- Committee on the Elimination of All Forms of Discrimination against Women;
- Committee on the Rights of the Child;
- African Commission on Human and Peoples' Rights;
- African Committee of Experts on the Rights and Welfare of the Child.

Angola has no reports that are overdue, as all of them have been referred to the respective Committees. Currently awaits the marking of the defences of the Reports of the African Charter on Human and Peoples' Rights and its Protocol on Women's Rights in Africa, the International Covenant on Civil and Political Rights and the Convention on All Forms of Discrimination against Women, of the Convention on Persons with Disabilities that will take place over these periods.

## **7. MAJORITY IN HUMAN RIGHTS**

The conquest of Majority in Human Rights is the greatest challenge of this Strategy. The implementation of this principle, which has a high political and social scope, is the main thrust of the NHRS and constitutes the most innovative aspect of the Strategy. It is the anchor

principle which has motivated and determined its formulation and proposal for approval.

Indeed, if it were not to achieve the Majority in Human Rights, it might not be necessary to formulate a Strategy, simply organizing Human Rights implementation plans based on the current paradigm, based on the implementation of the international Human Rights principles and rules contained in the international legal instruments to which Angola is a part of.

The principle of majority in Human Rights makes the Strategy an instrument of national sovereignty for the defence, promotion and protection of the Human Rights of Angolans.

In order to implement this principle, it is necessary to give practical relevance to some of the basic principles of citizenship, to disseminate them and to prepare society to be on board with them and exercise them consciously and consistently. Among other, the following principles stand out: equality; non-discrimination; civil and political rights; economic, social and cultural rights; access to justice.

### **7.1. Culture of Equality**

Some of these principles are equal rights and equal opportunities as a fundamental right under Article 23 of the CRA, which has deserved support in the light of the principle of human dignity. Equality is a civil and political right, which implies for people to be treated with respect and consideration and to participate on equal terms with other citizens in any area of civil, cultural, political, economic and social life.

This right is a fundamental axis. It is crucial that, in exercising the principle of majority in Human Rights, Angolans are able to guarantee equal treatment and opportunities for all citizens and institutions, as well as the necessary implementation in all spheres of public action, which must be achieved in social justice policies, that is, it will be necessary to work so that all people have the opportunity to enjoy the social and economic benefits that the country has.

Discrimination is the opposite of equal rights and equal opportunities and results in numerous Human Rights violations, resulting in huge losses that prevent or limit the exercise of people's rights.

As part of the implementation of the Strategy's principle of majority in Human Rights, it is crucial to:

- Elevate Human Rights to the category of Matter of National Security, through the intervention of the National Security Council in the assessment of the state of Human Rights and its impact on political and social stability;
- Extend the experience of Local Human Rights Committees (CLDH) to all levels of territorial administration, so that all citizens have the opportunity to participate in the promotion, defence and protection of Human Rights and can contribute to combating and correcting the violation of human rights by any person or institutions;
- Establish by its own legal act the various levels of Local Human Rights Committees;
- Set up a system for collecting and disseminating information on the state of Human Rights in each Local Human Rights Committee's policy area;
- Establish the means of liaison between the Local Human Rights Committees, the Ministry of Justice and Human Rights and the National Security Council for the assessment and taking of measures on the information received;
- Implement appropriate measures in a concerted manner that contribute to the elimination of discriminatory practices in all areas of society, enabling the effective enjoyment of the right to equality;
- Implement specific measures for the care of the destitute, in cooperation with the relevant Ministerial Departments and institutions;
- Create measures for the cultural transformation of discriminatory stereotypes, attitudes and behaviour, both

from the point of view of personal conduct and institutional procedures;

- Establish an appropriate legal framework for administering justice in cases of discrimination;
- Strengthen the effective participation of traditionally discriminated organizations and groups.

## **7.2. Non-Discrimination**

For an effective implementation of the principle of majority in Human Rights in the reality of Angola, it is important to establish mechanisms to ensure greater visibility to public opinion, of national public action on the commitment that the Angolan state has in relation to issues of discrimination and inequality, as a structural Human Rights problem of Angolan society.

The following lines of action can be developed to achieve this objective:

- Establish and promote, at the level of intervention, local Human Rights committees, technical and academic exchange events in this field, with other states, national and international organizations.
- Study the institutionalization of the National Day to Combat All Forms of Discrimination in Angola.
- Publicize and commemorate, in an institutional way, international dates related to non-discrimination and equality.
- Establish an appropriate media strategy on respect for and promotion of equality and non-discrimination.

It would be important for the technical conditions to be created in our country, so that the targeted incorporation of state actions, through public policies coordinated by the MJHR, can be replicated in all spheres of public power.

These actions could be triggered, through multidisciplinary teams, by Local Human Rights Committees, and a regulatory instrument could be

developed by the CIERNDH, listing international recommendations on institutional duties in the field of Human Rights.

The continued adoption of legislative, administrative and judicial measures to ensure respect for regulatory documents on non-discrimination should be encouraged.

In order for the principle of majority in Human Rights to develop in a sustainable manner, it becomes necessary to implement strategies of culture and education in Human Rights, oriented to the recognition of the values of equality, non-discrimination, political tolerance, both in the family, professional, academic and associative spheres.

To that end, it is necessary that:

- educational material about equality and non-discrimination will need to be developed. Such task entails articulating and disclosing scientific information to help deter erroneous information that produces harm and social stigma;
- Implement cross-cutting educational projects through all schools in the country, in terms of environmental education, democratic culture, peace and reconciliation and citizenship, etc.;
- Create a Fund to support Human Rights Education and Culture Projects;
- Developing a binding instrument for including Education Plans in close collaboration with the private sector;
- Create incentives to promote Human Rights research to develop educational materials in academic communities;
- Promote education networks and academic and community spaces for the protection of ethnic and political diversity;
- Investigate and document existing culture and education practices in human rights, democratic culture, citizenship culture, peace, and legality;
- Articulate Education Plans and Projects with human-rights culture and education trainers, with conventional curricula, in partnership with the Ministry of Education and Higher Education;

- Approve and implement the National Human Rights Education Strategy;
- Promote the signature of the Protocol with the Ministry of Education and Higher Education for the education of Human Rights in Schools and Public Universities;
- Implement the Co-op Protocols signed with private universities for education and promotion of Human Rights;
- Develop and implement a program for training Human Rights experts;
- Develop and implement a Human Rights Education/Accreditation Program for law and law enforcement agencies;
- Articulate and support civil-society organizations in the course of ongoing training;
- Training of Human Rights experts at the national and local level.

### **7.3. Human Rights Communication and Broadcast**

The interiorisation of the principle of Majority in Human Rights entails adopting a communication and broadcast strategy for a culture of Human Rights.

On this issue, innovative institutional communication tools in the national human-rights-oriented media system would be recommended throughout the national realm.

Angola has ratified a number of international instruments, including obligations directly or indirectly related to human-rights education. It is important that there be an association with the media's principal body, so that these instruments can be promoted, that includes communication and broadcast mechanisms, the use of the most diverse conventional media, and new information and communication technologies.

Given the war past we have, it is critical that we continue to streamline the process of transforming relationships among citizens, so that we

always keep in mind the need to respect the principles of human dignity and respect for difference. These values will have to be conveyed by the media and other communication tools so that they can be known and assumed since the moment of construction of the Angolan citizen's personality, family, school, and other social actors.

To achieve this important communication objective, the following lines of action are important:

- Articulate community and school communication networks, in close cooperation with the Provincial Committees for Human Rights, for disclosure through extra-curricular citizenship-claim activities.
- Promote and spread the lines of human-rights research, with key emphasis on education for citizenship, to form citizens for the kind of society we intend to build in Angola.
- Publish the work of public and private entities to achieve better outcomes in training plans and institutionalize recognition awards.
- Promote intense informational coverage of the "**National Human Rights Award**", highlighting the achievements of individuals and corporations who stand out in defending and promoting Human Rights each year.

#### **7.4. Culture of Civil and Political Rights**

Civil and political rights in Angola, as in most countries of the world, have traditionally been seen as the basic and indispensable core for the exercise and guarantee of other rights.

We can say that Angola has made substantial progress, in terms of the implementation and generation of actions and policies related to the protection of civil rights, in particular, and has been making great efforts to consolidate, within political rights, mechanisms for the effective participation of society.

In this way, with the Principle of Majority in Human Rights of the NHRS, it intends to strengthen and articulate the existing public

actions and programs in the guarantee and protection of civil and political rights, as well as include actions directed towards the protection of these rights, with the following policy objectives:

- Contribute to the effective enjoyment of civil and political rights by the population as a whole;
- Develop effective and articulated coordination strategies to guarantee civil and political rights;
- Take measures to guarantee fundamental freedoms, in particular: freedom of expression, worship, assembly and demonstration, etc.;
- Coordinate public policies and interinstitutional spaces, oriented to guarantee civil and political rights, through a deep monitoring of the Plans and actions of institutions dedicated to the guarantee and prevention of civil and political rights.
- Institutional strengthening of the entities already established and in operation to guarantee civil and political rights.
- Drive regulatory and administrative reforms that make the exercise of a controversial set of civil and political rights more flexible.
- To strengthen administratively, technically and financially the institutions that carry out supervisory tasks.

In order to carry out this enormous task, it is essential that the Angolan state establish a clear and coherent legal framework for guaranteeing civil and political rights, along the following lines of action:

- To analyse the current legal framework incorporating civil and political rights and the respective scope of existing policies, programmes, plans and strategies, seeking to harmonize them with international instruments on the subject.
- Promote dialogue spaces with civil society organizations to define targeted strategies to ensure civil and political rights.
- Develop strategies for the dissemination of civil rights standards, public administrative actors and civil society itself.

- Promote spaces for dialogue between civil society organizations and the defence and security forces, for the adoption of strategies that strengthen the guarantee of civil and political rights, in law enforcement and public security operations.

### **7.5. Culture of Freedom of Assembly and Demonstration**

In order to create a different framework from the current one, giving effective substance to the principle of majority in Human Rights of this Strategy, it is crucial to ensure a framework of legal and institutional instruments for the exercise of freedom of assembly and demonstration, in accordance with the following lines of action:

- Update the sub constitutional legislative framework on the right to assembly and to demonstrate.
- Develop a culture and education strategy on Human Rights aimed at civil servants and civil society on the content and scope of the rights of assembly and demonstration.
- Strengthen the institutional and normative framework for the continuous guarantee of the right to freedom of expression.
- Strengthen community media for the promotion of rights and duties.
- Develop awareness-raising programmes and strategies for the media and the general population with due respect to the right to good name, honour and intimacy.
- Develop and disseminate institutional procedures for handling cases of civil and political rights violations.

### **7.6. Culture of Economic, Social and Cultural Rights**

In the context of the conquest of Majority in Human Rights, economic, social and cultural rights - ESCR - should be among the first priorities of the process of promotion, defence and protection of Human Rights by Angolans, in an endogenous manner.

These rights belong to the group that deals with the material conditions, public goods and services necessary to materialize the idea of a dignified life, a fact that is perfectly aligned with the National Development Plan (NDP) 2018-2022. In order to carry out the ESCR it is necessary that the Angolan state continue its arduous march of structural reforms in the economic fabric of the country. It is therefore essential to carry out the desire to create a society in which opportunities for access to decent living conditions are increasingly guaranteed to all citizens. The effective realization of these rights will be the most prominent point of demonstration of the Angolan Human Rights Majority.

To this end, citizens must be aware of these fundamental rights and work with the Angolan state to continue to guide its actions to ensure their effective enjoyment, always seeking to harmonize them with the economic and social situation of country and the international principles laid down in the International Covenant on Economic, Social and Cultural Rights (ESCR) and the African Charter on Human and Peoples' Rights.

The development of this citizenship process has the following objectives:

- Ensure the progressive and sustainable development and effective enjoyment of the ESCRs for all citizens under equal conditions and circumstances;
- Implementing differentiated measures for vulnerable persons and groups;
- Strengthen mechanisms for access to justice in case of violations of the ESCR;
- Improve accountability mechanisms for public institutions on ESCR;
- Integrate into the governance and public policy instruments the need to ensure effective improvement of the ESCR;
- Improving control and audit mechanisms, making them increasingly transparent, enabling monitoring of the scope

- and impact of public resources for implementing social projects;
- Continue to integrate citizens' participation in the planning and management process for ESCR;
  - Ensure adequate response to primary obligations in relation to ESCR, including: the right to health, the right to adequate food, the right to education, labour rights, the right to social security, the right to decent water for consumption, the right to economic development, the right to participate in cultural life, among others;
  - The need to define sectoral and global targets for short, medium and long-term compliance, which should be subject to periodic monitoring and evaluation;
  - Create spaces for participation and discussion, for review of the mechanisms for monitoring and reporting of the State on the ESCR;
  - Strengthen coordination at national and local level, concerning the collection of information, technical support and methodological system, for the implementation and evaluation of public policies, taking into account the international indicators of ESCR.

## **7.7. Culture of Access to Justice**

### **7.7.1. Strategic nature of Access to Justice**

Access to justice is the intrinsic corollary of the process of reaching the Majority in Human Rights. Without guaranteed access to justice, Angolans cannot effectively promote, defend and protect Human Rights endogenously. This factor of the realization of the principle of majority in Human Rights is what will complete the cycle of sovereign intervention of national citizens in Human Rights matters. As access to justice is not guaranteed, there will always be an open window for citizens to turn to international Human Rights forums to seek to

denounce, defend and correct Human Rights violations occurring in the country.

Therefore, access to justice occupies a prominent place in this strategy, and is part of the real need to guarantee Angolans' right to justice on equal terms and non-discrimination. Like the ambitious programme to combat corruption and impunity, it is necessary to ensure that cases of human rights violations are investigated, prosecuted and punished quickly.

Access to justice should be aligned with the extension of justice services closer to communities, within the framework of the ongoing judicial reform, with the creation of district courts and appeal courts, aiming at relieving the congestion of the Supreme Court, in order to achieve the following objectives:

- Ensure equal access to justice and legal process for the entire population;
- Strengthen the capacity of the entities involved in the administration of justice to investigate and hold accountable Human Rights violations;
- Increasingly create the necessary structural, operational and financial conditions to ensure access to justice for the population in a differentiated way, taking into account their social and territorial specificities;
- Ensure that the actors of the entities involved in the administration of justice have an adequate profile and meet the requirements of investigation and accountability in cases of Human Rights violations;
- Establish an articulated system of judicial information.
- Consolidate and promote alternative conflict resolution mechanisms as effective instruments for combating impunity, as well as a criminal policy with the main emphasis on preventing and punishing Human Rights violations;
- Strengthen institutional coordination between bodies involved in the administration of justice in cases of Human Rights violations;

- Implementation of tools and tools to measure the degree of procedural impunity for institutions with competence in Human Rights investigation, prosecution and accountability in accordance with the most innovative principles of criminal policy;
- Strengthen mechanisms to protect citizens or institutions who report irregularities committed by public or private actors in the context of the duty to protect and promote human rights;
- Ensure effective access to justice for all citizens, regardless of their economic conditions, through adequate budgeting, through the Bar Association, Centres for Out-of-Court Dispute Resolution (CREL) and other means of easy and inexpensive access to justice;
- Establish the most appropriate technical procedures to facilitate access to justice for judicial, administrative and police authorities;
- Establish differentiated mechanisms and procedures for support to groups in need of special protection;
- Determine the regions and areas of greatest demand for justice, and identify the greatest thematic impacts, and ensure access to justice according to regional dynamics and contexts;
- Training different social groups and the general public on legally established mechanisms for access to justice.
- Extend the coverage of the judicial system, within the framework of the trinomial system; presence, infrastructure and qualified personnel, in coordination with the Superior Council of Judicial Judiciary, and the Public Prosecutor's Office, the General Command of the National Police and the other authorities involved in the implementation of justice;
- Streamline the current Justice and Law Reform Project.

#### **7.7.2. Implementation of alternative conflict resolution mechanisms**

Conventional justice generally has quite a few limitations to cover the enormous demand of its services. On the other hand, the complexity of judicial procedures often slows down justice, hampering the overall preventive effect of court decisions.

In order to overcome this objective difficulty of conventional justice, it is necessary to implement alternative means of justice, aiming in particular at:

- Promote and strengthen the implementation of alternative conflict resolution mechanisms, building on an equal and non-discrimination pillar;
- Strengthen and disseminate the Implementation of the Reconciliation Plan in Memory to the Victims of Political Conflicts;
- Support the mediation of conflicts in rural areas;
- Foster the training of Community institutions and leaders in alternative conflict resolution mechanisms;
- Restore and disseminate the justice systems of the various traditional groups, provided that they do not undermine the principles laid down in the Constitution and the dignity of the human person.

## **8. TASKS TO SUCCESSFULLY IMPLEMENT THE PRINCIPLE OF MAJORITY IN HUMAN RIGHTS**

### **8.1. In the Short-Term**

#### **8.1.1. Consolidate the Culture of Peace and Strengthen Democracy, Citizenship and Civil Society,** with the following objectives:

- Strengthen the foundations of democracy, political inclusion and participatory social dialogue;
- Strengthen civil society and its organizations;
- Ensure the dissemination of ethical and patriotic values and behaviour in society.

**8.1.2. Ensure State Reform, Good Governance and the Fight against Corruption**, through the following actions:

- Consider Human Rights as guiding principles of public policy and international relations, linking constitutional principles with existing or not yet ratified international Human Rights instruments;
- Reform and strengthen the internal organization of the Ministry of Justice and Human Rights in the administrative and political management of Human Rights and Citizenship;
- Develop formal education programs in the Human Rights education system from the perspective of the Majority in Human Rights. To this end, it will be necessary to promote the study of the history of Africa and its relationship with Human Rights, and the history of Angola in its relationship with Human Rights and the conquest of the dignity of Angolans.
- Theorize the National Strategy of Rights, developing and theoretically deepening the principles and purposes in which it decomposes, with the aim of serving as a teaching tool in schools and universities.
- Promote concrete programs and projects on Human Rights and citizenship, addressed to state organizations, civil society organizations and schools, public and private media and public services.

**8.2. In the Medium-Term**

**8.2.1. In accordance with the National Development Plan (2018-2022)**

- Give the Justice Sector the level of budgetary priority which will allow it to regain the authority of the State and to restore the moral credibility of public institutions and officials.

- Establish strong justice institutions capable of ensuring the exercise of citizenship and respect for Human Rights.
- Complete the organization, modernization and computerization of the justice services leading to the registration and civil identification of citizens.
- Organize and expand organizations for the care of minors, in the prevention and recovery of minors in conflict with the law.

## **9. FRAMEWORK FOR ACTION TO BE TAKEN TO GAIN MAJORITY IN HUMAN RIGHTS**

To reach the National Majority in Human Rights, the first step is to exercise the legitimacy resulting from national sovereignty to have the right to be ourselves, the Angolans, to assess ourselves, to denounce, to correct and eventually to condemn our failures in Human Rights.

To this end, it is essential to involve civil society to cooperate in improving the performance of public institutions and to build the confidence of civil society in the partnership for the defence and promotion of Human Rights.

In order to achieve these objectives of a high civic and patriotic scope, the following actions may be the appropriate means:

- Strengthening the Human Rights System at provincial level;
- Reinforcement of articulation and partnership with Civil Society;
- Programs and Action for an Endogenous Culture in Human Rights;
- Strengthening the Fight against Trafficking in Human Beings;
- Strengthening Angola's Presence in the main International Human Rights Institutions;
- Improve Angola's image in the International Human Rights Assessment;

- Reinforcement of the activities of the Intersectorial Commission for the Preparation of National Human Rights Reports in Angola (CIERNDH);
- Intensifying Angola's alignment with International Human Rights Principles;
- Reinforcement of the Dialogue with the European Union, the United States of America and other countries, in the scope of Human Rights.

### **9.1. Strengthening the Human Rights System at Provincial level**

- Establish a National Observatory for Human Rights to issue alerts on the national Human Rights situation;
- Strengthen the functioning and capacity of the existing Local Human Rights Committees (CLDH) and extend the Local Human Rights Committees to cover their entire territory;
- Produce periodic Human Rights reports by the CLDH, promoting actions to empower members of these local structures to improve their performance;
- Carry out activities to promote and protect Human Rights at local level to raise awareness among civil society and influence local policies;
- Creation of interaction and communication portals between Local Human Rights Committees and Civil Society, aiming at information and participation at the level of the activities carried out by the committees;
- Establishment of municipal and community centres and empower them on Human Rights issues;
- Stimulating education and awareness of communities through plays, regular meetings with communities, publication of pamphlets depicting the mechanisms of protection and prevention of Human Rights;

- Creation of specialized groups (Social Assistants and Psychologists) within Local Human Rights Committees, dedicated to the care of victims of violence and Human Rights abuse;
- Hold Human Rights meetings with communities to discuss issues related to superstition, taboos, violence against children, national identity with a focus on improving the environment of respect for Human Rights.

## **9.2. Reinforcing liaison and partnership with Civil Society**

- Hold regular meetings with members of Civil Society;
- Hold jointly organized forums with Civil Society;
- Maintain channels and mechanisms for permanent dialogue with representatives of Civil Society;
- Establish a system of alert and monitoring of Human Rights at a local and national level for reporting cases of Human Rights violations and "measure" the degree of satisfaction of society with respect for Human Rights.

## **9.3. Programmes and Action for an Endogenous Culture in Human Rights**

- Establish an adequate annual budget for the promotion and protection of Human Rights, for the CLDH, Human Rights training and empowerment programmes and participation in international events;
- Visibly commemorate International Human Rights Day on 10<sup>th</sup> of December, giving it the appropriate prominence;
- Draw up brochures and other materials to publicize Human Rights and disseminate them widely in places where citizens can access and gather, including national languages, audio-visual media and sign language;
- Disseminate human rights issues and topics through the MJDH portal, the "Jornal da Justiça" and other platforms;

- Carry out Workshops, Seminars and debates for the promotion of Civil, Political, Economic, Social and Cultural Rights, Gender, People with Disabilities, HIV, Rights of the Elderly, Migrants and Refugees, Freedom of Religion, LGBT, ethnic minorities, vulnerable groups, among others.
- Develop, in collaboration with the National Statistical Institute (INE), Human Rights indicators at the national level and follow-up to the Sustainable Development Goals (SDG);
- Prepare studies and research on knowledge; attitudes and practice of promotion and protection of Human Rights;
- Participate in radio and television debates on Human Rights, with the production of opinion pieces and other communication materials;
- Develop and implement a Strategy for the Remediation of Damage Caused by Human Rights Violations.

#### **9.4. Stepping up the fight against Trafficking in Human Beings**

- Establish channels for institutional collaboration with the Interministerial Commission to Combat Trafficking in Human Beings, specifically addressing the Human Rights component of this phenomenon;
- Elaborate the National Strategy on Trafficking in Human Beings and its Action Plan;
- The establishment and operation of a statistical database on Trafficking in Human Beings;
- Conduct seminars, conferences, debates, workshops and training actions on Trafficking in Human Beings;
- Follow-up of cases and improve the country's evaluation of human trafficking;
- Approval of the law on the protection regime for victims, witnesses and collaborating defendants (Law 1/20, of January 22).

## **9.5. Enhancing Angola's Presence in Major International Human Rights Institutions**

Through the following actions:

- Defining a list of priority international institutions on which a new momentum should be pursued;
- Participation in the sessions of the Human Rights Council as a Member State;
- Participation in Sessions of the African Commission on Human Rights;
- Participation in the General Assembly of Human Rights in New York;
- Accession to and implementation of the Sustainable Development Goals (SDG);
- Institutionalize the Ombudsman as a National Human Rights Institution in accordance with the Paris Principles;
- Participation in regional (SADC) and international conferences (Vienna-Austria and New York) on trafficking in human beings.

## **9.6. Improve Angola's image in the International Human Rights Assessment**

- Participate in an active and organized manner in priority international events, drawing up in advance memorando setting out objectives to be achieved at each event;
- Follow and implement the recommendations of the Human Rights Council in the framework of the Universal Periodic Review;
- Submit the reports in due time and defend them to the competent institutions;

- Hold meetings with the National Assembly to promote ratification of unratified International Human Rights Treaties.

**9.7. Strengthening the Activities of the Inter-Sectoral Commission on the Preparation of National Human Rights Reports in Angola (CIERNDH)**

- Hold periodic meetings of the Portfolio Holders and the Technical Group;
- Draw up the reports on the implementation of the various international treaties to which Angola is a State Party;
- Prepare, through prior meetings and the production of memoranda, for participation in the Defence of Reports;
- Carry out activities (seminars, workshops, etc.) at national level to disseminate the reports and their recommendations;
- Draw up and disseminate Periodic Human Rights Reports;
- Establishment of Human Rights Alert and Monitoring Mechanisms and measures to prevent Human Rights violations in hospitals, prisons and all investigation and public security services.

**9.8. Angola's closer alignment with International Human Rights Principles**

- Promote the alignment of public policies with international Human Rights standards;
- Invite the Special Rapporteurs on Human Rights to verify and evaluate compliance with obligations in different areas of Human Rights in Angola.

**9.9. Strengthening of the Human Rights Dialogue with the European Union, the United States of America, Norway Kingdom and other countries:**

- Strengthen the "Joint Road" dialog with the European Union on Human Rights;
- Strengthen the dialogue with the Kingdom of Norway on Human Rights;
- Strengthen the Human Rights Dialogue with the United States of America on Human Rights;
- Strengthen the dialogue with other international, regional and bilateral partners on Human Rights.

## **10. MEANS AND INSTRUMENTS FOR IMPLEMENTING THE NATIONAL HUMAN RIGHTS STRATEGY**

The following methodological procedures are recommended for the implementation of this Strategy:

- The adoption of the National Strategy for Human Rights by relevant legal act;
- Define the Ministry of Justice and Human Rights, in liaison with other public administration bodies and institutions, as executor of the Strategy;
- Involve the National Civil Society, International Institutions and other institutions and bodies as implementing partners of the Strategy.

This Strategy has had the following approach and approval methodology:

- Discussion and approval at the level of the steering council of the Ministry of Justice and Human Rights;
- Public consultation of Civil Society through workshops and seminars;
- Setting up a website to disseminate the project and to receive opinions and suggestions;

- Assessment of the Strategy draft by the Committee on Social Policy of the Council of Ministers;
- Assessment and discussion of the Strategy in a session of the Council of Ministers;
- Approval of the Strategy by Presidential Decree and publication.
- Approval by Presidential Decree of the 4<sup>th</sup> of April Human Rights Award and creation of the jury for the evaluation of applications.

## 11. IMPLEMENTATION PLAN OF THE NATIONAL HUMAN RIGHTS STRATEGY

### 11.1. At National Level

SPECIFIC OBJECTIVES	ACTIONS	RESULTS	RESPONSIBLE ENTITIES	EXECUTION PERIOD		
				Immed iate 2020	Short-term 2021	Medium-term 2022-2025
<b>1. Strengthening the Human Rights System at Provincial level</b>	<b>a)</b> Strengthen the functionality of the Provincial Human Rights Committees (take over the 5 Committees not yet sworn in and strengthen the capacities of all CPHR)	- Empower the 18 CPDH and have them in full operation  - Carry out the visits to the 18 provinces	DNDH CPDH		X	
	<b>b)</b> Verification visits and monitoring to the provinces		GSEDHC, DNDH, CPDH	X	X	X
	<b>c)</b> Carrying out activities to promote and protect HR at local level	- Carry out activities to promote and protect human rights with the CPDH in all provinces	GSEDHC, DNDH, CPDH	X	X	X
	<b>d)</b> Creation of interaction and communication portals between the Provincial Human Rights Committees and civil society, aiming at information and participation at the level of activities for the promotion and protection of human rights, and the dissemination		DNDH CPDH		X	X

	of activities developed by the Committees				
	<b>e)</b> Establishment of municipal and community centres and empower them on human rights issues	CPDH	x	x	
	<b>f)</b> Stimulating community education and awareness, through plays, regular meetings with communities, publication of pamphlets depicting the mechanisms of protection and prevention of human rights	CPDH	x	x	
	<b>g)</b> Creation of specialized groups (Social Assistants and Psychologists) within the Human Rights Committees, dedicated to the care of victims of violence and human rights abuse	CPDH CLDH	x	x	
	<b>h)</b> To hold human rights meetings with communities to discuss issues related to superstition, taboos, <i>custom against legem</i> , violence against children, national identity with a focus on improving the human rights environment	DNDH CPDH CLDH	x		
	<b>a)</b> Annual Forum organised	-Conduct at least 4	MJDH, DNDH	x	x

<b>2. Strengthening liaison and partnership with Civil Society</b>	jointly with Civil Society	Forums with OSCs -Improve dialog between CSOs and public institutions -Existence of a system for reporting and monitoring cases			
	<b>b)</b> Permanent dialogue with representatives of civil society <b>c)</b> Establishment of a human rights alert and monitoring system to report human rights violations;		MJDH, DNDH,CLDH	X	X
<b>3.Training and Education in HUMAN RIGHTS</b>	<b>a)</b> Approval and implementation of the National Strategy for Human Rights Education (ENEDH)	- Approve ENEDH and have it implemented in different sectors  - Sign the Protocol and Introduce the subject of HR in private universities  - have HUMAN RIGHTS experts in different sectors (MJDH, CIERNDH, CSO; media)  -Training in HR the National Police Agents, Security Forces and others, - Have joint training programs with CSOs	MJDH,GSEDHC,D NDH, CLDH		X
	<b>b)</b> Protocol with the Ministry of Education and Higher Education for Education in Public Schools and Universities;		MJDH, MED, MESCTI, GSEDHC, DNDH		X
	<b>c)</b> Implementation of the Cooperation Protocols signed with private universities for the teaching and promotion of human rights;		MJDH, MESCTI, GSEDHC, DNDH	X	X
	<b>d)</b> Training of human rights experts at national, provincial, and local levels		GSEDHC, DNDH, CLDH	X	X
	<b>e)</b> Human Rights training/capacitation for law enforcement agencies		GSEDHC, DNDH, CGPN, National Police	X	X
	<b>f)</b> Liaison with civil society organizations in connection		GSEDHC, DNDH	X	X

	with the training they wish to carry out;					
<b>4. Programmes and actions to promote a culture of human rights</b>	<b>a) International Human Rights Day commemoration</b>	<ul style="list-style-type: none"> <li>- Celebrate and publicize International Human Rights Day</li> <li>- Publicly recognize persons, entities and institutions who stand out in the defence and promotion of human rights each year</li> <li>- Promote and disseminate human rights in Angola</li> <li>- Disseminate human rights at national and international level</li> <li>- Promoting a culture of forgiveness and reparation</li> </ul>	GSEDHC, DNDH	X	X	X
	<b>b) Creation of the 4<sup>th</sup> of April Human Rights Award (annual)</b>		GSEDHC, DNDH	X	X	X
	<b>c) Preparation of Brochures and other materials for the dissemination of Human Rights in Portuguese and other national languages, audio-visual media and sign language</b>		GSEDHC, DNDH	X	X	X
	<b>d) Dissemination of human rights issues through the MJDH portal and other platforms</b>		GSEDHC, DNDH, GCII	X	X	X
	<b>e) workshops and debates for the promotion of Civil and Political Rights, DESC, Gender, People with Disabilities, HIV, Rights of the Elderly, Migrants and Refugees, Freedom of Religion, LGBT, ethnic minorities, vulnerable groups, etc.)</b>		GSEDHC, DNDH, CIERDN, MINSA (for HIV related topics)	X	X	X
	<b>f) Development of human rights indicators at National level and Follow-up of SDGs</b>		GSEDHC, DNDH,	X	X	X
	<b>g) Preparation of studies on</b>		GSEDHC, DNDH	X	X	X

	knowledge, attitudes and practice in the promotion and protection of human rights					
	<b>h)</b> Working with the media to spread human rights widely and to train journalists in this area		GSEDHC, DNDH, MCS, Social Communication	X	X	X
	<b>i)</b> Participation in radio and television debates on human rights, production of Opinion articles and other communication materials		GSEDHC, DNDH, all Directorates of MJDH	X	X	X
	<b>j)</b> Preparation and implementation of a Strategy for the Remediation of Proven Damage by Human Rights Violations		MJDH / CIVIL HOUSE AND SECURITY HOUSE OF THE PRESIDENT OF THE REPUBLIC	x	x	x
<b>5. Stepping up the fight against trafficking in human beings (THB)</b>	<b>a)</b> Coordination of the Interministerial Commission to Combat Trafficking in Human Beings	- Reinforcing the fight against THB	GSEDHC, DNDH, CITSH	X	X	
	<b>b)</b> Prepare the National Strategy on THB and its Action Plan	-Develop and approve the National Strategy on THB	GSEDHC, DNDH	X	X	
	<b>c)</b> Creating and implementing a statistical database on THB	-Create a statistical database on THB	GSEDHC, DNDH	X	X	X
	<b>d)</b> Conducting seminars, conferences, debates, workshops and training	-Disseminate the	GSEDHC, DNDH, CIERDN	X	X	X

	actions on THB	Fight against THB and train technicians on THB	GSEDHC, DNDH	X	X	X
	<b>e)</b> Follow-up of judged and non-judged cases					
	<b>f)</b> Approval of the law on the protection regime for victims, witnesses and collaborating defendants	Disseminate the law on the protection regime for victims, witnesses and collaborating defendants (1/20, January 22)			x	

## 11.2. At International Level

SPECIFIC OBJECTIVES	ACTIONS	RESULTS	RESPONSIBLE ENTITIES	EXECUTION PERIOD		
				Immedia te 2020	Short-Term 2020	Mediu m-Term 2021-2022
	<b>a)</b> Definition of priority international institutions	-Participation with different interventions in the regular sessions of the Human Rights Council and the	GSEDHC, DNDH, CIERNDH	X		
	<b>b)</b> Participation in Human Rights Council sessions as a Member State		GSEDHC, DNDH, CIERNDH	X	X	X
	<b>c)</b> Participation in the Sessions of the African Commission on Human Rights		GSEDHC, DNDH, CIERNDH	X	X	X

<b>1. Enhancing Angola's Presence in Major International Human Rights Institutions</b>	<b>d)</b> Attend the General Assembly of Human Rights in New York	<p>African Commission on Human Rights and other priority institutions</p> <p>-Monitoring and implementation of the SDGs</p> <p>-Promote the role of the Ombudsman in the defence of rights and freedoms of citizens</p>	GSEDHC, DNDH, CIERNDH, OMBUDSMAN	X	X	X
	<b>e)</b> Accession and implementation of the Sustainable Development Goals (SDGs)		GSEDHC, DNDH, CIERNDH	X	X	X
	<b>f)</b> Support for the promotion of the Ombudsman's role as a National Human Rights Institution in accordance with the Paris Principles		GSEDHC, DNDH, CIERNDH,	X	X	X
	<b>g)</b> Participation in regional and international conferences on Trafficking in Human Beings		GSEDHC, DNDH, CIERNDH,	X	X	X
	<b>a)</b> Regular meetings of the Portfolio Representatives and Technical Group		GSEDHC, DNDH, CIERNDH,	X	X	X
<b>2. Strengthening the Activities of the Inter-Sectoral Commission on the Preparation of National Human Rights Reports in Angola (CIERNDH)</b>	<b>b)</b> Preparation of the Reports of the different International Treaties to which Angola is a State Party	<p>-Draw up in due time all the reports on the international treaties to which Angola is a State Party</p> <p>-Participate successfully in Report Defences</p> <p>-Promote and implement the Recommendations of the Different Committees and the</p>	GSEDHC, DNDH, CIERNDH,	X	X	X
	<b>c)</b> Preparation and participation in the Defence of Reports		GSEDHC, DNDH, CIERNDH,	X	X	X
	<b>d)</b> Activities (seminars, workshops, etc.) at national level for the dissemination of reports and their recommendations		GSEDHC, DNDH, CIERNDH,	X	X	X
	<b>e)</b> Follow-up and implementation		GSEDHC,	X	X	X

	of Human Rights Council recommendations in the framework of the Universal Periodic Review	Human Rights Council - Analyze the reported and judged cases	DNDH, CIERNDH,			
	<b>f) Preparation and dissemination of Periodic Reports on Human Rights</b>		GSEDHC, DNDH, CIERNDH,	X	X	X
	<b>g) Establishment of Human Rights Alert and Monitoring Mechanisms and measures to prevent human rights violations in hospitals, prisons and all investigation and public security services.</b>		GSEDHC, DNDH, CIERNDH,	X	X	X
<b>3. Intensifying Angola's alignment with international human rights principles</b>	<b>a) Public Policy Alignments with International human rights standards</b>	- Align Public Policies with international human rights standards - improve the enjoyment of human rights by citizens -Follow-up of visits of different special rapporteurs -Ratify the	GSEDHC, DNDH, CIERNDH,	X	X	X
	<b>b) Invitation to the Special Rapporteurs on human rights</b>		GMJDH, GSEDHC, DNDH, CIERNDH,	X	X	X
	<b>c) Meetings with the National Assembly to promote the ratification of unratified international human rights treaties</b>		GSEDHC, DNDH, CIERNDH, AN	X	X	

		International human rights Treaties to which Angola is not yet a State Party				
<b>4. Strengthening of the Human Rights Dialogue with the European Union, the United States of America, Norway and other countries on human rights</b>	<p><b>a)</b> Strengthening Joint Road Dialogue with the European Union</p> <p><b>b)</b> Strengthening Human Rights Dialogue with the United States of America</p> <p><b>c)</b> Strengthening Human Rights Dialogue with Norway</p> <p><b>d)</b> Strengthen the dialogue with other international, regional and bilateral partners on Human Rights</p>	-Enhancing dialogue with key international partners in the field of human rights	GMJDH, GSEDHC, DNDH, CIERNDH,	X	X	X

