

Universal Periodic Review (34th session, October - November 2019)
Contribution of UNESCO

Angola
(Right to Education)

I. Background and framework

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

II. Promotion and protection of human rights on the ground

A. Education

1. Angola adopted a new **Constitution in February 2010**.¹ Replacing the Constitution of 1992, the 2010 Constitution introduced progressive changes with regard to the right to education. According to **Article 21**, one of the fundamental tasks of the State is to promote policies that ensure universal access to compulsory education. **Article 79** guarantees the right to education and stipulates that the State promotes access to literacy and education for all. **Article 80** prohibits children of school age to work and **Article 81** stipulates that the youth have special protection in the implementation of their social, economic and cultural rights with particular attention given to education and professional training. Regarding disabled people, the State promotes and supports special education and technical and vocational training (**Article 83**). According to **Article 19**, Portuguese is the official language and the State valorizes and promotes the learning and use of other Angolan languages. Moreover, the Constitution guarantees the principle of equality and non-discrimination (**Articles 21 and 23**).

2. The **Angolan Education Law (13/01) of 31 December 2001**² instituted the reform of the educational system. It established a new system with preschool education, basic education (considered as free and compulsory education of 6 years instead of 4), secondary education with two cycles of 3 years, vocational education (professional and technical education), teacher training for preschool and basic education, adult education and higher education organized in two cycles. Freedom of charges includes institutional fees as well as schooling material (**Articles 7 & 8**). According to **Article 9** of the Education Law, teaching is provided in Portuguese. Learning in national languages can be provided and the State shall promote all conditions for its assurance

B. Freedom of opinion and expression

Constitutional and Legislative Framework:

3. Freedom of expression and information is guaranteed under Article 40 of the Constitution of Angola.³

4. In 2017 the Social Communication Legislative Package passed into law, which includes the Press Law, Television Law, Broadcast Law, Law on Code of Conduct of Journalists, and statutes of the Angolan Regulatory Body for Social Communication (ERCA).

5. The Press Law gives the Ministry of Social Communication the authority to oversee how media organizations carry out editorial decisions, and to fine or suspend the activities of violators. It also criminalizes publication of a text or image that is “offensive to individuals”⁴, and can be punished under the penal code as defamation and slander, with fines. Defamation is a criminal offence under Article 199 of the Angolan Penal Code (2006)⁵ and shall be punished with monetary fine or imprisonment of up to two years.

¹ <http://www.unesco.org/education/edurights/media/docs/b8b2f459c27112e80dbbce720f7c7d46ebf293d9.pdf>

² <http://www.unesco.org/education/edurights/media/docs/ab5edaf60f92b4f7e925745f909ae6a6b62bf559.pdf>

³ http://www.wipo.int/wipolex/en/text.jsp?file_id=196467

⁴ <https://wipolex.wipo.int/en/text/220757>

⁵ http://www.wipo.int/wipolex/en/text.jsp?file_id=244267

6. Article 10 of the new Press Law states that “all social communication media have the responsibility of assuring citizens’ rights to inform and be informed in accordance with the public interest,” which enables the government to control information posted on social media or elsewhere online.

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

Implementation of legislation:

8. The Angolan Institute for Communications (INACOM), reporting to the Ministry of Telecommunications and Information Technology (MTTI) of Angola sets policies and regulation for telecommunications, including licensing. The Director General of INACOM is appointed by the Ministry.⁶

9. The Angolan Social Communications Regulatory Body (ERCA) regulates online content. The ERCA’s Governing Board is composed of 11 members - five appointed by the majority party in Parliament; three by the opposition; one by the government; and two by stakeholders in the sector.⁷

Safety of Journalists:

10. Since 2008, UNESCO has condemned the killing of one journalist in Angola. The Government has not responded to UNESCO’s request, with the case still not resolved according to UNESCO records.⁸

III. Review and specific recommendations

A. Education

13. During the last UPR cycle, Angola was recommended to ensure broad public access to quality education, with special attention to women, girls, and those living in rural areas. Implementation of plans to tackle illiteracy and offer remedial education were encouraged.

Policy framework

- The **National Development Plan for the period 2018-2022**⁹ was approved in April 2018 and aims to: promote the social and productive integration of the most vulnerable and excluded groups; reduce social, economic, cultural and territorial asymmetries; re-adapt the institutional architecture of support of the social action of the State and support initiatives

⁶ <https://www.itu.int/net4/itu-d/icteye/CountryProfileReport.aspx?countryID=8>

⁷ http://www.angop.ao/angola/en_us/noticias/politica/2017/7/33/Angola-ERCA-members-inauguration-tops-Parliament-plenary.c0a3de16-deaf-44da-84b3-9e0b87d75b34.html

⁸ <https://en.unesco.org/themes/safety-journalists/observatory/country/223654>

⁹ The National Development Plan 2018-2022. https://www.info-angola.com/attachments/article/4867/PDN%202018-2022_MASTER_vf_Volume%201_13052018.pdf

that provide support for people with disabilities and their families.¹⁰ With regard to education, the Plan defines various objectives to be achieved in this field.¹¹

Budget

- Education spending is just 2.3% of GDP in Angola.¹² Angola should aim to ensure that gains realized from economic growth, in particular the benefits from oil, gas and diamond industry revenues, are channeled into education.¹³

Access to education

- **The Angolan Education Law (2001)** makes primary education free and compulsory for 6 years, however the Committee on the Rights of the Child reports that in 2016 the Angolan Government adopted a basic law extending free and compulsory education to 9 years (more information is needed from the State Party to confirm).¹⁴
- The State's efforts in education and training led to a sharp increase in the gross enrolment rate in primary and secondary schools from 13.19 per cent in 2014 to 97.5 per cent in 2016.¹⁵
- The completion rates in 2015 indicate high levels of dropout, with only 60% of students completing primary school, 36% completing lower secondary school and 19% completing upper secondary school.¹⁶

Infrastructure and teachers

- Resources have been allocated under the national budget annually for the: purchase of teaching materials and textbooks; preparation of textbooks for national languages; teacher training programmes; introduction of computer technology in schools; maintenance of schools and buildings; sports events and regulation of education activity.¹⁷
- There is still some shortfall in funding. Only 7% of primary schools had access to drinking water in 2014,¹⁸ and although there has been an impressively high expansion rate of the primary teaching force, less than half of the new recruits were trained.¹⁹

Literacy

- With regard to adult education, **Article 31 of the 2001 Education Law** provides that adult education through intensive or non-intensive educational methods is held in regular institutions, in military units, in urban and rural associations, and is provided by the State, individuals or State partners. Adult education focuses on the social and economic integration of the individual aged over 15 years old into the community.²⁰

¹⁰ World Bank. <http://documents.worldbank.org/curated/en/343571531389943002/pdf/SPL-PER-Angola-May-23.pdf>

¹¹ The National Development Plan 2018-2022, p. 74.

¹² World Bank: Angola Social Protection Public Expenditure Review, 2018.

<http://documents.worldbank.org/curated/en/343571531389943002/pdf/SPL-PER-Angola-May-23.pdf>

¹³ Concluding Observations of the CRC, 2018, para 9.

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/AGO/CO/5-7&Lang=En

¹⁴ CRC Summary. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23093&LangID=E>

¹⁵ Concluding Observations of the CRC, 2018, para 34.

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/AGO/CO/5-7&Lang=En

¹⁶ Global Education Monitoring Report 2019, p. 290. <http://unesdoc.unesco.org/images/0026/002658/265866E.pdf>

¹⁷ Angola State Report prepared for CEDAW, 2017, para 135.

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fAGO%2f7&Lang=en

¹⁸ Global Education Monitoring Report 2017/2018, p. 378. <http://unesdoc.unesco.org/images/0025/002593/259338e.pdf>

¹⁹ Global Education Monitoring Report 2019, p. 216. <http://unesdoc.unesco.org/images/0026/002658/265866E.pdf>

²⁰ Unofficial translation of the Portuguese.

- Following decades of conflict, the adult literacy rate in Angola has slowly been rising and in 2016 stood at 66%.²¹

Gender

- At primary level, the gender gap has been closing, but remains an issue of concern at the secondary level, particularly in rural areas.²²
- Using the Adjusted Gender Parity Index, completion of primary level of education stands at 0.89 AGPI, completion of lower secondary level is 0.76 AGPI and completion of upper secondary is 0.64 AGPI, in 2015.²³
- Adolescent pregnancies can lead to high dropout rates among girls, and Angola currently lacks a clear policy for re-entry or law to protect pregnant girls' right to education.²⁴

Disabilities

- **Article 42 and 43 of the 2001 Education Law** provide for education for individuals with special needs for children and adults in state institutions, adult education institutions or any other institutions specified by the Minister of Education to this matter.²⁵
- To promote equitable access to education the adoption and implementation of the **National Policy for Inclusive Education** is expected to benefit more than 23,000 children with disabilities by emphasizing the rights of children with disabilities to equal access to quality education and offering teacher training to help increase participation of children with disabilities in regular classes.²⁶

Education for minority groups

- Schools are few and sometimes completely absent in regions where indigenous peoples reside. For the San minority, language becomes an added barrier to learning.²⁷
- Birth registration and the legal requirement for all children to obtain an identification card by the age of 10 can be a practical obstacle hindering access to education for foreigners, including refugees and asylum seekers.²⁸

Specific recommendations:

14. Angola should be encouraged to:
 1. Ratify the Convention against Discrimination in Education.
 2. Develop its legislative framework on education in order to guarantee the right to education for all.

²¹ Global Education Monitoring Report 2019, p. 307. <http://unesdoc.unesco.org/images/0026/002658/265866E.pdf>

²² UNICEF country programme document 2015-2019, p. 3. https://www.unicef.org/about/execboard/files/2014-PL4-Angola_CPD-final_approved-EN.pdf

²³ Global Education Monitoring Report 2019, p. 316. <http://unesdoc.unesco.org/images/0026/002658/265866E.pdf>

²⁴ Human Rights Watch. <https://www.hrw.org/report/2018/06/14/leave-no-girl-behind-africa/discrimination-education-against-pregnant-girls-and> (Accessed 3 January 2019).

²⁵ Ibid.

²⁶ UNICEF Annual Report 2017. Angola, p. 1. https://www.unicef.org/about/annualreport/files/Angola_2017_COAR.pdf

²⁷ State of the World's Indigenous Peoples' Education (UN). https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2017/12/State-of-Worlds-Indigenous-Peoples_III_WEB2018.pdf

²⁸ Concluding Observations of the CRC, 2018, para 34. https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/AGO/CO/5-7&Lang=En

3. Intensify its efforts to improve equal access to education for all, especially vulnerable groups such as women and girls, minorities, nomadic populations, children with special needs and those in rural areas.
4. Address the problem of school dropout, with special attention given to the reported reasons that girls drop out of school more often than boys, such as gender-based violence, child marriage and teenage pregnancy.²⁹
5. Increase spending on education to reach the Education 2030 target of 4-6% of GDP and 15-20% of total expenditure.
6. Invest further resources into improving the national literacy rate.
7. Submit regularly comprehensive national reports for the periodic consultations on UNESCO's education-related standard-setting instruments, and notably on the Convention against Discrimination in Education.
8. Share with UNESCO any relevant information to update its country profile on UNESCO's Observatory on the Right to Education.³⁰

B. Freedom of opinion and expression

15. The Government is recommended to bring its laws and practices regarding the criminalisation of publications which are "offensive to individuals" in line with international standards for press freedom and freedom of expression.³¹
16. The Government is recommended to decriminalize defamation and place it within a civil code that is in accordance with international standards.
17. The Government is encouraged to assess the system for issuing broadcast licenses in order to ensure that this process is transparent and independent.
18. The Government is encouraged to bring the rules regulating accreditation of journalists in line with international standards.
19. The Government is urged to investigate the case of the killed journalist, and to voluntarily report on the status of judicial follow-up to UNESCO. The Government may wish to consider taking advantage of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity as a means to strengthen protection of journalists and freedom of expression.

C. Cultural rights

²⁹ Ibid.

³⁰ <http://www.unesco.org/education/edurights/index.php?action=home&lng=en>

³¹ http://ccprcentre.org/doc/ICCPR/General%20Comments/CCPR.C.GC.32_En.pdf

20. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)³² and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)³³, Angola is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Angola is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

21. Angola is also encouraged to ratify the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) as a means to promote access to and participation in creative expressions and as such contribute to implementing the right to take part in cultural life.

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

22. **Angola** did not submit its National Report on the implementation of the Recommendation on the Status of Scientific Researchers (1974) for the Second Consultation covering the period from 2013 to 2016 (<http://unesdoc.unesco.org/images/0025/002592/259256e.pdf>). Therefore **Angola** is encouraged to report to UNESCO in future on the implementation of the newly adopted Recommendation on Science and Scientific Researchers (2017), which supersedes the 1974 Recommendation, on any legislative or other steps undertaken by it to ensure the application of this international standard-setting instrument, paying a particular attention to the legal provisions and regulatory frameworks which ensure the implementation of human rights of scientific researchers, as well as human rights obligations related to science, the principle of non-discrimination, including urging active promotion of women and girls entering scientific careers, as well as the scientists' rights of autonomy, freedom of research, expression and publication.

³² Periodic Report available at: <http://whc.unesco.org/archive/2011/whc11-35com-10Ae.pdf>

³³ Periodic Report not available