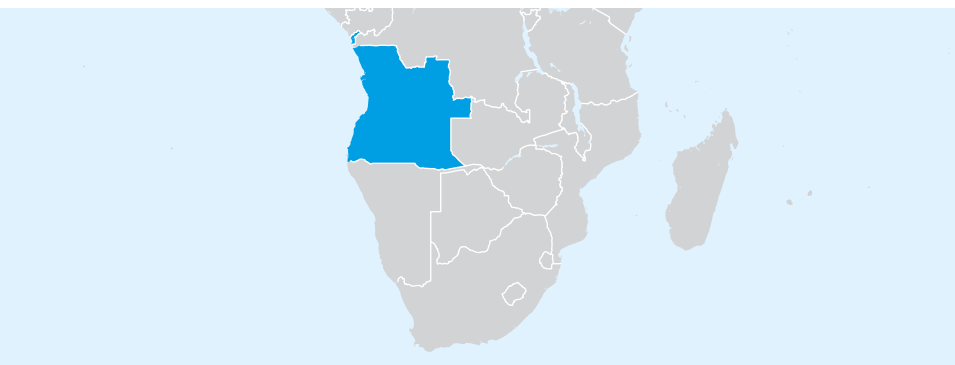




ANGOLA



“States parties in focus” is a series prepared by the CTI Secretariat, and approved by the portrayed Government, with a view to sharing inspiration and experiences with other States that are considering ratifying the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) and/or its Optional Protocol (OPCAT).

According to the Secretary of State for the Interior, H.E. José Bamóquina Zau, the Government of Angola joined the UN Convention against Torture (UNCAT) aspiring “to join the international community and continue [Angola’s] efforts to guarantee the effective application of the international legal instruments that prohibit torture and all forms of cruelty and humiliation”. Angola ratified UNCAT, without reservations, on 2 October 2019.

UN Convention against Torture helping to underpin Angola’s criminal justice legislation

Angola’s decision to become party to UNCAT formed part of a series of ongoing reforms to elevate and respect human rights in the country.

Bolstered by constitutional guarantees against torture and cruel, inhuman or degrading treatment, Angola has in recent years introduced a number of complementary laws:

- A new Penal Code, approved in 2020, explicitly criminalises torture and ill-treatment and, additionally, differentiates a separate offence of torture as a crime against humanity.
- The Prisons Act from 2008 renders unlawful the prison service from committing any act of torture against persons deprived of their liberty. To ensure oversight and transparency, the Prisons Act allows visits to be carried out by different authorities and stakeholders such as the Ombudsperson, the Secretary of State for Human Rights and Citizenship and non-governmental organisations.

- A new Code of Criminal Procedure (CCP), adopted in 2020 after extensive consultations, gives effect to the reformed Penal Code and places the rights of victims, witnesses and defendants centre-stage. Among other provisions, evidence obtained through torture, ill-treatment or other coercive methods is considered void, perfectly satisfying Article 15 of UNCAT.
- Angola has also reformed its law governing the organisation and the functioning of the National Police. This text, which oversees the police’s behaviour, obliges officials to always act under the principles of, *inter alia*, legality, proportionality and equality, in order to protect citizens from abuse and to combat impunity.

These positive developments will improve Angola’s justice and law enforcement systems. A Commission for Justice and Law Reform, coordinated by the Ministry of Justice and Human Rights, was reactivated to streamline these endeavours. The current priorities of the Commission are to examine and propose reforms to the laws governing Angola’s Supreme Court, the Superior Council of the Judiciary and the Office of the Prosecutor General.

Speaking on the UN Convention against Torture and these and upcoming reforms, the Secretary of State for Human Rights and Citizenship, Dr. Ana Celeste Cardoso Januário, said:

“ The ratification of the Convention is aligned with the National Human Rights Strategy and its Action Plan aims to ensure better protection of citizens against torture and ill-treatment, both from formal and material points of view.”

Putting UNCAT into practice

No doubt these legal reforms send a strong message that torture and ill-treatment are rejected by Angola’s legal system as well as by Angolan Society. In fact, the sizable challenge of adopting legislative and institutional initiatives needs to continue to make the commitment concrete through public policies and to guarantee confidence in public institutions and authorities.

Angola's Human Rights Strategy for the period 2019-2022 aims to raise awareness and build the capacity of authorities responsible for implementing the legal framework for the promotion, defence and protection of human rights. Bodies involved in the administration of justice, as well as public servants and citizens in general, must respect international human rights standards.

[CTI's seminar](#) held in Luanda in August 2019 in the lead-up to Angola's ratification of UNCAT was part of this process. The event brought together 60 participants from different ministerial departments and other public institutions, as well as civil society, to discuss good practices as well as how to overcome some continuing challenges. Educating and training public officials is a key aspect of UNCAT, foreseen in Article 10.

Additionally, UNCAT requires States to allow complaints and to carry out investigations into allegations of torture and ill-treatment. Angola's Ombudsperson's Office (Provedoria de Justiça) is empowered to receive such complaints and investigate allegations. In the 2017-2019 period, more than 250 public officials in the country were subject to disciplinary or criminal sanctions following complaints of abuses. New legislation and monitoring mechanisms which preceded and followed ratification will, thanks to the standards enshrined in the Convention, be geared up to better respond to such incidents in a consistent manner. They will also strengthen accountability and create more transparent rules of conduct for public officials.

The Government of Angola has prioritised tackling the root causes of torture and ill-treatment, improving conditions of detention, and strengthening the processes of rehabilitation and social reintegration of the prison community. A concrete example is the "New Direction, New Opportunities" programme, which assigns industrial and agricultural units to a wide range of detention facilities, to allow prisoners to develop skills needed for their subsequent reintegration into the labour market after serving their sentence. In addition, judges can now apply non-custodial measures as alternatives to pre-trial detention, thereby reducing overcrowding of prisons.

Angola is further seeking to put an end to torture-related scourges such as human trafficking and gender-based violence. Angola has established an Inter-ministerial Commission to Combat Human Trafficking and launched a National Plan of Action to implement its recommendations, as well as an Executive Plan to Combat Domestic Violence. With these measures, the Government of Angola will be able to align its due diligence framework by preventing and combating torture and ill-treatment whatever their source, thus implementing UNCAT in a comprehensive manner.

CTI support for States

For those States interested in how the CTI can support their efforts towards ratification and/or implementation of UNCAT, please contact advicehub@cti2024.org. Other country experiences are available on CTI's website: www.cti2024.org.

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