

Country	Angola
SIGI 2019 Category	N/A
SIGI Value 2019	N/A

Discrimination in the family		47%
	Legal framework on child marriage	0.5
	Percentage of girls under 18 married	25%
	Legal framework on household responsibilities	0.5
	Proportion of the population declaring that children will suffer if mothers are working outside home for a pay	-
	Female to male ratio of time spent on unpaid care work	-
	Legal framework on inheritance	0.5
	Legal framework on divorce	0.5

Restricted physical integrity		19%
	Legal framework on violence against women	0.75
	Proportion of the female population justifying domestic violence	25%
	Prevalence of domestic violence against women (lifetime)	35%
	Sex ratio at birth (natural =105)	105
	Legal framework on reproductive rights	0
	Female population with unmet needs for family planning	38%

Restricted access to productive and financial resources		N/A
	Legal framework on working rights	1
	Proportion of the population declaring this is not acceptable for a woman in their family to work outside home for a pay	-
	Share of managers (male)	68%
	Legal framework on access to non-land assets	0.5
	Share of house owners (male)	-
	Legal framework on access to land assets	0.5
	Share of agricultural land holders (male)	-
	Legal framework on access to financial services	0.25
	Share of account holders (male)	61%

Restricted civil liberties		N/A
	Legal framework on civil rights	0
	Legal framework on freedom of movement	0
	Percentage of women in the total number of persons not feeling safe walking alone at night	-
	Legal framework on political participation	0.25
	Share of the population that believes men are better political leaders than women	-
	Percentage of male MP's	69%
	Legal framework on access to justice	0.25
	Share of women declaring lack of confidence in the justice system	-

Note: Higher values indicate higher inequality. Percentages range from 0 to 100, while legal variables are categorised as 0, 0.25, 0.5, 0.75 or 1.

Source: OECD (2019), Gender, Institutions and Development Database, <https://oe.cd/ds/GIDDB2019>.

Angola

1. Discrimination in the family

a) Overarching legal framework for marriage

Under the Angolan Family Code, women and men do not have equal rights in entering the institution of marriage (Angolan Family Code, Art. 24). Forced marriage as well as unions that require the payment of a “bride price” are prohibited under the law (Angolan Family Code, Art. 35). In civil code, marriage is recognised as “a voluntary union between a woman and man” (Angolan Family Code, Art. 20). By this definition, same-sex marriage is not recognised by the state. The Civil code does, however, allow for customary marriages and de facto unions to be legally recognised (Constitution of the Republic of Angola, Art. 35 4). All marriages in order to be valid must be registered (Angolan Family Code, Art 35).

With customary marriages, traditions vary from one ethnic group to another. Polygyny, for example, is reported to be largely accepted and practiced in rural societies where men have more than one wife (FAO, 2017). For informal unions, they are legally recognised after three years of being a consensual monogamous relationship (Angolan Family Code, Art. 112). It has been reported that in practice most marriages in Angola are informal, due to the cost of formal marriages and the lack of awareness on the additional legal protections provided in formal unions (Development Workshop Angola, 2016).

b) Child marriage

The legal age for marriage for both women and men in Angola is 18 years old (Angolan Family Code, Art. 24). Yet, there are exceptional circumstances in which the law will allow those under this minimum age (but still above the age of 15 years for girls and the age of 16 years for boys) to marry with parental consent (Angolan Family Code, Art. 24 (2)). In some cases where consent is not provided, an appeal may be made to the court to obtain permission for marriage.

While there is no specific data available on child marriage in Angola, it has been reported that child marriage (both legal and customary) is prevalent, particularly in rural and lower income communities (US State Department, 2017; Angola Ministry of Family and Protection of Women, 2016). During the civil war (1975-2002), human rights analysts reported between 5 000 to 8 000 girls under the age of 12 years were married to UNITA militants (Sheehan, Sean and Yong, Jui Lin, 2010).

c) Household responsibilities

In the Angolan Constitution (2010), both women and men are of equal status within the family, where it is stressed that marriage is “based on the equality and reciprocity of rights and duties of the spouses” (Constitution, Art. 35; Angolan Family Code, Art. 21). Moreover, female-headed households are common in Angola (CEDAW, 2013), which is characteristic of countries entrenched in armed conflict

and whose population of men are otherwise detained, displaced or deceased because of it (Lindsey, 2001.)

With regard to children, women and men have equal rights to parental authority (Angolan Family Code, Art. 127). Moreover, they have equal rights and duties in the provision of care and raising of their children, irrespective of marital status (Angolan Family Code, Art. 131). Women, however, generally held the responsibility for raising children as well as household duties (US Department of State, 2017).

d) Divorce

While civil law allows either spouse, female or male, to petition for a divorce (Angolan Family Code, Art. 78) there are some ethnic groups in parts of the country that do not recognize the act of divorce, while others allow for it in cases that discriminate against women, e.g. if a woman is infertile (FAO, 2017). There is also evidence of religious groups that prohibit divorce, placing the blame on the woman for causing divorce (Emery, 2013).

With regard to the custody of children, both parents have equal responsibilities to the maintenance of the child, and further, if the child remains with the mother, then the father is legally obligated to provide financial support (Angolan Family Code, Art. 127, 131). With regard to the division of property, the law is unclear. According to the Family Code (1988), the court must take into consideration the life conditions of the spouses, the children, and the causes of the divorce in deciding the division of the family residence.

e) Inheritance

While the Civil Code maintains equal protections to women and men with regard to property, it still respects customary law, which is widely practiced in many parts of the country (Constitution, 2010). Customary practices relating to inheritance differ among ethnic groups; for example, in some rural communities, daughters do not inherit land based on the assumption that once married they will gain access to their husband's property (Development Workshop Angola, 2016). Likewise, the rights of widows are also protected by the Angolan Family Code (Art.75), but where customary law is practiced, widows are excluded from inheriting their deceased husband's property or worse evicted from the property by the in-laws (Development Workshop 2016; FAO, 2017).

For informal unions (who have not met the three year requirement for common law marriage), partners can apply for a Declaration of Joint Ownership of Property, but often the women in informal unions were not afforded rights to inheritance or land (CEDAW, 2013; Development Workshop Angola, 2016).

More

Bigamy is criminalised in the Angolan Penal Code, yet polygyny (where a man has more than one wife) is widely accepted and practiced in the country. It is quite common in rural areas for men to have one legal wife and maintain informal relationships with several other women (Development Workshop

Angola, 2016). In such instances, the husband would only be legally responsible for the legal wife, leaving the other women in these arrangements financially vulnerable (CEDAW, 2013; FAO, 2017).

While discrimination against persons with HIV/AIDS is illegal, there is still a prevailing stigma against individuals with HIV/AIDS (US Department of State, 2016). HIV-positive women are often the targets of such discrimination and banished from their homes (FAO, 2017).

2. Restricted Physical integrity

a) Violence against women

In 2008, the DRC ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, the Maputo Protocol.

While there is no existing legislation in place that comprehensively addresses all forms of violence against women, there are individual laws that prohibit domestic violence and sexual violence against women, including the [Law against Domestic Violence 2013, No. 25/11](#) and the [presidential decrees supporting this law \(124/13; 26/13, 2013\)](#). The state also initiated the “Zero Tolerance for Gender and Sexual Based Violence campaign” to increase awareness of sexual violence and promote preventive best practices addressing sexual violence among local NGOs and provincial government authorities (US Department of State, 2016/2017).

Despite these efforts, violence against women continues to be a widespread problem in Angola (Fundação Open Society, 2013). Some reports attribute this to deep-rooted gender stereotypes and adverse cultural norms and practices that perpetuate violence against women in the country (CEDAW, 2013). Such violence against women may range from domestic violence cases, sexual harassment and rape to the accusation of witchcraft where women are either killed or expelled from their families and communities because they are suspected of being witches (Emery, 2013).

b) Domestic violence

In 2011, the Angolan National Assembly passed the Law on Domestic Violence. The law criminalizes domestic violence by penalizing offenders with prison sentences and fines (chapter 6). Under this law, domestic violence includes former partners and family members who cause physical, sexual, psychological, or economic abuse. It also guarantees support to victims, through the provision of medical services and financial and legal assistance, access to safe houses, psychosocial support, and restraining orders against their offenders. In addition, the law defines violence as a “public crime”, where anyone, not just the victim, can report the incident to the law enforcement (Law on Domestic Violence, chapter 6, 2011; US State Department, 2016).

To support the implementation of the law, a National Action Plan on Domestic Violence (2013- 2017) was adopted as part of the Angolan Presidential Decree 26/13. As part of these efforts, the state established a network of free legal advisory centres, shelters and channels for out of court settlement of dispute. Yet, since its introduction, there have been reports of a “lack of effective implementation of the law, [...] tendency of the State party to encourage women to opt for mediation rather than legal action for cases of domestic violence, [...] and a] lack of sufficient data on cases of gender-based

violence reported” (CEDAW, 2013). It is often the case that due to limited economic opportunities many Angolan women remain in abusive marriages (Emery, 2013). For those that do seek legal recourse, they have little incentive as they are faced with weak law enforcement, slow justice systems, and the light sentencing for offenders (Fundação Open Society, 2013; CEDAW, 2013).

c) Rape

Rape, including marital rape, is illegal in Angola where offenders can serve prisons sentences of up to ten years, depending on the severity of the crime (Penal Code, Art. 169-172, 2006). A person who engages in sexual intercourse with a person who is unconscious or incapable of resistance is considered as committed an act of rape (Penal Code, Art. 169-172, 2006).

In Angola, rape is underreported to formal authorities, but occurs often throughout the country (US Department of State, 2017). To improve police response to rape and sexual violence allegations, the state increased the number of female police officers; yet, limited investigative resources, poor forensic capabilities, and an ineffective judicial system has prevented the prosecution of most of these cases (US State Department, 2016/2017).

d) Sexual harassment

Under the state’s Penal Code, sexual harassment is prohibited at work or in relationships characterized by hierarchical dependency where the offender abuses their authority on another person (Penal Code, Art. 173).

In practice, cases of sexual harassment were common (US State Department, 2016). Reports attribute this to the deep-rooted gender stereotypes and adverse cultural norms and practices that contribute to the persistence of violence against women as well as harmful practice such as sexual harassment (CEDAW, 2013).

e) Female genital mutilation

In Angola, there are no laws that explicitly ban or criminalize the act of female genital mutilation (FGM). Yet, broadly speaking, its Civil Code provides protections for women and children against bodily harm, including special provisions against mutilation (Angolan Constitution, 2010).

To date, there have been no reports of FGM being practiced in Angola, although there are suggestions that the practice may exist in the migrant African communities that now reside in the country (Committee on the Rights of the Child, 2016; US State Department, 2017).

f) Abortion

Under the Angolan Penal Code (Article 358), abortion is illegal and considered a crime punishable by law. There are however some circumstances where abortion is legally permissible. These include when the mother’s life is in danger or when the child’s normal development is at risk (CEDAW, 2013).

Abortions are also allowed in the case of pregnancies resulting from rape. In these exceptional circumstances, the approval of a medical practitioner and the consent of the spouse are required (HRC, 2013; Fundação Open Society, 2013; CEDAW 2013).

More

There have been reports that Angola was both a source and destination country for women and children being trafficked for the purposes of sexual exploitation and forced labour (CEDAW, 2013; US State Department, 2016). In response, Angola has adopted a new Penal Code criminalizing trafficking in human beings, and at the global level, it has acceded to the United Nations Convention against Transnational Organized Crime and its additional Protocol on the Prevention, Suppression and Punishment of Trafficking in Persons, Especially Women (UN Security Council, 2016).

3. Restricted Access to productive and financial resources

a) Secure access to land and assets

In the Civil Code, each citizen, woman or man, is afforded the right to private ownership of land (Angolan Constitution, Art. 98). Further, in marriages, each spouse may administer her or his own property individually as well as jointly provided that the consent of the other spouse is given in dealings with properties held in common (Angolan Family Code, Art. 46).

In 2004, the Angolan Parliament adopted the Land Law (No 9/04) as a new legal framework to better regulate land ownership and use. The law however is absent of any language referring to the rights of women or non-discrimination in land access and the regularization of informal land occupations (GI-ESCR, 2013). But it does make clear that it will respect and protect customary rights to land in rural communities (Land Law, Article 9, 2004). So while the state maintains the equality of all its citizens (Angolan Constitution, Art. 21), conversely, the Land Law may permit the discrimination of women given that customary practices relating to land tend to favour men over women (Makhado and Pelizzo, 2016; CEDAW, 2013). For example, in rural areas, daughters tend to not inherit land based on the assumption that once married they will gain access to their husband's property (Development Workshop Angola, 2016). Also, widows, especially those without children, are often excluded from inheriting their deceased husband's property or worse evicted from the property by the in-laws based on customary practice (Development Workshop 2016; FAO, 2017).

b) Secure access to formal financial resources

Under Angolan law, both women and men enjoy the right to open individual bank accounts and obtain credit (World Bank, 2016). Yet, equal access to formal financial resources among women and men is not necessarily the case, particularly in rural parts of the country. Due to discriminatory laws regarding land rights, women tend to lose out on owning property, hence collateral that can be used in accessing loans, credit and insurance to pursue economic opportunities (Makhado and Pelizzo, 2016; CEDAW, 2013; FAO, 2017).

To help promote access, both financial institutions and the government have set up micro-financing initiatives to promote economic empowerment. These include a partnership between Banco Sol, a commercial bank, and the Federation of Angolan Women Entrepreneurs (FMEA) to increase access to microfinance for women through reduced interest rates; as well as a commission set up by the

Ministry of Family and Women's Welfare to implement micro-credit projects targeting women in rural areas (Genesis, 2011; FAO, 2017). Some backlash has been reported, as in the case of the national microcredit programmes for women, where it was suggested that incidents of domestic violence may have been triggered by outcomes of the programmes, namely the shift in power and decision-making of the household financial resources (CEDAW, 2013).

c) Workplace rights

In 1976, the state ratified two key international conventions relating to the rights of its citizens in the workplace, namely the Equal Remuneration Convention 1951 (C100) and the Discrimination (Employment and Occupation) Convention 158 (C 111). Evidence of its commitment to these conventions is clear in its national legislation, namely its Labour Law 1981 which provides for equal pay for equal work, and moreover, prohibits discrimination of all forms in employment and occupation (Labour Law, Arts. 164, 268). Specifically, the law prohibits discrimination in the hiring, terms and conditions, promotions, training, and assignments between women and men workers (Labour Law, Arts. 164, 268). The law also prohibits women from entering certain professions and working night hours, on the basis of it being a risk to a women's health or safety (Labour Law, Art. 269). For women that are pregnant, the law provides special provisions for 12 weeks of government paid maternity leave and job security during such leave (Labour Law, Subsection II). There is no paternity or parental leave.

Despite these regulations, discrimination against women is still prevalent in the labour force; particularly, in regards to the wage gap, the low levels of women in formal employment, the prevalence of sexual harassment in the workplace, and the inability for women to exercise their rights relating to maternity or nursing leave (CEDAW 2013; CESR, 2013; US Department of State, 2016; Fundação Open Society, 2013).

Given the high female illiteracy rate in the country and gender stereotypes regarding the roles of women in the home and in professional life, women tend to participate in the informal sector without social protection (Fundação Open Society, 2013; CEDAW, 2013).

4. Restricted Civil liberties

a) Citizenship rights

Under Civil law, women are afforded the same citizenship rights as men, where they may acquire, change or retain their nationality (Nationality Law, Arts. 9,12). It stipulates that marriage to a foreigner does not affect the citizenship of the Angolan spouse, thus no Angolan citizen (female or male) is at risk of losing their citizenship on account of marriage to a foreigner.

Moreover, under the law women and men may equally confer their nationality to their spouse or their children. It provides the child of a father or mother who is an Angolan citizen the right to Angolan citizenship (Nationality Law, Art. 10). It also ensures that any female child born to an Angolan woman, regardless of the father's nationality, is an Angolan citizen, whether that child is born abroad or in

Angola (Nationality Law, 2005; UNICEF, 2015). The law also allows either parent, the mother or the father, to register their child (Birth Registration, Decree No. 31/07, 2007).

It is also noted that both women and men have the right to the freedom of movement within and outside of the country, including the authority to obtain passports and other travel documents for themselves and their children (Angolan Constitution, Art. 46). It has been noted there is a high number of women without national identity cards, which in turn, may prevent them from exercising their rights (CEDAW, 2013).

b) Voting

As fundamental right in the Angolan Constitution (2010), the right to vote is afforded to both women and men over the age of 18. There are no known customary practices that preclude or inhibit women's participation in the election process.

c) Political voice

In Angola, both women and men who are of 18 year of age have the right to stand for election for any state or local authority body (Angolan Constitution, Art. 54). In practice, women continue to hold a minority presence in the National Assembly as well as in ministerial positions. In decision-making roles in the judiciary and civil service at national, provincial and municipal levels, the representation of women is low (CEDAW, 2013).

In 2005, the Law on Political Parties was adopted by Angolan National Assembly, which encourages equal opportunity and equity between women and men as well as requires political parties to maintain a quota of 30% women candidates on their electoral lists. There are, however, no mechanisms (e.g. sanctions, monitoring body) in place to ensure compliance with the law at the national or local level (Fundação Open Society, 2013).

d) Access to justice

Under the Angolan Constitution (2010), each citizen has the legal right to access the law and effective judicial protection (Art. 29). Moreover, each citizen has the right to individually or collective submit petitions, claims or complaints to authorities in defence of their rights (Art. 73). Angolan law also includes specific elements to ensure that women are able to fully access justice, including the provision of legal aid and legal advisory centres, and in domestic violence cases, the provision of temporary shelters, psychosocial support, and restraining orders against their offenders (Angolan Constitution, 2010; Domestic Violence Law 25/11, 2011).

Despite these legal provisions, there is a tendency for the state to encourage women to seek mediation rather than legal action for cases of domestic violence (CEDAW, 2013). For those that do seek legal recourse, they have little incentive as they are faced with weak law enforcement, slow justice systems, and the light sentencing for offenders (Fundação Open Society, 2013; CEDAW, 2013). Both in civil and customary courts, women were under-represented as traditional authorities (sobas) and as judges (HRC, 2013).

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