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Angola

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I. Introduction

1. This report is being presented in accordance with the United Nations General Assembly resolution No. 60/251 (para. 5, (e)) of 3 April 2006, which established the Human Rights Council.

2. The report covers the period from 2002 to 2009 and should be considered together with reports already presented by the Republic of Angola to the Committee on Economic, Social and Cultural Rights, the Committee on the Rights of the Child and the Committee on Women's Rights.

A. Report drafting methodology

3. Angola is committed to promoting and protecting human rights. This report has been drawn up with this in mind, in the context of a process coordinated by a cross-sectoral commission, whose members include representatives of the State and civil society organizations, such as FONGA, LIDDHA and ADAC.[1]

4. In consultation with provincial human rights committees[2] and United Nations agencies, the cross-sectoral commission has gathered information and statistics from bodies that implement human rights policies.

5. Given the report's limited space, we have selected key issues that will provide a general picture of the country's human rights situation. Other reports submitted to treaty bodies contain further details.

B. Geography and population

6. Angola is on the west coast of southern Africa, between the Republic of the Congo, to the north, the Democratic Republic of the Congo, to the north-east, the Republic of Zambia, to the east, and the Republic of Namibia, to the south. Bordering on the Atlantic Ocean, Angola is the fifth biggest country of sub-Saharan Africa, with a total area of 1,246,700 km^2. Cabinda province is separated from the rest of the country by the Congo River estuary and part of the Democratic Republic of the Congo. Angola is divided administratively[3] into 18 provinces, 163 municipalities and 547 districts. It has an estimated 16,526,000 inhabitants, with a population density of 13.2 persons per square kilometre.

C. International treaties

7. The State of Angola is a signatory to many international human rights treaties, to which it is in the process of adding the following: the Convention on the Elimination of all Forms of Racial Discrimination (1970), the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1988), the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the United Nations Convention against Transnational Organized Crime and its Additional Protocols aiming to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the Additional Protocol to the Convention on Civil and Political Rights, on the abolition of the death penalty, and the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

D. Constitutional structure for the promotion and protection of human rights

8. The structure is based on the separation of legislative, executive and judicial powers:

- **The President of the Republic**, Head of State and Commander-in-Chief of the Angolan armed forces
- **The National Assembly**, the people's representative body, which approves legislation
- **The Government**, the highest executive body in the public administration, policymaker with respect to the Presidency and Assembly
- **The Courts**, sovereign bodies responsible for the administration of justice in the name of the people
- **The Office of the Public Prosecutor of the Republic**, responsible for the administration of justice and control of the legal system
- **The Promoter of Justice**, an independent public body that defends citizens' rights, freedoms and guarantees

E. Other human rights mechanisms

9. Various bodies have been created, among them provincial human rights committees, the National Family Council, the National Council of the Child, family counselling centres and networks for the promotion and protection of rights of the child.

II. Civil and political rights

A. Right to non-discrimination

10. Article 18 of the Constitution Act establishes the right to equality and non-discrimination as fundamental principles of a democratic State and the rule of law, and stipulates severe penalties for attacking social harmony, fomenting discrimination or creating privileges on the basis of those factors. This principle also has a legal foundation in article 7 of the Act, which promotes economic, social and cultural solidarity between all Angola's regions, for the development of the nation as a whole.

11. The Government's welfare and special protection policies envisage individualized or specialized attention for persons with disabilities, the elderly and the sick, as well as persons belonging to minorities, within the broader objective of ensuring human survival, protection and development within the law.

B. Right to life

12. Act No. 23/92 of 16 September bans the death penalty and provides for the creation of monitoring mechanisms to guarantee the right to life. In order to protect and preserve human life from conception, article 358 of the Criminal Code prohibits abortion. However, in certain clinical or therapeutic cases, where the mother's life is endangered or incompatibilities threaten the normal development of the child, a local medical team may be convened to decide whether to terminate a pregnancy in the first 22 weeks. Otherwise, abortion is not permitted and is considered a crime punishable under the law.

C. Right to a name and nationality

13. Under article 1 of Act No. 10/85 of 19 October, a citizen's name is composed of a given name and family names. There is a procedure for birth registration and issuing of personal record books, which are needed to acquire identity cards and which help protect citizens' identity. At one point, hundreds of thousands of children were deprived of this right and the Government launched two campaigns for the free registration of births covering 658,620 people in 1998 and 2.2 million in 2001. In order to monitor mortality and illness rates, the registration of deaths is free.

14. Decree 31/07 of 14 May exempts children up to the age of 5 years from fee payments and issues identity cards to children from 8 to 11 years. It has enabled registration services to operate in hospitals, maternity clinics, maternal and child health centres and other locations where children are born, as well as municipal and district offices. The system is being extended to communities, so that all children might enjoy this right.

15. A child whose father or mother has Angolan nationality, whether born in Angola or abroad, automatically acquires Angolan nationality. This can also be acquired by children who are underage or lack legal capacity with a father or mother who acquires Angolan nationality. Such children are then free to choose another nationality on attaining legal age. Children with no other nationality who are born in Angola, along with those born in Angola of unknown parents, or whose parents are of unknown nationality or stateless, are also entitled to Angolan nationality. There will be further developments for such cases when the new Nationality Act (No. 1/05 of 1 July), already drafted but awaiting approval by the National Assembly, is passed.

D. Administration of justice

16. The judicial system is made up of a group of bodies, the courts, which administer justice in Angola as a democratic State under the rule of law in accordance with article 2 of the Constitution Act.

1. Current judicial system

(a) Constitutional Court the highest authority for constitutional matters;

(b) Supreme Court – exercises jurisdiction throughout the country and, on account of the diversity of the areas it covers, is divided into chambers and further subdivided into sections;

(c) Provincial courts – 19 provincial courts, which have generic competency, exercise jurisdiction in their respective provinces, and are divided into chambers and further subdivided into sections;

(d) Municipal courts – 19 of these courts, with jurisdiction in their respective municipalities, are competent to deal with criminal matters in cases punishable with prison terms and equivalent fines. They also deal with civil matters with a value of up to 100,000 kwanzas;

(e) Military courts – that deal essentially with military crimes. The system consists of: the High Council of Military Justice; the Military Supreme Court; military courts at the regional, district and garrison level; and frontline military courts, which are provided for under the law.

Distribution of courts and provincial and municipal judges

No.	*Province*	*Courts*	*Judges*	*Municipality*	*Courts*	*Judges*
	Cabinda	1	3	Bucuzau	1	1
	Zaire	1	2	Soyo	1	2
	Uíge	1	3	Negage	1	4
	Bengo	1	3	-	-	2
	Luanda	1	48	Ingombota	1	
				Viana	1	23
				Cacuaco	1	
	Lunda Norte	1	3	-	-	1
	Lunda Sul	1	3	-	-	6
	Malanje	1	3	Cacuso	1	3
	Kuanza Norte	1	3	Cambambe	1	1
				Golungo Alto	1	1
	Kuanza Sul	1	4	Gabela	1	1
				Libolo	1	1
				Porto Amboim	1	1
	Moxico		4	-	-	1
	Bié	1	5	-	-	2
	Huambo	1	6	Caala	1	9
	Lobito - Benguela	2	13	Cubal	1	5
				Baia Farta	1	
	Kuando Kubango	1	3	-	-	3
	Huíla	1	8	Matala	1	4
	Namibe	1	5	Tômbua	1	1
				Bibala	1	1
	Kunene	1	3	Cahama	1	4
Total		**19**	**129**		**19**	**77**

Retired judges	
Provincial	*Municipal*
7	2

17. The Prosecutor's Office has 236 law officers around the country, 179 of them men and 57 women.

2. Access to justice

18. When necessary, citizens may go to court without discrimination, within their right to appear as plaintiffs or defendants. Judicial support, in the form of legal aid free of lawyers' fees and legal taxes, is also available.

19. As working conditions and salaries have improved, the independence and performance of judges have become noticeably better.

20. With the legal reforms under way, alternative methods of mediation and dispute settlement will increasingly allow citizens access to justice without recourse to the courts. The aim is to reduce the burden of court cases, the high number of which has slowed down the administration of justice:

- The Office of the Public Prosecutor of the Republic, the overall administrative arm in charge of the justice system
- The Promoter of Justice, an independent public body that defends citizens' rights, freedoms and guarantees
- Traditional authorities, which administer customary law, in accordance with the usage and customs of each of the country's geographical and sociocultural areas

3. Judicial reforms

21. The Government has set up the Justice Reform Commission, which is drawing up legal texts and adapting them to international instruments on human rights. Texts already drafted include: a Customs Code (already passed) and legislation governing lawyers' firms, pretrial prison, search and seizure, mediation and conciliation, mediation centres, the status of judges, prosecution and the Office of the Public Prosecutor, statutory courts, a decree modifying staff organization of court registries and a Code of Criminal Procedure. Laws on military justice and legal aid are being amended, as is the decree on the professional training of legal workers. The 1992 Constitution Act is likewise being revised.

E. The prisons system

22. The Angolan prison system is being modernized and developed. Its main task is the social rehabilitation of detainees. Until December 2006, out of a total of 9,829 prison inmates, 5,083 were serving prison terms and the remainder were in pretrial detention. In September 2009, there were 16,183 prison inmates, of whom 711 had court proceedings under way.

1. Treatment in prison

23. Certain rights for prisoners are by necessity curtailed, in the interests of the individual and society at large. However, the State respects their rights as individuals, such as the right to life, dignity and physical integrity, the right not to be subjected to any form of torture or cruel, degrading or inhuman treatment, the right to non-discrimination, the right to freedom of thought and religion, and the right to respect for private and family life, all of which are crucial for a prisoner's rehabilitation and resettlement in society. Article 20 of the Constitution Act affirms the right to freedom, and articles 328 et seq. and article 391 of the Criminal Code establish penalties for any infringements of rights. Of Angola's 31 prisons, 4 in Bengo, Lunda-Norte and Zaïre (Nbanza-Congo and Soyo) provinces are temporary and their makeshift facilities are in a poor state of repair.

24. Prisoners with undiagnosed health problems may be sent to the São Paulo Prison Hospital, with support from the main military hospital when necessary. Otherwise, each prison has some kind of health-care facility. Prisoners are guaranteed three meals a day across the country.

25. Prisoners are classified and separated on the basis of sex, age, legal situation, nationality and pathology, in accordance with the principles of the United Nations "Standard Minimum Rules for the Treatment of Prisoners", under the International Covenant on Civil and Political Rights and Angolan prison law. The latter also determines which facilities are suitable for detention and the enforcement of sentences, with priority

going to the supervision of young detainees between the ages of 16 and 18 years and 18 and 21 in various activities and programmes of therapy, schooling, vocational technical training and community service. Pregnant female prisoners and women with infants receive special treatment allowing them to keep their young children with them until the age of 3.

26. Foreign prison inmates receive the same treatment as Angolan nationals. Owing to the increase in the number of prisoners the State has been obliged to grant amnesties and pardons, commute sentences or have detainees do community work instead of serving jail terms.

2. Reforming and humanizing the prison system

27. To effect genuine prison reform, the Angolan State is adopting a series of legislative, infrastructural and organizational measures, including the new Prison Act (No. 8/08 of 29 August), regulations for prison service careers (Decree No. 43/99 of 24 December), rules governing the organization of labour in prison facilities (Decree No. 64/04 of 1 October), and training courses for prison governors, social workers and wardens, financed by the European Union through the PIR-PALOP cooperation programme. Six new prisons have also been built. The two in Cabinda and Kaquila are already operational, while those in Lunda Norte, Caxito, Nbanza Congo and Soyo have been completed and are being fitted out.

3. Juvenile court system

28. The United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules"), adopted by resolution No. 40/33 of 29 November 1985, state in article 14.1 the need for a competent authority to deal with juvenile offenders, a recommendation reiterated in the Convention on the Rights of the Child. Act No. 18/88 of 31 December stipulates in article 27 that provincial courts must include specialized chambers to be established according to need. That law had led to the disappearance of the juvenile court system. The enforcement of sentences has been provided for under article 33.3 of Act No. 18/88, which establishes that a special law should deal with juvenile criminal proceedings, under the generic competence of provincial court presidents.

29. Act No. 9/96 of 19 April was adopted in 1996 and establishes the Juvenile Chamber, a specialized judicial body which is part of the provincial courts and referred to as Juvenile Justice ("Justice des Mineurs"), in order to soften the penal connotation conjured up by the term "court". It implements social protection measures for minors of all ages and criminal prevention measures for those aged from 12 to 16. The five-member Commission for the Protection of Minors, a permanent, independent, non-judicial body, works with Juvenile Justice to deal with the minors under its jurisdiction and implement its decisions.

30. The system does not yet work as well as could be wished, as it has not yet been extended to all provinces beyond Luanda, where it has been in place since 2006. This is partly due to the lack of facilities and of law officers and the absence of internment and semi-internment centres.

F. Migration

31. Migration in Angola is governed by Act No. 2/94 of 14 January on measures of opposition.

1. Refugees and asylum-seekers

32. Fourteen settlement areas host 10,537 refugees and 3,936 asylum-seekers in the following provinces: Luanda (3), Kwanza Norte (1), Kwanza Sul (3), Malanje (1), Lunda Norte (3), Lunda Sul (1), and Moxico (1).

2. The work, education and health situation of their descendants

33. Decree No. 5/95 regulates the employment of non-resident foreign workers and of qualified national labour in businesses, while Decree No. 06/01 of 19 January sets out the rules for non-resident foreign workers carrying out a professional activity.

G. Basic freedoms

34. The Constitution Act establishes fundamental rights without excluding others deriving from legislation in force and rules of international law.

1. Freedom of association

35. Associations are governed by Act No. 14/91 of 11 May, which was redrafted during the process of legal reform. With regard to human rights, 329 national and 133 international non-governmental organizations (NGOs), a total of 462, are active in Angola in areas of social work and development, like education, health, human rights, institutional support, civic and electoral education, culture and agriculture. Approximately 30 per cent of them have branches in the provinces and the State recognizes five as being in the public interest.

2. Right of assembly

36. Article 32 of the Constitution Act guarantees freedom of speech, assembly, demonstration and association, as well as all other forms of expression. Although Act No. 16/91, which specifically regulates all citizens' exercise of these rights, has now been adopted. This right may, however, be denied by the authorities if the legal conditions established under article 6 of the Act are not fulfilled.

3. Freedom of speech

37. The Constitution Act, under article 32, guarantees the freedom of speech, assembly and demonstration. Various legal texts, among them the Family Code, protect this fundamental right. The foundations of this legal framework are in keeping with international human rights treaties. The above-mentioned laws deal with freedom of speech issues, regulate the powers of the authorities and determine where meetings and demonstrations may take place.

4. Freedom of the press

38. The media are an important partner in identifying and reporting on human rights breaches, as they keep a close watch on cases of domestic, communal or institutional violence, publicize cases to which the authorities have paid little or no attention, help prevent unlawful acts, and press for institutional support and greater sensitivity towards citizens in need of care or who have been victims of violence. Freedom of the press is governed by Act No. 7/06, which allows the media to carry out their mission of promoting the protection of human rights, by training, informing and alerting society and publicizing national and international legislation. Five public and 12 private entities operate in this field.

39. RNA and TPA provide radio and television broadcasting throughout the country.

5. Freedom of conscience, worship and religion

40. Angola is a secular State, with separation of Church and State. Freedom of conscience, worship and religion is inviolable. The State respects and protects all religious denominations, as well as their places and objects of worship. It recognizes and guarantees freedom of conscience and religion, and regulates their constitution so long as they are not incompatible with public law and order or the national interest (article 45 of the Constitution Act). Between 1987 and 2000, 83 religious denominations were recognized, in accordance with Joint Executive Decree No. 46/91 of 19 August. The National Assembly adopted Act No. 2/04 of 21 May, which regulates the exercise of freedom of conscience, religion and worship.

41. By presidential order, the Inter-Ministerial Commission for the Study and Treatment of Religion has been established in Angola, in order to deal with religious issues urgently according to a multidisciplinary approach. Its mandate includes promoting meetings with recognized church leaders in order, among other things, to discuss policy disputes, to submit measures to the Government on dealing with allegations of the use of witchcraft against children and to establish a legal framework for the amendment and completion of the law on freedom of conscience, religion and worship.

42. The majority (90 per cent) of Angolans are Christians, of whom an estimated 70 per cent are Catholics, 15 per cent Protestant and 5 per cent belonging to other faiths. More than 900 religious denominations are not recognized, many of which engage in immoral religious practices, including desecration of cemeteries, fraud, sexual mutilation and nudity during worship, that constitute an affront to public mores and law and order.

6. Trade union freedom

43. Article 33 of the Constitution Act enshrines the freedom to organize and guarantees citizens the right to exercise that liberty and the freedom to join trade unions, while affording due protection to the elected representatives of workers against imposed conditions, coercion or restrictions on the performance of their duties. While Angola practises the freedom to organize, unions in the country are still hampered by membership and legalization issues in their activities and by the pressures to which they are subjected when carrying out projects. Such difficulties are greater in the interior than in Luanda.

44. The Trade Union Act No. 21-D/92 of 28 August lays down rules for the constitution of trade unions and trade union federations, which are based on democratic principles and totally independent of the State, political parties, employers' organizations and any non-trade union entities. Their officers are elected by a general assembly of members, who also approve the union's governing statutes.

7. Freedom to demonstrate

45. The freedom to demonstrate is still being consolidated. Opposition political parties, associations, NGOs and trade unions tend, however, to stage demonstrations against the law, arguing that their initiatives are not always taken into account in the spirit of partnership that should exist with State bodies and the Government in the interest of peace and national development.

H. Citizen participation in public life

46. Citizen participation in public and political life is a fundamental right enshrined in the Constitution Act and is limited only in the case of persons unable to vote (such as persons with mental disabilities, detainees whose sentences have been confirmed and persons sentenced to prison terms). The electoral law also limits the participation of

military and paramilitary personnel, law officers, public prosecutors and the Promoter of Justice, because of the nature of their positions. Citizens exert political power through the election of their representatives by universal suffrage and through other democratic forms of participating in the life of the nation.

1. Citizenship

47. Citizens exercise their citizenship, equally and without discrimination, by making use of their freedom of association, assembly, speech, the press, conscience, worship and religion, their trade union freedom and the freedom to demonstrate, by using public social services and participating in periodic general elections to choose their representatives in the organs of government.

2. Elections

48. Political agreements opened the way to the holding of general and presidential elections in 1992, the outcome of which was compromised by the armed conflict that came to an end 10 years later. This resulted in the 2002 peace accords of Luena and the 2007 Namibe agreement on the situation in Cabinda.

49. Under those agreements, rebel military troops were demobilized and absorbed into Angola's armed forces; displaced people returned to their homes; political parties gained access to the country's remotest communities as part of their process of organization and with the aim of rallying the people to their respective programmes, and the Government restarted the process of general elections in September 2008, in which all the political actors took an active part.

3. Political parties

50. The role of political parties is to facilitate democratic participation in the political life of the country, in which they compete freely to shape and give voice to the will of the people, under the terms of Act No. 2/05, according to which they may be dissolved by the relevant statutory body or by court decision.

51. The Constitutional Court administers justice in constitutional matters and may order the dissolution of a political party that is not in compliance with the law or that fails to reach at least 0.5 per cent of the total vote at national general elections.

4. Women's participation

52. With respect to parity, the distribution of men and women in decision-making organs is as follows: of 220 deputies in the National Assembly, 81 are women (31 per cent); of 33 ministers, 8 are women (24 per cent); of 55 vice-ministers, 9 are women (16 per cent); of 2 secretaries of State, 1 is a woman (50 per cent); of 18 provincial governors, 3 are women (17 per cent); of 29 provincial vice-governors, 9 are women (23 per cent); of 163 municipal administrators, 21 are women (13 per cent); of 529 communal administrators, 17 are women (0.3 per cent). As for the judiciary, 2 of the Supreme Court's 14 judges are women (14 per cent), while the Constitutional Court employs 3 women and the Court of Auditors 2. Out of 129 provincial court judges, 34 are women (26 per cent), while the 77 municipal court judges include 12 women (16 per cent).

1. Trafficking in persons

53. Articles 20, 22, 23, 25, 30 and 46 of the Constitution Act guarantee respect for and the protection of the person and human dignity, outlaw torture and other inhuman treatment, allow freedom of movement, give absolute priority to the protection of children

and provide for the right to work. The Criminal Code in force since 1886 does not contemplate the crime of trafficking in persons, but this is being rectified in amendments to the Code, under which it will become a criminal offence.

54. The Government is taking preventive measures to monitor the movement of persons, especially children, by putting in place appropriate rules and administrative procedures. It is working to raise awareness through training and information programmes for law enforcement officers, creating child protection networks and setting up checkpoints along all external and internal borders, where the identity of unaccompanied minors without travel documents is checked and, in the case of accompanied children, proof of the link between the adult and child, as well as parental permission to travel, have to be shown. It has also created the cross-sectoral Committee on Trafficking in Persons, a national strategic action plan and a national observatory.

55. Measures have been strengthened against all forms of violence linked to trafficking in women and children, who are the most vulnerable to this type of crime, especially in the fight against, inter alia, commercial sexual exploitation and prostitution, slavery, forced labour and the excision of organs.

Commercial sexual exploitation

56. The issues of sexual exploitation and child prostitution are widely debated in round-table discussions, workshops and other forums, in the context of a review of the situation in the country carried out in late 2008. That review had the goal of devising a national strategy to prevent or reduce violence against children, taking in aspects of the National Action and Intervention Plan against the Commercial Sexual Exploitation of Children (Decision No. 24/99). The strategy aims to improve the data collection system, adopt laws to end impunity for rape and establish specific programmes to counter a worsening situation.

III. Economic, social and cultural rights

A. Protection of families and vulnerable groups

57. Act No. 1/88 of 29 February adopts the Family Code as an instrument in the fight for real political, economic and social emancipation, to institutionalize the protection of children, whether born within marriage or not, and for a just distribution of tasks and responsibilities in the family.

1. Children

58. The Constitution Act gives absolute priority to children, considering them society's most vulnerable group. To put this legal premise into action, the Government is promoting their harmonious development and, in 2007, undertook 11 commitments in partnership with United Nations agencies and other social partners. With a view to maintaining a permanent social dialogue and monitoring policies covered by these commitments, it created the National Council for Children (CNA), which in June 2009 organized and ran the Fourth Children's Forum, to study the results of policies in the course of thematic round-table discussions:

Children up to 5 years old. Children in this age group have benefited greatly from significant progress in the areas of life expectancy, food security, birth registrations and early childhood education, all of which are the result of the progressive increase in spending on health, education and other social policies;

Children aged 6 to 18. This round table was dominated by issues related to primary education, which has shown considerable growth in gross enrolment rates, with 118.1 per cent growth in 2004, 118.2 per cent in 2005, 122.1 per cent in 2006 and 127.1 per cent in 2007;

All children. This covered issues such as HIV/AIDS prevention and reducing its impact on families and children, the prevention or reduction of violence against children, family responsibilities, the durability of progress made, children and communication, children in the general State budget and the Angolan child indicator system.

2. Women

59. The Government and its social partners are creating a national strategy and strategic framework to promote gender equality, based on the Beijing and Dakar Platforms for Action and adopted by the Council of Ministers' Standing Commission in 2001.

60. In order to prevent and combat domestic violence, the Government has created family counselling centres with specialist staff (including psychologists, sociologists and lawyers) to assist victims. Since 2006, 3,271 citizens (2,919, or 89 per cent, of whom are women), have received advice in these centres. The provinces with the greatest number of cases are: Luanda (31 per cent); Benguela (20 per cent); Bié (8 per cent); and Lunda Norte (1 per cent). At the same time, a mediation and conciliation law that will be of great help in dealing with this problem will be adopted. To ensure that victims of violence or people otherwise directly or indirectly affected by it obtain legal assistance, the Angolan Lawyers' Association and the Government are working out a cooperation agreement that will ensure that lawyers are assigned to the family counselling centres set up in all the provinces.

61. The General Labour Act guarantees women workers the right to equal treatment and non-discrimination in the workplace, provides protection for maternity and against banned or conditioned work, forbids their employment in unhealthy or dangerous work, as well as any jobs that pose a real or potential risk to their genetic function, and establishes special rights that employers must respect. This process includes drafting legislation to protect against and combat family violence.

3. Persons with disabilities

62. In 2005, there were 170,000 persons with disabilities in Angola, mostly aged from 25 to 44 and 56 per cent of whom were male. Among them, 62 per cent suffered from motor disabilities, 28 per cent from sensory disabilities and 10 per cent from mental disabilities. Of those with motor disabilities, 75 per cent were due to amputation resulting from contact with explosive devices, especially mines, while 22 per cent suffered from poliomyelitis. The provinces with the greatest concentration of persons with disabilities are: Kuanza Sul (11.75 per cent); Luanda (9.55 per cent); Benguela (8.65 per cent); Lunda Norte (7.81 per cent); and Huambo (7.1 per cent).

63. Under public policy, persons with disabilities benefit from special services, especially targeting physical rehabilitation, schooling, vocational technical training, work orientation and psychosocial counselling aimed at reinsertion in the community without discrimination or stigmatization. In the years 2005–2006, 20,877 persons with disabilities were looked after, 30 per cent of the total objective for those years.

4. Elderly persons and former military personnel

64. Between 2005 and 2006, 1,283 elderly persons were housed in 15 homes. In the same period, two homes were renovated, one each in the provinces of Huíla and Bié.

65. Soldiers demobilized under the Lusaka, Luena and Namibe accords have received financial and material aid, accompanied by vocational training, to help them rejoin mainstream society.

B. Combating poverty and social inequality

66. Since 2003, the Government has worked on a strategy for a rapid and lasting reduction of poverty, implemented at a time when peace has been consolidated and in the framework of objectives and priorities established in Government programmes aimed at the country's economic and social development. The following aims were set for 2006: the resettlement of 3.8 million displaced persons, 450,000 refugees and 160,783 demobilized soldiers and their dependants; the disactivation of anti-personnel mines and other explosive ordinance on all potential farmland and near inhabited areas; a lasting increase in farm output sufficient to ensure food security for the entire population; and the dissemination of knowledge of HIV/AIDS and how it is transmitted to 85 per cent of the population. By 2015, it aims to: guarantee compulsory primary education for all children; eradicate adult illiteracy; immunize everyone against the main childhood diseases (measles, DTP3, BCG and Polio type 3); reduce the mortality rate for children under 5 years of age by 75 per cent; cut the overall mortality rate by more than 75 per cent; rebuild and periodically maintain the national road network (15,500 km); rebuild the railways; improve access to drinking water for all and to basic sanitation in urban and rural areas; increase the proportion of households with electricity; provide social housing to vulnerable families; ensure the registration of births and distribution of identity cards to all citizens; and reduce and stabilize the average inflation rate.

1. Right to adequate housing

67. The right to housing established under article 21 of the Constitution Act is fundamental for everyone. The State is thus bound to establish housing policies and mechanisms to convert this constitutional imperative into fact.

68. The exodus from the country to the cities unleashed by the armed conflict and subsequent housing shortage in an already tight housing market has forced the State to create the necessary political, administrative and financial conditions to increase the housing supply.

69. The chance to respond effectively to this need and open up new and decent urban areas is proving to be a peace dividend, allowing the Government to use legal instruments to define principles and exercise control over the, until now, disorderly expansion of urban areas in such a way that citizens may acquire housing, purchased or rental, according to their means.

70. The laws governing urban expansion are: (a) Act No. 1/97 of 17 January, 1st series, No. 3, on simplifying and modernizing the Commercial and Land Registry; (b) the Housing Incentives Act No. 3/07 of 3 September, 1st series, No. 106; (c) Legislative Decree No. 47.611 of 28 March 1987, which approves the Land Registry Code; (d) Decree No. 43525, on rent in urban areas; (e) Decree No. 6/92 of 24 January, 1st series, No. 4, on disputed occupation of buildings in urban and rural areas; (f) Decree No. 46-A/92 of 9 September, which establishes that provincial governments may award building leases on land they own to legal entities and individuals; (g) Decree No. 58/978 of 25 August, on returning management of all State Secretariat for Cooperation housing to the competent government authority; (h) Decree No. 7/04 of 13 February, on legalizing the Nova Vida housing estate; (i) Decree No. 12/04 of 9 March, 1st series, No. 20, establishing the National Housing Institute; (j) Resolution No. 39/06, which authorizes the modernization of registration services; (k) Resolution No. 60/06 of 4 September, 1st series, No. 107, approving the

Government's housing incentive policy; (l) Presidential Order No. 5/04 of 15 June, setting up the working group on property market regulations; (m) Order No. 10/91 of 25 May, on commissions on the sale of public housing stock; and (n) Order No. 10/04 of 28 September, on the transfer of management of the public housing stock to the Ministry of Urban Development and the Environment.

71. Urban expansion, with insufficient supply and problems of registration, has been disorderly and exacerbated by the fragmentation and degradation of city suburban areas, poor land use and settlement planning. As a result, urban planning and management continue to create distortions that, in turn, prejudice socio-economic development and the environment.

72. Although reconstruction is proceeding, much remains to be done in quantitative and qualitative terms to improve urban and social services infrastructure. What is more, infrastructure networks are poorly matched to the disorderly patterns of settlement, demographic change and economic and social development. Even in those areas with a degree of order in urban development, there is price speculation on land sales. This situation emerged during the armed conflict and led to a culture of anarchy among the public, who are now ill-disposed to the Government's legal measures and regulations, outlined above. Often, people neither understand nor accept these measures and are in conflict with the law. When this happens, the Government takes the appropriate disciplinary measures.

73. The Government is working to rehouse people living illegally in hazardous or precarious areas, or zones earmarked for urban development. Given the size of the group concerned, some officials have acted with excessive zeal in the performance of their duties. While the aim is to impose order on people illegally occupying land set aside for the government programme, abuses are suppressed and punished in exemplary fashion.

74. Changes in the make-up and needs of families, businesses and the administration have not been met with an adequate response in terms of housing. In spite of construction projects to house civil servants and the private sector, the shortfall in available accommodation remains in the order of 1.7 million units.

75. Private firms that hold land with mains services tend to favour the middle and upper classes, ignoring the bulk of the urban population, while the constant growth in demand feeds continued speculation in the housing market. Housing cooperatives are in their infancy and have addressed the needs of only a minority of employees in big public sector enterprises, changing little the overall situation of the economically disadvantaged classes. In order to meet the high demand, the Government has approved a programme to build 1 million housing units, destined to accommodate around 6 million people, by 2013. The public sector will build 115,000, the private sector 120,000 and cooperatives 80,000, with 685,000 being built individually under supervision.

2. Right to work and social security

76. Articles 85 to 95 of the General Labour Act set out labour conditions, with the promise that other legislation governs specific matters, given their great range and variety.

77. In 2006, unemployment fell 4 per cent to 25.2 per cent from the estimated 2005 figure of 29.2 per cent, thanks to job growth in the building, fisheries and non-mercantile services sectors, and so contributed to ensuring citizens' right to work.

78. Displaced people, refugees and former soldiers in the course of resettlement, totalling 72,230, have taken up the bulk of new jobs in agriculture, forestry and livestock farming and have been largely responsible for increasing the area of farm land by 2 per cent.

79. Little has changed in the fisheries sector, given the state of investment. In employment terms, the 41,500 fishermen at work in 2005 were joined by 4,944 more as five coastal vessels entered service.

80. In 2006, the oil sector added around 5 per cent to employment. This growth resulted from increased oil industry activity due to investment in earlier years.

81. In the diamond mining sector, the appearance of companies with mixed public-private capital, such as the Sociedade Mineira do Catoca, Sociedade de Desenvolvimento Mineiro, Chitotolo, Luô, Projeto Mineiro Lunda Nordeste and the Brilhante Foundation, has made an outstanding contribution to increasing output and, hence, employment growth.

82. Investment in processing industries has led to the creation of 1,827 jobs since 2006, making a total of 34,360 workers in 2007.

83. In construction, output growth led to the creation of 30,521 jobs, making a total of 206,521 employees in 2006, a 17 per cent rise over 2005.

84. Investment in the energy and water sectors has led to the creation of 4,690 new jobs.

85. Investment by post and telecommunications operators in 2006 resulted in the creation of 3,257 jobs.

86. Authorized investment in tourism and the hotel industry has contributed 2,277 new jobs, an increase of some 374 per cent.

87. Employment growth has also resulted from the significant increase in the number of insurance firms, intermediary companies or insurance and reinsurance brokers in the insurance and pension fund sector, as well as a rise in premiums volume (from US$ 271.9 million in 2003 to US$ 377.6 million in 2005).

88. Between 2004 and 2006, 7,500 primary and secondary teaching jobs were created in the education sector, with the number of primary school teachers rising from 73,006 in 2004 to 75,569 in 2006.

89. The growth in the medical care network has brought about an increase of 14,071 health-care technicians in the national health system.

90. Vocational training plays a key role in employment policy. Since 2006, the number of institutions, businesses and others (304 public and private vocational training centres in all) authorized to run training and retraining programmes has grown considerably. By comparison, over previous years, there had been growth of 12.2 per cent in 2004 over 2003, 5.5 per cent in 2005 and 8 per cent in 2006.

91. Decree No. 79/06 of 27 October readjusts the national minimum wage and sets it at an amount of national currency (kwanzas, Kz) equivalent to US$ 82, effective from 2006, on the basis of expected inflation. This has coincided with the adjustment of wages in the civil service and in the light of the economy's satisfactory performance.

3. Right to food

92. The Government of Angola is implementing a range of policies designed to hasten the process of national reconstruction, economic revitalization and the fight against poverty, in the context of the Millennium Development Goals (MDGs). In order to ensure that the entire population has physical and financial access to food on a lasting basis, it is fundamental that a national food security policy be adopted as a key instrument in the pursuit of the aims and commitments undertaken at the 1996 World Food Summit and in the MDGs.

93. Production of basic foods is improving progressively, given investment by the Government and its partners. Natural disasters, however, caused a 23.5 per cent reduction in national cereals output in the 2005–2006 season compared with the previous year, obliging the country to cover its needs with imports.

94. Angola is implementing policies to: (a) facilitate the concession of arable land to rural families; (b) diversify food crops, focusing on irrigated crops, farm mechanization and incentives to use plough machinery; (c) encourage production and more widespread use of improved seed varieties; (d) improve technical assistance to producers; (e) extend resettlement and provide incentives for raising livestock; (f) create food reserves and stabilize food prices; (g) improve the distribution and promotion of farm and fishing production; (h) reactivate the farming industry (mills, silos, slaughterhouses, aviaries, warehouses, cold-chain equipment and electricity); (i) encourage membership of associations and cooperatives; (j) ease access to bank credit and the distribution and sale of production; (k) prepare a national action plan for rural women.

95. Several laws govern policy in this area: (a) the Land Act No. 9/04 of 9 November lays the foundations for the law governing formerly State-owned land, the rights to which such land may be subject and the system governing the transfer, settlement, exercise and extinction of such rights, thus protecting the rights of citizens, in particular of vulnerable rural groups; (b) Decrees No. 44531/1962 (timber industry regulations) and No. 40:040, establish parameters for the protection of soil, flora, fauna and game by preserving biotopes that are vital for the survival of animal and plant species, ensuring the continued existence of virgin biotopes and avoiding the destruction of forest areas deemed to be of public interest. Tens of thousands of small-scale, self-sufficient farmers plant an average of 1.4 hectares per family on two or more plots of land and the area under cultivation is increasing slightly each year.

C. Right to health, water and basic sanitation

96. The right to health is a fundamental human right of citizens (article 47,[4] No. 1, of the Constitution Act). The National Health Service Act No. 9/75 of 13 December provides universal, free health care for all citizens. The health network's strategy of building medical stations and local clinics, as well as stationing local and international staff in various locations around the country, has broadened access to medical treatment and medicine.

97. Drinking water is available to only 10 per cent of Angolans, but the Water for All project that is under way envisages extending access to 80 per cent of the population by 2012. The water system (including catchment, treatment and supply) is also being restored. Drinking water supply in the provincial capitals should be restored by 2010. The commercial side of water distribution does not yet work properly, due to the lack of organization in this area. Some people are profiting from this situation unscrupulously by selling river and lake water stored in tanks and, in so doing, causing major public health problems.

98. The upsurge of the war ruined all efforts, cutting access to health care and other basic services by around 70 per cent. That situation led to high rates of maternal mortality, estimated at 1,700 deaths per 100,000 live births. Infant mortality stands at 150 per thousand in the first year of life, while child mortality at 5 years of age has fallen to 250 per thousand live births. Life expectancy at birth is 42 years. The main causes of low life expectancy are acute respiratory diseases, diarrhoeal diseases and other illnesses resulting from limited access to drinking water and to proper human waste disposal, especially in rural areas, where 60 per cent of families are without drinking water and 75 per cent have no means of disposing of human waste. Act No. 21-B/92 of 28 August, the basic law

governing the national health system, provides for private health-care initiatives to increase the system's capacity through the construction of new health facilities.

Access to primary health care

99. In 2009, a rise from 2 per cent to 8.3 per cent of the general State budget fuelled growth in the health-care network. The number of health-care centres rose from 965 in 2003 to 1,986 in 2008, due to the renovation of existing infrastructure and the construction of new facilities in resettlement areas. The number of primary and secondary health-care centres has grown exponentially, with the number of medical stations rising from 696 in 2003 to 1,485 in 2008,[5] that of local clinics from 162 to 317 and municipal hospitals from 52 to 132.

100. The number of faculties of medicine, one of them private, has increased from one to six. Seven higher health technology colleges have opened in seven academic regions with a view to training sufficient qualified staff to make citizens' right to health a reality. Under cooperation agreements for the provision of quality care, 800 Cuban health-care professionals operate in Angola in order to bridge staff shortages and train local professionals.

101. The Government's national health policy is based on four strategic aims:[6] (1) restructuring the national health system to provide universal access to primary health care; (2) reducing maternal, infant and youth mortality, as well as morbidity and mortality due to nationally classified priority diseases; (3) promoting and maintaining a healthy environment, and (4) training individuals, families and communities in the promotion and protection of health. Under the hospitals improvement programme, tertiary level hospitals have introduced specialized services such as dialysis, cardio-vascular surgery, hip surgery and the insertion of hydrocephalus valves, as well as building up diagnostic capability (CAT scans etc.).

102. Routine vaccination coverage has been increased, from 35 per cent in 2002 to 80 per cent in 2008. From 2002 to 2005, no cases of poliomyelitis were recorded, but the disease reappeared thereafter, with an imported wild virus strain similar to one endemic in Asian countries. The Government has carried out vaccination campaigns in the hope of interrupting the chain of transmission. It is acting to hasten vaccination programmes by providing the usual vaccines, vitamin A and support material for the routine vaccination of children under 1 year old against BCG, measles, DTP3, poliomyelitis and yellow fever, as well as anti-tetanus vaccines for women in the 15–45 age group. In addition, it is training health workers in vaccination and cold-chain technicians, helping communities monitor child vaccination, providing support for the training of girls, for tetanus vaccination planning, and for planning and developing social mobilization campaigns to combat endemic diseases such as malaria, tuberculosis, trypanosomiasis and non-transmissible diseases like diabetes, cardio-vascular disease, cancer, drepanocytosis, congenital malformations, etc.

103. The prevalence of HIV/AIDS in Angola is close to 2.1 per cent, which is low compared with the average in southern Africa, the disease's epicentre. The National Commission on AIDS and Major Endemic Diseases, chaired by the President of the Republic, adopts programmes that are implemented by the National AIDS Control Institute, as established in Act No. 8/04 and Decree No. 43/03.

104. From 2002 to 2005, no cases of poliomyelitis were recorded, but the disease reappeared subsequently, with an imported wild virus strain, similar to one that is endemic in Asian countries. Campaigns to eradicate the disease were intensified after cases were reported between 2005 and 2007, with 5 million children vaccinated and 4 million supplied with vitamin supplements.

105. The 2004–2008 strategic plan for the accelerated reduction of maternal and child mortality in Angola was readjusted for 2005–2009,[7] in order to broaden its reach and improve the quality of primary health network services. Malaria causes 35 per cent of deaths among children older than 5 years, 25 per cent of maternal mortality, 60 per cent of hospitalizations and 10 per cent of hospitalizations of pregnant women. It is also largely responsible for the high level of recourse to health facilities in outlying areas. It is estimated that there are 6 million clinical cases a year in Angola.[8]

106. The 2003 National Malaria Control Programme established the five-year (2008–2012) National Strategic Plan to reduce malaria's prevalence and the deaths it causes by half, through priority preventive measures to eradicate carriers, such as the distribution of insecticide-impregnated mosquito nets and residual spraying of insecticide in houses. Since 2001, with partnership assistance the National Nutrition Programme has been dealing with acute malnutrition. Estimates from 2007 put the number of children under 5 years old suffering from malnutrition (40 per cent moderate and 12 per cent acute) at 5,710,463. Malnutrition affects half of Angolan children under 5 years of age and causes three out of four deaths in that age group.

107. By 2009, it is hoped this rate can be reduced by 30 per cent with programmes to ensure food security, improved health-care services, and the provision of drinking water and basic sanitation.

D. Right to education

108. The Basic Education Act No. 13/01 of 31 December establishes not only the integrity and secular, democratic nature of the education system, but also the principle that education should be free of charge and compulsory. Those principles are affected by several negative factors, such as the tradition that prevents girls from attending school or from pursuing their studies beyond the fourth year. Further factors are the great distances between schools and children's homes and the high rate of teenage pregnancies. To address this, we are running awareness campaigns among parents and educators, as well as in the wider community, on the importance of and need for schooling for all children, without discrimination. This has contributed to the progressive elimination of adverse cultural traditions.

109. The difficulties encountered in the country's most disadvantaged areas are cause for concern and ethnic minority communities are a case in point. Special community integration programmes have been implemented for groups such as the Khoi-San people during the transhumance season, in order to provide education access for the children of nomad populations in Namibe, Huíla and Cunene provinces.

110. The Government has implemented the three-phase National Education Reconstruction Plan, aimed at restoring, consolidating and expanding the system by achieving a net primary school enrolment rate of 67 per cent in 2005 and cutting illiteracy, especially among women, by 59 per cent by 2015. The National Learning Evaluation Programme is showing progress in the subjects of Portuguese, mathematics and environmental studies.

111. The net primary school (first to sixth years) enrolment rate is 56 per cent. More than 30 per cent of people aged 15 and above, half of them women, are illiterate. Since 2009, a literacy programme has been in place with 6,698 instructors, of whom 109 are supervisors.

112. At the same time, a literacy and remedial study programme aims to accelerate learning through self-teaching and the certification of skills acquired in various formal and informal learning environments. This has led to around 60 per cent of pupils learning to read and write in just three months.

113. A range of civil society organizations and multilateral bodies, among them the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Children's Fund (UNICEF), the European Union and various NGOs, have made a valuable contribution to education and we encourage other organizations to come forward with literacy projects.

114. The 3,182 teachers who work in special education receive continual training. Nevertheless, only half those in need of such education are covered. In 2007, 16,393 pupils were enrolled, of whom 7,332 were female. The most common disabilities are deafness (8,110 pupils), mental disorders (5,022) and sight impairment (3,261). Projects being implemented include: the standardization of sign language, the setting up of a national centre to diagnose and monitor pupils with special education needs; the adaptation of curricula; the publication of a manual on deafness and the digital dictionary (versions 1 and 2).

115. The school snack programme operates across the country. Between 2005 and 2008, more than 944,721 primary schoolchildren benefited from this programme, which aims to prevent dropout and improve learning capacity.

116. Some national languages have been introduced into the education system with the object of preventing linguistic exclusion in schools and preserving cultural identity. This project, at the experimental stage, concerns 12,000 pupils in 240 classes.

117. Thirteen new polytechnical schools have opened, accommodating a total of 90,000 pupils following basic and mid-level vocational courses designed to help them enter the workforce.

118. In higher education, six more public universities have opened across the northern, central and southern regions, and there are nine private ones.

Notes

[1] FONGA: Forum des organisations non-gouvernementales angolaises; LIDDHA: Ligue internationale de défense des droits de l'homme et de l'environnement; ADAC: Association pour le développement et le soutien aux campagnes.

[2] Le Comité provincial des droits de l'homme, organe coordonné par le Ministère de la justice et composé de représentants d'institutions de l'Etat, de la société civile, des églises et des partis politiques.

[3] Source: Administration locale - MAT.

[4] Lei Constitucional, artigo 47, ponto 1: O Estado promove as medidas necessárias para assegurar aos cidadãos o direito à assistência médica e sanitária, bem como o direito à assistência na infância, na maternidade, na invalidez, na velhice e em qualquer situação de incapacidade para o trabalho.

[5] Ministério da Saúde: Relatório de 2008.

[6] GOV de Angola: Plano Nacional de 2009.

[7] Plan stratégique pour la réduction de la mortalité maternelle et enfantine en Angola, 2005–2009. Investissant dans le développement humain. MINSA, Direction nationale de la santé publique, en partenariat avec l'OMS, l'UNICEF et le FNUAP.

[8] "Plano Estratégico Nacional de Controlo da Malária 2008–2012": Direction nationale de la santé publique, Programme national de contrôle du paludisme. Ministère de la santé, Angola.