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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

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SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 44th MEETING

Held at the Palais Wilson, Geneva
Thursday, 13 November 2008, at 3 p.m.

Chairperson: Mr. TEXIER

CONTENTS

CONSIDERATION OF REPORTS

- (a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH
ARTICLES 16 AND 17 OF THE COVENANT (*continued*)

Combined first, second and third periodic reports of Angola (continued)

* No summary record was prepared for the second part (closed) of the meeting.

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 6) (*continued*)

Combined first, second and third periodic reports of Angola ((E/C.12/AGO/3); core document forming part of the reports of States parties (HRI/CORE/AGO/2008); list of issues to be taken up (E/C.12/AGO/Q/3); written replies by the Angolan Government to the list of points to be taken up (E/C.12/AGO/Q/3/Add.1, in English only)) (continued)

1. *At the invitation of the Chairperson, the members of the Angolan delegation resumed their seats at the Committee table.*

Articles 10 to 12 of the Covenant (continued)

2. Mr. DO NASCIMENTO (Angola) said that the Angolan Government had implemented a long-term poverty reduction strategy, in conjunction with the office of the United Nations Development Programme (UNDP) in Luanda. The few indicators available to the country to evaluate its effects seemed to suggest an improvement in the situation, although much remained to be done. Nonetheless, it should not be forgotten that Angola was in a transition phase similar to that faced by European countries following their devastation in the Second World War, with one difference: Angola had not benefited from a Marshall Plan to help it recover but had had to rely on its own resources to relaunch its economy and embark upon a phase of development.

3. The water distribution network, which had been completely destroyed during the war that had raged between 1992 and 2002, was currently being re-established, and more and more citizens had access to it. Access to housing, in contrast, remained a major problem, which the Angolan Government was attempting to resolve; it would shortly implement a wide-ranging low-income house-building programme.

4. Mr. Do Nascimento insisted that there were no forced evictions in Angola, and hoped that it was merely coincidental that Committee members were using the same language and formulating the same criticisms as the Angolan opposition. He said that whenever people were evicted or homes were demolished it was for their occupants to be re-housed in better conditions. Moreover, eviction operations were undertaken in the presence of representatives of the local communities concerned, along with agents of the forces of law and order, and any complaints were dealt with in the competent courts.

5. People who had been forced out of their villages, after the latter had fallen into the hands of rebel armed groups during the war, had been accommodated in makeshift housing in the large cities which, over the years, had grown into slum areas without basic services. Since the end of the war, the Angolan Government had been taking steps to resettle them in areas accessible by road, and provided with hospitals, schools and other essential infrastructure.

6. The Angolan Government, which had defended its people against the rebels throughout the war, did not intend to abandon them now that peace had been established. Allegations of “forced” evictions represented attacks by the opposition for political purposes. The Angolan Government was also attempting, albeit precariously, to re-house the homeless and others living in makeshift housing.

7. The CHAIRPERSON, speaking as a member of the Committee, made clear that the term “forced eviction” did not have any political connotation and was frequently used by the Committee when considering the periodic reports of States parties, not only that submitted by Angola. It referred to any involuntary eviction, whether collective, as part of the reconstruction of a neighbourhood, for example, or individual, such as when a tenant had fallen too far behind with the rent. The Committee had devoted its general comment No. 7 (1997) to that issue, entitled: “The right to adequate housing (art. 11, para. 1 of the Covenant): forced evictions” (E/C.12/1997/10).

8. Mr. CHICOTI (Angola) said that in practice, forced evictions could occur in specific cases and following a judicial procedure if the house in question had been built without authorization or on someone else’s property.

9. Angola was no longer in the grip of famine and the phase of humanitarian emergency in that regard had ended. The supply of agricultural products could, however, be improved by providing better training in cultivation techniques for farmers, which would enable them to obtain higher yield from their land. Malnutrition remained a problem, however.

10. Ms. MEDINA (Angola) reported that legislation was currently being drafted to combat domestic violence, which unfortunately was a scourge in Angola, as in many other countries of the world. Under the draft law, all persons likely to come in contact with situations of domestic violence in the course of their work — police officers, family counsellors, prosecutors, among others — had to undergo specialized training on how best to react on the ground. The draft law also defined acts of violence within the family as criminal offences and authorized anyone who witnessed such acts to report them to the competent authorities. It also provided for the possibility of keeping the aggressor away from the family home. The counselling centres that already existed, which were tasked with listening to the victims, had dealt with 5,500 cases of domestic violence between January and October 2008. Three people had died from wounds inflicted by a family member during that period.

11. It was hard for women to obtain credit because they could not always provide the collateral that banks demanded. They did have access to microcredit, however. Moreover, rural women received material support that enabled them to turn their agricultural produce into semi-manufactured products that could be sold at a profit.

12. Mr. DA COSTA (Angola) said that steps taken in the health area aimed first and foremost to reduce the infant mortality rate. Nutrition programmes had also been set up based on the provision of school meals. Parents, pupils and teachers were also being made aware of the benefits of balanced diet and were participating in growing vegetable in schools. Efforts were also being made to promote broader access to drinking water and sanitation, through the construction of latrines.

13. Civil registry offices had been set up in hospitals and community and municipal government offices to encourage parents to enter their children on the birth register, which would later give them access to numerous services to which they would not be entitled without such registration. Registration for children under five was free and a campaign had been implemented to encourage parents to also declare unregistered children over five years of age for the purpose of obtaining a birth certificate.

14. National forums were currently being organized to prepare a strategy to prevent and suppress violence against children. Lack of financial resources

accounted for Angola's tardiness in combating child trafficking. Nonetheless, the Angolan Government intended shortly to ratify the Additional Protocol to the United Nations Convention against Transnational Organized Crime, to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol). As part of the street children programme, the competent authorities had registered 1,545 children in that situation and had succeeded in finding their parents or placing them in foster families. Nonetheless, the prevailing economic and social situation meant that new children were constantly being forced into the streets.

15. Ms. VIEGAS (Angola) referred to the cases of 423 children accused of witchcraft by religious institutions in three of the country's provinces. The children concerned had been sent to protection centres mainly in Luanda. Accusations of witchcraft were becoming less frequent, however. Although there was no restriction on freedom of religion in Angola, religious institutions were sometimes denied registration because they engaged in activities that were likely to disturb public order.

16. Mr. BAMBI (Angola) said that the draft law against domestic violence included training for justice officials on the problem of violence. However, this only meant updating and deepening knowledge for prosecutors who had already received training on the issue and knew how to deal with cases of violence.

17. Mr. PEDRO (Angola) said that, in accordance with the conventions and international agreements to which Angola was party, foreigners were only expelled from the country if they posed a threat to national security or public order, if they failed to respect national legislation or they engaged in criminal activities. A number of Gambian nationals had been expelled because they were working illegally in diamond mining areas normally managed by the State.

18. The International Organization for Migration (IOM) had concluded that there was no trafficking of persons in Angola. Moreover, it had provided training on registering and managing migratory flows, in conjunction with the competent ministries.

19. Mr. DA CONCEIÇÃO (Angola) denied reports that underage offenders were serving their sentences in the same prisons as adults. Angola scrupulously applied the provisions of article 10 of the International Covenant on Civil and Political Rights, as well as rule No. 8 of the Standard Minimum Rules for the Treatment of Prisoners, whereby "The different categories of prisoners shall be kept in separate institutions or parts of institutions taking account of their sex, age, criminal record, the legal reason for detention and the necessities of their treatment". Moreover, under the Penal Code, a person under 16 years of age could not be sentenced to a prison term.

20. Ms. MASSOCOLO NEVES (Angola) said that, with support from the United Nations Children's Fund (UNICEF), the World Health Organization (WHO) and the United Nations Population Fund (UNFPA), the Angolan Government had adopted a strategic plan in 2005 to reduce maternal and infant mortality, which particularly highlighted the rights to primary health care, family planning and contraceptive methods for minors. Much remained to be done in the health area but indicators showed that the situation was improving steadily. The proportion of antenatal checkups had risen from 45 per cent in 2004 to 56 per cent in 2008 and almost 30 per cent of pregnant women now had access to health care.

21. Mr. KIASSEKOKA (Angola) stated that health care accounted for 8 per cent of the State budget in 2008. For 2009, 5.2 per cent of the general State budget would be devoted to public investment in the health sector and 8.3 per cent to general operating expenses of health-care institutions, making 13.5 per cent overall — close to the 15 per cent target set in the Abuja Plan of Action. In general, Angola was

determined to attain the Millennium Development Goals on health, in particular reducing the under-five mortality rate by two thirds and cutting the maternal mortality rate by three quarters by 2015. Corruption was no longer a problem in the health sector, thanks to steps taken by the Angolan Government to improve working conditions, raise the pay of health-care professionals and strengthen partnerships between health-care professionals, the Medical Association and civil society to promote ethical improvements in the sector. An office had been set up to receive complaints lodged by patients, who could anonymously report illegal practices by health-care professionals. The delegation did not have detailed statistics on the infant mortality rate but rates were steadily falling, thanks to greater immunization coverage and the comprehensive strategy to combat childhood diseases.

22. With regard to handicapped children, the European Union had stopped paying financial aid to Angola because the country had moved out of the conflict and emergency support phase. The Government had therefore implemented a programme to help disabled children reintegrate into society, in particular by providing prostheses to help them move about more easily. Another initiative worth mentioning was the “Water for all” programme, which aimed to expand access to drinking water and to eliminate waterborne diseases. Although there was no famine in the country, there was a problem of malnutrition, stemming basically from parental ignorance of children’s nutritional needs.

23. Mr. CHICOTI (Angola) said that the Government was not directly involved in the land disputes that had arisen in two provinces, related to clandestine immigrants who were illegally occupying land belonging to the local population, to undertake diamond and mining activities. As diamond-mining permits were only issued by the Indiamina company, all enterprises, whether foreign or national, had to apply through that company. The fact that no other procedure was possible helped greatly in minimizing disputes.

24. Since 2002, poverty reduction had been the Angolan Government’s top priority, and all ministries were working to that end by expanding access to employment and remunerated activity. Special attention was being given to the poorest rural populations.

25. The few foreign-run agricultural businesses that employed Angolan nationals mostly tended to sell their produce inside the country, even though they were not legally obliged to do so, because there was high demand. At the macroeconomic level, the tax system implemented by the Government meant that the oil and diamond sectors currently provided only 15.9 per cent of Angola’s revenue.

26. The forthcoming debate on the new constitution would draw on acquired experience in several areas; Parliament would then adopt the prepared draft, which would take account of all concerns expressed, specifically those relating to the protection of women’s and children’s rights, since the poverty-reduction strategy covered economic, social and cultural rights generally. Angola was combating corruption at all levels and in all sectors, with good results in relation to the situation prevailing in 2002, when the authorities did not have control over all of the country and the Government had not been as strong as it was today. Now public authorities had full knowledge of oil sales, the proceeds of which went to the National Treasury and the National Bank, under the control of Ministry of Finance.

27. Lastly, while specialized services had defused more than 2,000 mines that year, the situation remained complex. Apart from safety and health problems, it also posed development challenges, for example in certain regions of the country.

Priority had initially been given to making major communication routes safe but mine clearance was currently being undertaken mainly in the provinces.

28. Mr. PILLAY insisted on the need for open and constructive dialogue between the Committee and the Angolan delegation; and he regretted that the latter refuted certain information that had never been officially denied by the Government. A case in point was the poverty rate announced by the World Food Programme (WFP) — 60 per cent of the population in 2007 (a figure confirmed for 2008 by the International Fund for Agricultural Development (IFAD)) — or cases of forced eviction, attested to by several non-governmental organizations (NGOs), such as Human Rights Watch, Angolan Civil Society and Amnesty International. The Angolan delegation had stated that any eviction procedures were undertaken within the law but how was that possible if there was no legislation or directives on the subject in accordance with international regulations? It was with a view to rectifying that situation that, in question No. 26 of the list of issues to be taken up, the Committee had reminded Angola of its general comment No. 7 (1997) on the right to adequate housing. Mr. Pillay hoped that the State party would conform as quickly as possible.

29. Mr. CHICOTI (Angola) replied that there was no policy of forced eviction in his country. Where land or a home had been occupied illegally, the case was tried by a court. If the latter decided to evict the offenders, it would be done pursuant to the law. One could not generalize on the basis of one case of forced eviction. The Angolan Government was a responsible Government, and perhaps the NGOs were not telling the truth. The authorities were sometimes obliged to evict illegal occupants, particularly if they were living in unhealthy conditions. The people concerned were offered replacement accommodation, sometimes temporary in tents while they waited for more suitable housing and that had led to NGOs saying that the Government had acted arbitrarily. Moreover, the Angolan Government was not content to lament the fact that 60 per cent of the population was poor; it was taking steps to combat that poverty. It was not acting anarchically either in that domain or in the case of evictions.

Articles 13 to 15 of the Covenant

30. Mr. RZEPLINSKI asked whether the Angolan Government had implemented a plan of action to guarantee access to education for the children of traditional population groups in the south of the country, while preserving their ancestral way of life.

31. Ms. WILSON welcomed the fact that primary school attendance had increased and asked whether that was true of both urban and rural areas, particularly the most remote regions. Referring to paragraph 260 of the report and the national languages introduced into the education system, she asked the Angolan delegation to clarify whether it meant the teaching of those languages or teaching in those languages.

32. Mr. MARCHAN ROMERO asked what steps the Angolan Government had taken to preserve the cultural identity of the country's numerous ethnic groups, bearing in mind the large number of population movements that had occurred during and as a result of the armed conflict. He also regretted that information on the composition of the Angolan population, contained in the core document, had not included figures on the size of each group and its geographic situation. Such statistics would have made it possible to better define measures to be adopted to protect and preserve the various cultures.

33. Mr. KERDOUN enquired about the results of the National Framework Plan for Reconstruction of the Education System, more than 10 years after its implementation, and whether the goals that had been set for 2005 on primary school enrolment and reducing the illiteracy rate, particularly among women, had been attained. He also wanted to know what the Angolan Government was doing to attract teachers into rural areas, where teaching quality was known to be lacking and illiteracy rates were high. The low rate of school attendance in the poorest social strata could be explained by the fact that children often had to work to help their family. He wondered whether giving financial assistance to families to enable them to send their children to school might be a solution to the problem. Overall, it would be useful to have information on all measures taken and envisaged to improve Angola's education indicators, which were among the worst in sub-Saharan Africa. For information purposes, it would be useful to know the total number of languages spoken in Angola.

34. Ms. BRAS GOMES asked whether the Ministries of Education and Health had agreed on a protocol to upgrade the health and nutrition education programmes taught to students. On gender equality, she asked whether a similar protocol had been concluded between the Commission on Gender Parity and the Education Ministry to ensure that the subject was better addressed in primary and secondary schools. Ms. Bras Gomes also noted that the State party had set a goal of rectifying gender literacy disparities by 2005 and she wondered what results had been achieved.

35. Mr. PIEDADE (Angola) stated that the Ministry of Education, wishing to promote an open education system that was adapted to the needs of the country's various communities, including those living far from urban centres, intended to train a number of school programme specialists by August 2009 who would have the mission of preparing programmes adapted to the needs of pupils in the most remote regions. As many children did not yet have the right to education, the Government was making major efforts not only to ensure access to education, but also to train teachers and send them into rural areas, while decentralizing training to enable municipalities also to participate in the process. Education should benefit everyone. The literacy campaigns implemented since 2002 had helped some 530,000 adults, and the differentiated remedial programme for school backwardness was also available to them. A national school nutrition programme had been implemented in 2005, in collaboration with the Ministry of Health, and it was currently expected to extend to 2010. Specific health programmes — immunization, anti-parasite, medical checkups for children during school, etc. — had also been implemented in schools.

36. Children who helped their parents in fishing or harvesting activities did useful work so the problem was not only a matter of providing financial assistance but also adapting the education system to the situation, including proposing courses for children during their free time.

37. Mr. VIEGAS (Angola) said that census registration of the entire population had not yet been achieved and there was currently a lack of reliable statistics on ethnic minorities and some segments of majority groups. Policies to preserve cultural identity had consisted of organizing seminars on aspects of culture, such as dance, music or religion, and providing specific programmes on national languages. For example, the national radio station put on programmes in regional languages that enabled everyone to understand its broadcasts in their own language, even if they were no longer living in their region of origin — which was frequently the case because the war had scattered people throughout the country.

38. Mr. CRISTOVÃO (Angola) added that, to some extent, the war had helped integrate various population groups in various regions of the country so that there were no longer major problems of coexistence between different ethnic groups. In the cultural domain, the Government was training agents to work locally to encourage and develop cultural dynamism.

39. The CHAIRPERSON thanked the Angolan delegation and announced that the Committee had completed its consideration of the initial and second and third periodic reports of Angola.

40. *The Angolan delegation withdrew.*

The first part (public) of the meeting rose at 5.15 p.m.