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COMMITTEE ON ECONOMIC, SOCIAL
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Pre-sessional working group
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ANGOLA

**IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC,
SOCIAL AND CULTURAL RIGHTS**

List of issues to be taken up in connection with the consideration of the combined initial and second and third periodic report of Angola, consisting of the treaty-specific document on the rights covered by articles 1 to 15 of the International Covenant on Economic, Social and Cultural Rights (E/C.12/AGO/3) and the common core document (HRI/CORE/AGO/2008)

**I. GENERAL FRAMEWORK WITHIN WHICH THE COVENANT IS
IMPLEMENTED**

1. Please clarify why the provisions of the Covenant have not been incorporated into the domestic law of the State party to make them directly applicable in Angolan courts. Please provide examples of cases in which individuals have invoked economic, social and cultural rights before the Constitutional Court and the Supreme Court. What steps are being taken to ensure that victims of violations of economic, social and cultural rights have access to effective judicial remedies, and that court orders and judgements are being enforced? (HRI/CORE/AGO/2008, para. 32)

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2. Please also provide more detailed information on the role of the Ninth Committee of the National Assembly, the Committee on Human Rights. Can it hear complaints about alleged violations of economic, social, and cultural rights? Please also provide more detailed information on the Office of Human Rights of the Ministry of Justice and the Provincial Human Rights Committees, and whether the inadequacy of facilities and human resources has been addressed. (HRI/CORE/AGO/2008, paras. 42-43)
3. Please elaborate about the Association Act – Law 14/91 and Decree-Law No. 84/02 governing civil society and the status of its review (HRI/CORE/AGO/2008, paras. 78, 84). How far can the Technical Unit for the Coordination of Humanitarian Assistance coordinate and control domestic and international human rights non-governmental organizations and does the State party foresee a review of its mandate (para. 81 (c))? Please also provide information on the cooperation and partnerships established between the State party and non-governmental organizations for the implementation of economic, social, and cultural rights.
4. Please provide information on the concrete measures taken to eradicate corruption and nepotism, including within the judiciary. Please provide information on the number of prosecutions and convictions of high-level officials in corruption cases during the period 2005-2007.
5. Please provide information on the steps taken to ensure that the revenues gained from the exploitation of high-yield natural resources, such as oil and diamonds, are used to promote the realization of economic, social, and cultural rights for the population at large. What are the measures taken to ensure that the local communities in which extraction takes place receive a fair share of these revenues?
6. Please provide information on the mandate and the financial independence of the Office of the Ombudsman, as well as its compliance with the Paris Principles¹ (HRI/CORE/AGO/2008, paras. 49-50).
7. Please provide the Committee with the data gathered in the survey by the National Statistics Institute on the overall living conditions of the population. Please also provide information on any concrete preparations undertaken to carry out a census since the last one took place in 1972. (HRI/CORE/AGO/2008, paras. 5-6)
8. Please provide information on any steps undertaken to adopt less restrictive laws regarding access to public information (Freedom of Information Act).
9. Please provide information on the allocation of the State budget to education, health and other social services in comparison with allocations to the security sector, such as the military, for the past ten years (HRI/CORE/AGO/2008, para. 159).

¹ Principles relating to the status of national institutions, adopted by General Assembly resolution 48/134 of 20 December 1993.

II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1 – 5)

Article 2, paragraph 1 – Progressive realization of economic, social and cultural rights

10. Please provide information on the mechanisms in place to ensure the fulfillment of the economic, social, and cultural rights of the most disadvantaged and marginalized individuals and groups, when the State party negotiates and ratifies bilateral and multilateral trade, investment and other economic agreements.

Article 2, paragraph 2 – Non-discrimination

11. Please provide information on any special measures taken by the State party during the period 2002-2007 to protect the economic, social and cultural rights of internally displaced persons and returnees, in particular the rights to health, food, housing, and education.

12. Please provide information on the enjoyment of all economic, social, and cultural rights by ethnic groups, including the San people. In the absence of data on ethnic minorities, how does the State party ensure the implementation of article 18 of the Constitutional Law (HRI/CORE/AGO/2008, para. 114)?

Article 3 – Equal rights of men and women

13. Please provide information on the concrete measures taken to eliminate gender inequalities, including with regard to the rights to education and work (HRI/CORE/AGO/2008, paras. 93-94, and 121-126). Please also indicate the measures taken by the State party since 2002 to prevent and combat discrimination against women in the areas of marriage, divorce, inheritance, property and citizenship. What measures are being taken to ensure that the right of women to the equal enjoyment of all economic, social and cultural rights is not compromised by discriminatory customary laws and practices? Please also provide more detailed information on the Extension and Rural Development Program for women and on the effectiveness of the Strategy for Empowering Women (paras. 126-127).

14. Please provide more detailed information on measures taken by the State party since 2002 to increase the representation of women in Parliament and in senior government positions. Please indicate the number of women who have been appointed to the judiciary and to public service.

III. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6 – 15)

Article 6 – The right to work

15. Please provide information on the measures and investments undertaken aimed at the diversification of the economy, as well as at creating conditions for raising the employment rate (HRI/CORE/AGO/2008, paras. 159-185). Please also explain why employment in agriculture, forestry, and livestock has been mainly taken up by returnees (para. 165).

Article 7 – The right to just and favourable conditions of work

16. Please provide information on the measures taken by the State party to increase and enforce minimum wages, with a view to providing all workers and their families with an adequate standard of living (HRI/CORE/AGO/2008, paras. 192-194).

Article 9 – The right to social security

17. Please describe any non-contributory schemes of social assistance in place, their coverage, and the types and minimum amounts of benefits. Please indicate whether such schemes, or any other social security schemes, make provision for the social protection of all disadvantaged or marginalized individuals and groups, including internally displaced persons, and how they enjoy the benefits of social security (E/C.12/AGO/3, paras. 48-49; HRI/CORE/AGO/2008, para. 185).

Article 10 – Protection of the family, mothers and children

18. Please explain why there are no legal provisions specifically criminalizing domestic violence, including marital rape. Please also provide information on the number of women killed or injured in the context of domestic violence since 2002, the number of criminal proceedings and convictions, the sentences imposed on perpetrators of domestic violence, and the remedies provided to victims. Please provide information on any programmes of mandatory training of police, prosecutors and judges on the criminal nature of such acts, assistance and shelters for victims, and awareness-raising campaigns.

19. Please provide information on the measures taken to investigate allegations of sexual violence against migrant women in the province of Lunda and to prosecute offenders. How does the State party ensure that such crimes are prevented in the future?

20. Please provide information on measures implemented in public and private health facilities to ensure the registration of new-born children, as well as those that have not yet been registered.

21. Please describe the impact of measures taken to protect children against all forms of exploitation, in particular work that is likely to be hazardous or harmful to their health, education and the full enjoyment of their economic, social, and cultural rights, including exploitative work in the agriculture sector. Please also provide detailed information on the measures taken to combat the sexual exploitation of children, in particular street children in Luanda, including information on the number of children engaged in prostitution and on the number of police and social welfare officers specifically tasked with preventing and rehabilitating victims of such exploitation.

Article 11 – The right to an adequate standard of living

22. Please comment on reports that activities by the extractive industry (diamonds) have had a negative impact on the local communities, in particular with regard to their access to land and safe drinking water. What measures are being taken by the State party to oversee and enforce corporate social responsibility?

23. Please provide more detailed information on the impact of the programmes and policies aimed at combating poverty (Poverty Reduction Strategy) and the achievement of the Millennium Development Goals, especially on female-headed households and individuals and families living in informal settlements. Please explain the coordination and monitoring mechanisms established for the implementation of those programmes and policies (HRI/CORE/AGO/2008, para. 15). How does the State party ensure the participation of groups affected by poverty in the development of these programmes and policies? Which groups have benefited most from the achievements of the reforms?

24. Please provide information as to how the development programmes in the agricultural sector contribute to the right to food for everyone, in particular the most disadvantaged and marginalized groups and individuals (E/C.12/AGO/3, paras. 102-103).

25. Please provide detailed information on the measures taken to ensure affordable access to adequate water and sanitation and to reduce the waiting time for collecting water, in particular with regard to:

- a) The most disadvantaged and marginalized groups,
- b) The rural areas,
- c) The informal settlements in Luanda (E/C.12/AGO/3, paras. 137-140; HRI/CORE/AGO/2008, paras. 103, 119 and 215).

26. Please indicate the progress achieved by the State party in adopting guidelines and legislation strictly defining the circumstances and safeguards under which evictions must take place, taking into account the Committee's general comment No. 7 (1997) on the right to adequate housing. Pending the adoption of such guidelines and legislation, please indicate whether a comprehensive resettlement plan has been adopted for persons forcibly evicted from informal settlements in Luanda and Cabinda. Is there any slum upgrading project being implemented in Luanda? Please also provide statistical data on the number of persons evicted since 2002, including their socio-economic status, as well as information on the circumstances under which these evictions took place.

27. Please indicate what measures have been taken to address the problem of security of tenure in informal settlements in Luanda.

Article 12 – The right to the highest attainable standard of physical and mental health

28. Please provide information on the programmes and health policies in place to ensure access to adequate health services, goods and facilities, including access to safe pharmaceutical products, in particular at the community level, and provide statistical data on trained medical personnel, disaggregated by rural and urban areas, including deprived urban areas, and by the most disadvantaged or marginalized individuals and groups (HRI/CORE/AGO/2008, paras. 198-215).

29. Please provide more detailed information on the health protection available to persons infected with malaria, cholera, or polio, persons with mental health problems, landmine victims and other persons with disabilities, including information on achievements and plans to provide equal access to adequate, safe, and affordable treatment and medication for such persons.

30. Please provide updated data on the prevalence of HIV/AIDS and the number of persons infected who benefit from access to retroviral treatment, as well as information on the effectiveness of the measures taken to combat its increase (E/C.12/AGO/3, para. 178-207; HRI/CORE/AGO/2008, paras. 15(g) and 105). Please also provide information on the measures taken with regard to sexual health education, particularly those targeting young people.

31. Please provide information on the concrete measures, policies and strategies, implemented to combat the high child and maternal mortality, to eliminate discrimination against poor women, older women and women with HIV/AIDS in their access to adequate maternal health care, as well as to combat illnesses such as infectious diseases, paludism, and cholera since 2002 (E/C.12/AGO/3, para. 167; HRI/CORE/AGO/2008, paras. 103-113). What proportion of the budget is allocated to the health sector? What are the indicators or benchmarks used to track progress? Please also provide information on the effectiveness of such measures.

32. Please outline the concrete measures taken since 2002 to ensure adequate occupancy levels and medical treatment, access to adequate food and water, and the availability of voluntary testing and medical counselling services for prisoners, with a view to reducing infectious diseases, the number of deaths, severe overcrowding as well as lack of food and medical care among the prison population.

Articles 13 and 14 – The right to education

33. Please provide information, including statistical data, regarding access to primary education by the most marginalized and vulnerable groups and persons, particularly in rural areas. Furthermore, please provide information on the measures being taken in order to overcome discriminatory customary practices and attitudes, which prevent children from attending school, in particular those affecting girls in rural areas and landmines victims (E/C.12/AGO/3, paras. 213, 216, 224 and 250-253).

34. Please provide information on the measures being taken to address the high dropout rate in primary and secondary education (E/C.12/AGO/3, paras. 213, 216, 224 and 250-253).

35. Please explain how the quality of education has been maintained when the numbers of teachers at all levels remained unchanged in 2005 and 2006 while the enrollment rate of students rose during this period. What concrete steps have been undertaken to improve professional qualifications of teachers, especially in elementary schools, and their working conditions (HRI/CORE/AGO/2008, paras. 176 and 217-220)?

36. What concrete measures are being taken by the State party to reduce the high rate of illiteracy, in particular among women (E/C.12/AGO/3, paras. 230-237)? Please also indicate the percentage of women among university students and the measures taken by the State party to promote greater enrolment of women at all levels of education.

Article 15 – The right to take part in cultural life

37. Please provide information on concrete measures undertaken by the State party to guarantee the right of everyone to take part in cultural life and to ensure their access to benefits of scientific progress and its application, including education in the fields of culture, art, and science.
