



**Convention on the
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COMMITTEE ON THE RIGHTS OF THE CHILD

Thirty-seventh session

SUMMARY RECORD OF THE 991st MEETING

Held at the Palais Wilson, Geneva,
on Monday, 27 September 2004, at 10 a.m.

Chairperson: Mr. DOEK

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of Angola (CRC/C/3/Add.66; CRC/C/Q/ANG/1; CRC/C/RESP/64)

1. At the invitation of the Chairperson, Mr. Chikoty, Mr. Da Luz, Ms. Dias Lourenço, Mr. Martins and Ms. Mayato took places at the Committee table.
2. Ms. DIAS LOURENÇO (Angola) said that the armed conflict and state of emergency in Angola had prevented the Government from submitting its initial report (CRC/C/3/Add.6) to the Committee on time. The lack of regular statistics and properly trained staff had also contributed to the delay. In 2000, the Government had begun restructuring its statistics-keeping procedures and had implemented, with international assistance, a medium- and long-term data collection programme. Those efforts had been successful and the Government was now prepared to submit regular reports to the Committee within the established deadlines.
3. The civil war had caused various humanitarian crises, all of which had had serious effects on the survival, protection and development of children. In 2003, the Government had implemented a programme for improving basic social services throughout Angola, with particular emphasis on rural areas.
4. The presence of landmines meant that many displaced persons could not return to their homes, and agricultural activity could not be resumed in many areas. The large number of weapons in Angola posed a constant threat to public safety. Although the Government had sought to promote reconstruction, development and social rehabilitation, it lacked the necessary financial resources because of its large external debt.
5. Children represented over 50 per cent of the Angolan population and were the most marginalized and vulnerable group: many were obliged to work from an early age, and others faced abuse and sexual exploitation. War and poverty had left physical and psychological scars on the children of Angola. The health service was understaffed and underfunded, and efforts to prevent infectious diseases had been ineffective, since only a very small number of children had been immunized.
6. Many Angolan children suffered from malnutrition or had psychological and emotional problems; some lived apart from their families or on the streets, while others did not attend school and were exploited as workers. Many of them had no access to clean drinking water, and an increasing number were being affected, both directly and indirectly, by HIV/AIDS.
7. Although conditions in Angola were harsh, the Government was committed to promoting children's rights, which were guaranteed by the Constitution and other domestic legislation. Angola was a State party to all the international instruments on children's rights. The Government had adopted a series of policies with a view to improving conditions for children. The new draft Constitution, which was currently under consideration, increased rights, guarantees and protection for children. The Criminal Code was being amended to include new

offences, such as domestic violence, sexual abuse and exploitation, paedophilia, child pornography, involvement of children in illicit drug trafficking, traffic in children and kidnapping.

8. Angola's programme of education for all by 2015 aimed to eradicate illiteracy and promote gender equality in education. In April 2004, the first national forum on education had been held in Angola, with the participation of the United Nations Educational, Scientific and Cultural Organization (UNESCO). Measures were being taken to increase government funding for mother and child care; family planning; immunization campaigns; measures to prevent malaria, HIV/AIDS, acute respiratory disorders and sexually transmitted diseases; developing the health infrastructure; improving education in the areas of health and nutrition; and training medical personnel.

9. The Government intended to expand several of its child-related programmes, including community-based education programmes, programmes to protect children at risk or in conflict with the law or children who had been separated from their families, the Family Tracing and Reunification Programme and a programme for psychosocial integration. When children were separated from their biological families, they were placed in foster care.

10. Angola intended to improve its implementation of existing legislation on juvenile justice. Instruction in law and ethics would be included in school programmes, and awareness-raising campaigns would be conducted in the media, in order to inform children and adults of human rights issues. Civil society, non-governmental organizations (NGOs) and religious institutions would play a vital role in implementing such measures.

11. After ratifying the Convention, the Government had established a public institution to study children's rights issues and disseminate information among the public. A multisectoral technical council had been set up to monitor and evaluate the implementation of programmes for children. A national Forum on Early Childhood Care and Development had been held in June 2004, as a result of which the National Council for the Rights of the Child had been established with input from State representatives, NGOs, religious establishments and social organizations.

12. Assistance from international organizations and foreign donors was essential to the promotion and protection of children's rights in Angola, and she hoped that such assistance would continue to be provided.

13. Mr. KRAPPMANN, Country Rapporteur, said that, although the Government had demonstrated its willingness to take measures to promote children's rights, he wondered whether the continuing critical situation in Angola would impede progress in that area. He wished to know who benefited from Angola's oil and diamond revenues. Corruption was rife in the State party, and it seemed that billions of dollars simply disappeared. Although Angola had ratified the United Nations Convention against Corruption and joined the African Peer Review Mechanism, very little money was available for resettlement, housing, sanitation, health services and education. He asked whether children's rights legislation was being brought into line with the Convention and whether the drafters of the new Constitution were familiar with the Convention.

14. He asked how the implementation of the Convention was monitored and what mechanisms ensured that the Convention was taken into account when legislation and programmes on children's rights were prepared. He also wished to know whether the Government planned to establish a national human rights institute, designate an ombudsman for children's rights and adopt a national action plan for the implementation of children's rights. Lastly, he asked whether law enforcement officials made a clear distinction between violations of public order and lawful participation in demonstrations.

15. Ms. VUCKOVIC-SAHOVIC said that the delegation should provide additional information on birth registration, and enquired whether it was true that 80 per cent of children in Angola were born at home.

16. Angola must introduce stringent laws prohibiting the media from disclosing personal details and photographs of child victims or offenders. She asked whether it was true that some civil servants refused to register children under traditional African names and imposed Portuguese names instead.

17. Ms. AL-THANI said that she hoped that Angola's new Constitution would prohibit discrimination on the grounds of disability. She wished to know what measures the Government was taking to combat discrimination against children with disabilities, girls and members of the Kung minority.

18. She was concerned that children could be accused of witchcraft. She wondered why that phenomenon had begun in the late 1990s, and enquired what steps were being taken to protect the children concerned. She asked whether the use of corporal punishment was widespread in families and educational and judicial establishments and what measures were being taken to prevent it.

19. Mr. FILALI said that the preliminary draft of the new Constitution recognized the validity and legal force of custom that was not contrary to the Constitution and the law in force. He wished to know how custom was dealt with by the courts and whether certain customary practices, such as the right of husbands to beat their wives and children as a means of discipline, would be prohibited under the new Constitution. He asked why it took such a long time to implement laws in Angola.

20. Mr. LIWSKI said that the delegation should provide information on the application of article 37 of the Convention on the Rights of the Child, which stipulated that no child should be subjected to torture or other cruel, inhuman or degrading treatment or punishment.

21. Ms. SMITH asked whether the problems encountered in implementing various government programmes were due mostly to a lack of financial resources or to a lack of human resources. The delegation should provide further information on the role and activities of the National Children's Institute, the National Children's Office and similar bodies.

22. Ms. ALUOCH said that she had been surprised to learn about the recent increase in birth registration fees. She stressed the importance of providing free birth registration.

23. Ms. CHUTIKUL asked whether the functions of the National Council for the Rights of the Child would be similar to those of the Inter-Ministerial Commission for the Coordination of Early Childhood. The delegation should provide information on the role of the Ministry of Planning in the budget allocation process. She enquired whether the Government intended to allocate additional funds to education.

24. She would be interested in knowing whether birth registration requirements could be waived to facilitate children's access to basic health and education services. Measures should be taken to speed up birth registration.

25. Mr. KOTRANE asked whether the Government intended to draw up a national action plan covering the rights and needs of all children in Angola. He enquired what the minimum age of criminal responsibility was.

26. He stressed the need to ensure that child labour regulations were properly implemented. Lastly, he asked whether there were any programmes to prevent discrimination against girls and children with disabilities.

The meeting was suspended at 11.10 a.m. and resumed at 11.40 a.m.

27. Ms. DIAS LOURENÇO (Angola) said that, in preparing the preliminary draft of the new Constitution, the members of the Constitutional Commission of the National Assembly had paid particular attention to the provisions of the Convention on the Rights of the Child. In both the existing Constitution and the draft Constitution, the age of civil majority had been set at 18, and the minimum age of criminal responsibility had been set at 16.

28. There was no independent body in Angola that had overall responsibility for monitoring human rights. A human rights commission had been set up in the National Assembly to receive complaints from individuals, a human rights unit had been established in the Ministry of Justice and human rights commissions had been set up in each province. A number of national and international NGOs monitored the implementation of human rights in Angola.

29. In Angola, official instruments entered into force on the day on which they were published in the Official Gazette. Gaps between the entry into force of legislation and its practical implementation were attributable to the government reorganization that had taken place following the armed conflict and to structural limitations that had arisen as a result of the withdrawal of the Portuguese colonial administration after Angola's independence. In an attempt to overcome those shortcomings, the Government had undertaken a reform of the judiciary.

30. Despite its oil reserves, Angola was not a rich country. Data from the most recent survey indicated that 68 per cent of the population lived below the poverty line, while 24 per cent lived in abject poverty. Owing to the Government's past reliance on oil revenues to finance its military expenditure, very little of the State's oil income had been allocated to basic social services. Moreover, the mechanisms for repaying Angola's foreign debt were tied to its current

oil revenues. In 2002, debt repayments had consumed some 50 per cent of the general budget. Budget proposals for 2005 called for financing only 30 per cent of the general budget from oil revenues. That would be possible through fiscal reform that would extend the tax base and increase tax earnings from sources other than oil.

31. The Government planned to increase budget allocations for social spending as a matter of priority. Over the past three years, the share of the total budget allocated to education, health and children's social welfare had increased. However, those efforts were hampered by the heavy financial burden placed on the Government as a result of its obligations under the April 2004 peace agreements. During the period 2002-2003, the Government had allocated some US\$ 200 million for the reintegration of some 4 million displaced persons and 90,000 demobilized troops.

32. The CHAIRPERSON asked whether the Government maintained a transparent budgetary policy that made it possible to identify how State oil revenues and other sources of State income were spent. He wondered whether Angola had considered requesting debt relief from its foreign creditors. The Government should consider spending any savings resulting from debt relief on the social sector. He asked whether the Government had received additional income from external sources, such as bilateral or multilateral donors.

33. Ms. DIAS LOURENÇO (Angola) said that 21.3 per cent of the total budget had been spent on the social sector in 2004. According to a budget assessment, which had been verified by the International Monetary Fund, none of Angola's oil revenues had "disappeared". The discrepancy had been caused by weaknesses in the accounting system. That issue had been resolved in 2002, and the Government had reaffirmed its commitment to a transparent budgetary policy. Since 2002, the State budget had been published in the Official Gazette, and government accounts were posted on the web site of the Ministry of Finance.

34. The repayment of foreign debt was regulated by agreements that the Government had concluded in the past. Some 50 per cent of total government income had been allocated to interest payments and the repayment of foreign debt. The Government had entered into consultations with the Paris Club with a view to rescheduling its debt. That would enable the Government to allocate more of its revenue to other areas, such as the social sector.

35. She said that the US\$ 200 million that had been spent in 2002-2003 on measures to reintegrate displaced persons and demobilized troops did not include external contributions, such as the US\$ 33 million donated by the World Bank. Funds had been provided by bilateral and multilateral donors for other social reintegration programmes. Poverty reduction programmes had also been sponsored by the World Bank, the European Union and United Nations agencies, although no statistics were available on such funding.

36. Mr. KRAPPMANN asked whether the national plan of action for education for all had been adopted. If so, he wondered whether sufficient financial resources had been allocated to the plan, and whether its implementation would be monitored. He did not understand how the State party could achieve its stated aim of 100 per cent school enrolment by 2005. He requested additional information on the measures that would be taken to reach a realistic goal in terms of school enrolment.

37. It was unclear whether pre-school education would be provided for all children, and what it would entail. The reporting State should indicate whether steps would be taken to prevent teachers from demanding unauthorized payments from parents. He asked whether there were any programmes that provided education for adolescents who did not attend school and were unemployed.

38. Ms. LEE said that, since former child soldiers and girls who had been abducted to serve as their wives were reportedly stigmatized when they returned to their villages, she wondered whether any measures had been taken to ensure that they received adequate health care.

39. It was unclear whether education was compulsory up to the age of 14. The reporting State should explain what happened if children ended their education before that age. She asked what steps had been taken to support children with disabilities, or to collect data on the number of such children who had the right to funding and assistance.

40. Ms. AL-THANI asked whether there was any policy to ensure that children with disabilities, particularly those living in rural areas, received adequate services. She wished to know whether there was a government body responsible for integrating children with disabilities into society.

41. She wondered whether any measures were being taken to prevent health-care professionals from charging illegal fees, and to prevent people from selling medicines on roadsides and in marketplaces. It would be useful to know whether there had been any review of the policy to provide children with mosquito nets in order to prevent malaria. Further details should be provided on the current status of the Integrated Management of Childhood Diseases strategy to reduce deaths from diarrhoea and acute respiratory infections. She asked what plans the State party had to ensure that home births were attended by local trained staff. The delegation should indicate whether its immunization programme had increased over the past three years. She wished to know what steps would be taken to reduce the number of children who suffered from stunted growth as a result of poor nutrition, and what protection would be provided for working mothers who breastfed.

42. It would be useful to have a full account of what was included in the national plan to combat HIV/AIDS and sexually transmitted diseases. Since adolescents were sexually active from a young age, the State party should indicate how it planned to minimize the health risks involved. It was unclear whether the reporting State provided any mental health services. She requested information on measures being taken to improve sanitation and drinking water.

43. Ms. OUEDRAOGO asked whether there was any legislation to ensure that divorced or separated parents gave their children an adequate education and allowed them to have a balanced relationship with both parents. She requested information on measures to enable street children to benefit from social services and to help them return to their families.

44. Additional information should be provided on support for families who had returned to their homes after the war. She asked what steps had been taken to teach children how to avoid anti-personnel mines, and whether there was a mine destruction programme.

45. Mr. LIWSKI asked whether the plans to reform the health service included a training programme for technical professionals and community workers. It was unclear whether the current plans included community participation.

46. He enquired whether HIV/AIDS medication was available and free of charge to all patients, and whether Angola had been able to purchase generic drugs. He wished to know whether part of the budget allocated to training on HIV/AIDS prevention would be spent on ensuring that adolescents took an active role in the prevention programme.

47. Ms. VUCKOVIC-SAHOVIC asked what specific measures were in place to deal with juvenile offenders under the age of 16, and why preventive detention existed for persons under the age of criminal responsibility.

The meeting rose at 1 p.m.