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

**Combined initial, second and third periodic reports, under articles 16 and 17  
of the Covenant**

**ANGOLA**

[16 April 2008]

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\* The present document was not formally edited before being sent to the United Nations translation services.

\*\* The annexes to this report may be consulted at the secretariat.

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## TABLE OF CONTENTS

	<i>Paragraphs</i>	<i>Page</i>
I. GENERAL PROVISIONS OF THE COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS .....	1 - 31	3
II. IMPLEMENTATION OF THE LAW IN PRACTICE: DIFFICULTIES AND CONSTRAINTS .....	32 - 101	14
III. STRENGTHENING THE PRODUCTION CAPACITY OF THE TRADITIONAL SECTOR .....	102 - 114	35
IV. REFORMS AND MEASURES IMPLEMENTED .....	115 - 124	40
V. EMPLOYMENT .....	125 - 132	42
VI. ADMINISTRATIVE DECENTRALIZATION AND RE-ESTABLISHMENT OF GOVERNMENT SERVICES NATIONWIDE .....	133 - 160	44
VII. INTEGRATED PROGRAMME FOR HOUSING, URBAN DEVELOPMENT, BASIC SANITATION AND THE ENVIRONMENT .....	161 - 177	53
VIII. HIV AIDS .....	178 - 207	61
IX. RIGHT TO EDUCATION .....	208 - 307	70
X. RIGHT TO PARTICIPATE IN CULTURAL LIFE .....	308 - 312	85
XI. CIVIL SOCIETY .....	313 - 323	86
Abbreviations .....		88
Annexes		

## I. GENERAL PROVISIONS OF THE COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

### A. Article 1

1. Angola was colonized for five centuries by the Portuguese – a state of affairs which of course was contrary to the will of the peoples of Angola. During the pre-colonial period the current territory of Angola was inhabited by pre-Bantu peoples: the Khoisa, the *Cuepes* and the *Cuisis*, also known as the "*Mukankala*" (slave), who were forced by Bantu invaders towards the Namib Desert. The Bantu peoples who invaded what is now the territory of Angola were from Central Africa. Even at that time they had knowledge of metal-working, ceramics, farming and weaving. Settlement by Bantu peoples has continued to the present day, as illustrated by the *Chokwe* or *Koko* peoples, who settled the lands of the Nganguela people in the 20th century. The migration of the Bantu peoples has lasted over five hundred years. The *Bakongo*, *Ambundo*, *Lunda-Quioco*, *Ovimbundo*, *Nganguela*, *Nyaneka-Humbe*, *Ambo*, *Herero* and *Xindonga* peoples have settled in the current territory of Angola and creole societies have sprung up as a result of social and cultural merger process with the Portuguese over almost five hundred years. During the period when the Kingdom of Portugal was searching for a maritime route to India, the Portuguese made their first contact with the Kingdom of Congo, which had emerged in about 1400. The Kingdom of Ndongo was established subsequently.

2. The Kingdom of Congo was the most powerful. Its king, known at the time as *Mani Congo*, had authority over almost the entire northern area of present-day Angola. Other Kingdoms emerged later including *Matamba*, *Lunda*, *Kassange*, *Bailundo*, *Nganguela*, and *Kwanyama*. The Portuguese established trading relations with the Kingdom of Congo but met countless difficulties penetrating the area. Indeed, the Portuguese had an effective presence in the lands of Angola for over four hundred years but that presence was restricted to a small section of the coast near the mouth of the river Kwanza representing less than 10% of the total area of today's territory. Leaving aside resistance from the Angolans, Portugal did not have a big enough population to occupy the immense territory. It was only after the Scramble for Africa at the end of the 19th century that the Portuguese extended their domination towards the interior and the shape of the territory as it is today emerged. The initial aim of the Portuguese was to establish trading relations with the coastal peoples. Subsequently their aims were the slave trade and silver mining (no silver mines were ever discovered). However, slave-trading became the sole economic activity, confirming that the region was one of the principal suppliers of slaves to the new world, especially the Americas.

### B. Colonial discrimination policy

3. Typical of this period was the Christian evangelist movement which saw the baptism of various kings, the introduction of European civilization and, as a corollary, the acculturation of African religions and beliefs, leading to a weakening of the kingdoms in the region. Upon baptism the kings and other members of the kingdom gave up their Bantu names and were given Portuguese names, usually those of Catholic saints and kings. One of the most widespread colonial policies was to divide the peoples of Angola by manipulating existing tribal conflicts. The slave trade brought about a change in labour from farming, hunting, and metal work, devastating the pre-colonial economy. Farming collapsed, causing huge political and social instability. This aspect of the colonial occupation is regarded as one of the major causes of Angola's economic and social backwardness as well as a factor in demographic falls. It is calculated that over 4 million slaves were exported from Angola. The colonial power had created

a social class, the “assimilated”, who had the right to work in the civil service or occupations providing medical care and who lived in semi-urban areas in houses with better facilities: some had water and electricity; people in this class had access to basic schooling and an elite few obtained a university education in Portugal. People who maintained their cultures, practices and customs were discriminated against and viewed as uncivilized. Few Angolans had access to potable water and electricity and most of those who did were of Portuguese ancestry. Colonial education was the same for the few Angolans who had access to education as for the population of Portuguese descent. The language of instruction was Portuguese; Angolan children whose mother tongue was a language indigenous to Angola were always at a disadvantage compared to the children of Europeans, not only because of the content of the instruction, which bore no relation to life in Angola, but also because of the difficulties thrown up by the language of instruction. The Angolans were forced to learn Portuguese and to assimilate the colonial culture in order to be able to achieve better marks at school. It is therefore understandable that today many Angolans cannot speak local languages and that they use non-Bantu names. Schooling was restricted until the mid-70s with the result that only 15% of the adult population could read or write. The high level of illiteracy, the result of colonial policy and related to racial, ethnic, linguistic and sexual exploitation, gave rise to difficulties in implementing the right to participate in public life and the formal economy. The Portuguese held the highest posts in the hierarchies of public administration and the private sector as well as jobs as unskilled labourers in Angolan towns.

### **C. Colonial economy of Angola**

4. Following the effective abolition of slavery in the mid-19th century, the economies of the countries which had exported slaves developed in another direction. After slavery, Angolans worked under a forced labour regime, then under the colonial labour contract system in force in iron mines, diamond mines, ivory, etc. After the Second World War, coffee became the principal agricultural export product owing to the rise in coffee prices in Europe. However, the development of the oil industry in Cabinda from 1968 onward made oil the principal export product in 1973, followed by coffee, diamonds and other raw materials; in other words, these export products fed the major industries developing in Europe because of the industrial revolution, one of the causes of the abolition of slavery. It should be noted that the Portuguese government from the 1950s onwards encouraged colonists to settle in Angola and as a result by 1974 the white population had increased by some 330 000. The colonists expropriated the best plots of land – in 1970 some 6 400 Portuguese farms occupied 4.5 million hectares of arable land, an area equal to that occupied by Angolan small farmers. The colonists were also in control of the public authorities, small and medium-sized enterprises and the system of rural trade. The export economy prevented subsistence farming from developing and forced indigenous peoples to grow export crops. The country was subjected to expropriation of its land, economic deterioration, and dependence on imports and changes to the system by which many of its people, especially the assimilated, lived. Overnight, a country which had been able to feed itself became a major exporter of raw materials and an importer of essential commodities. Infrastructures such as roads, bridges, ports and railways were also constructed at the time to facilitate transit of export and import products. Angolan industries began to benefit the colonial power. Nationalists emerged from the assimilated peoples and later encouraged the anti-colonial armed struggle. There was a coup d'état in 1974 against the fascist dictatorship; known as the “slaves’ revolution”, the aim of the coup was to change the colonial regime. The coup made some headway in laying the political foundations for Angola’s independence, something which Angolans had been demanding for over 500 years.

#### **D. Situation following Angola's independence**

5. The date 11 November 1975 saw the constitution of the government of the People's Republic of Angola and the first steps to establish institutions such as the People's Assembly following the elections to the provisional assemblies. The State chose a socialist system and became a full member of the United Nations in 1976. The years following independence were characterized by the priority given to social issues, especially school enrolment at all levels, vocational training, literacy and healthcare which were free public services during that period. At the time the government also sought to respond to the lack of qualified administrators, a legacy of the colonial system. The level of school enrolment rose considerably during the second half of the 1970s. The government spearheaded a large number of national literacy campaigns which reached hundreds of thousands of adults. There were also many childhood vaccination campaigns, especially to eradicate polio, the first instance of such a campaign in Angola. The economy collapsed during this period. By way of illustration, the levels of industrial production fell to only 28% of the levels of 1973. Although Angola had natural resources and potential sources of wealth, the country's economy experienced a severe recession for more than twenty years, which led to a spectacular fall in living conditions for the majority of the population. The levels of economic recovery were also affected by the war between the country's three majority parties.

6. The effects of the war included:

- (a) The destruction of bridges, railway lines, roads, power lines, water supply systems, factories (in some towns in the interior) and social structures.
- (b) Fall in agricultural production because of the migration of rural populations to the safer environment of the towns, theft of cattle and other rural property, mines in agricultural areas of production, problems with rail transport;
- (c) Fall in the production of export products such as coffee, cotton, diamonds, iron;
- (d) Loss of the regional railway line of the Caminho de Ferro de Benguela, which connected landlocked countries such as Zambia and the DRC to the sea;
- (e) Dependency on imported produce, some of which had previously been produced in Angola;
- (f) Allocation of a substantial proportion of the budget to national defence;
- (g) Fall in GDP from USD 1 000.00 in 1991 to less than USD 400 dollars per annum in 1993-1995 with a partial recovery to about USD 500.00 in 1996. The origin of this crisis can be found in the chaotic transition to independence when colonists fled the country, the devastating impact of the war and poor economic management;
- (h) Presence of landmines and unexploded ordnances.

#### **E. Current economic development**

7. Economic growth has been strong since 2002 and the speed of change in GDP has become more acute since 2005. The real accumulated variation in GDP between 2002 and 2006 was 89.6%, reflecting an average annual rate of change of 13.6%. In 2006 Angola experienced the

highest level of growth in Africa. Even though the petroleum sector predominates, there has been a significant recovery in the non-petroleum sector. The cumulative change was 81.4%, reflecting an average annual percentage rate of change of 12.7%. Diamond mining showed a cumulative change of 79.3% (average rate of annual growth of 12.4%) whereas other sectors of activity, namely farming, fisheries, processing industries, energy and water, construction and services, showed a cumulative growth of 61.63%, or an average annual rate of change of 10.1%. It is calculated that the real rate of growth of GDP was 18.6% in 2006 and 20.6% in 2005. Farming, the processing industries, and commercial services sectors even grew more than was forecast. By dividing GDP between the petroleum and non-petroleum sectors we can see that the trend recorded in 2006 was positive. Indeed, non-petroleum GDP recorded a percentage change of 25.7% last year. This performance can be attributed to the processing industry, commercial services and farming. Per capita GDP was USD 2 562.2 in 2006 (at constant prices), as compared to USD 1 984.8 in 2005, an increase of 29.2%. In 2005 the growth in per capita GDP was 57% compared to 2004. Real growth in Angolans' average income was as much as 15.3% in 2006 and 17% in 2005 whereas population growth was 2.9%. The combination of real growth, public investment in the social field, effective control of inflation (31% in 2004, 18% in 2005 and 12.2% in 2006) and the existing social inclusion policies to eradicate poverty give a poverty index of 56% for 2005, which is 12.2% less than in 2000. Public investment, calculated at about USD 1.5 billion, representing growth of 76.5% in comparison with 2005, acted as a significant catalyst for the national economy not only in respect of encouraging private investment (estimated at USD 11.4 million) but at improving the population's general living conditions. Indeed, of the overall State expenditure on investment, social sectors received 28.3%, economic sectors 8.3% and infrastructure sectors (roads, railways, energy, water) about 36.9%. Worthy of note among the policies included in the General Government Plan for 2005-2006 are the policies for macroeconomic stabilization and encouragement of economic growth in the most formative areas of the economy. For the former, the positive effects are shown in exchange rate stability, the renewed confidence in the national currency, as reflected in a significant rise in deposits in kwanza, the control of the budget deficit, the fall in inflation, greater transparency in public accounts and an improvement in the country's international image with the main international financial and economic institutions. As regards policies to strengthen non-petroleum production, priority will have to be given to public works, the primary sector, the distribution of energy and water and the processing industry.

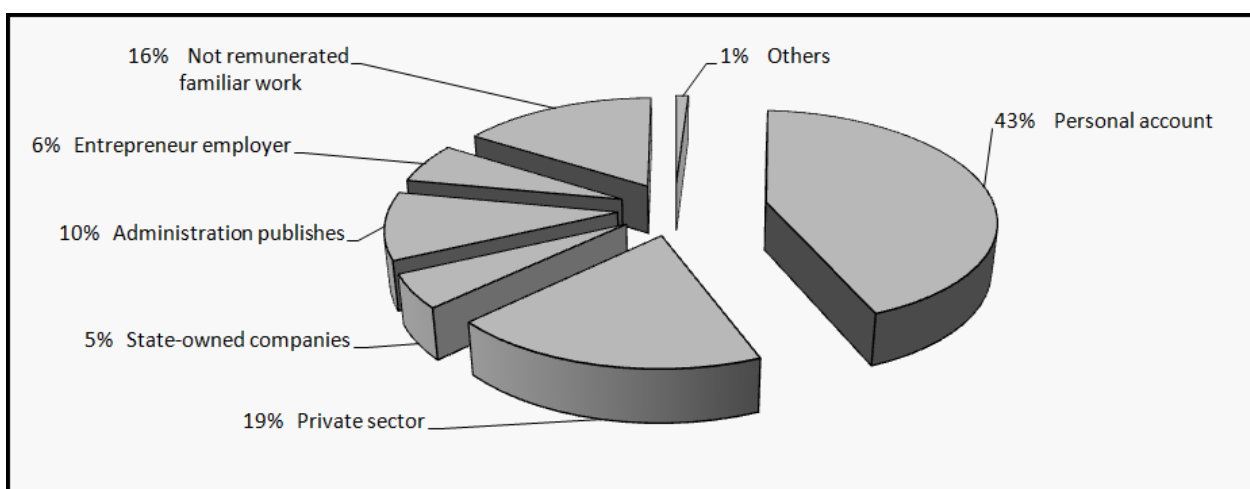
## **F. Aliens Act**

8. Act No 3/94, of 21 January, laying down the legal system applicable to aliens in the Republic states that aliens who are resident or present in Angola enjoy, on a reciprocal basis, the same rights and guarantees as Angolan citizens and are subject to the same duties with the exception of political rights and other rights and duties which are expressly reserved to Angolan citizens.

9. Article 18(1) of the Constitution of Angola provides that all citizens are equal before the law, enjoy the same rights and are subject to the same duties without any distinction on grounds of colour, race, ethnicity, sex, place of education, economic or social circumstances. The law severely punishes all acts which may prejudice social harmony or give rise to discrimination or privileges based on such factors. Act No 12/91 introduced some amendments to the Constitution in March 1991 allowing the constitutional foundations to be laid which were needed for the introduction of multi-party democracy, an increase in the recognition and guarantee of citizens' basic rights and the basic principles of a market economy. That review was only partial and was followed by the promulgation of the 2<sup>nd</sup> Act reviewing the Constitution, No 23/92, of

16 September. The basic principles are set out in Title 1 (article 1 to article 17). Following the establishment of a multiparty system and in accordance with the Peace Accords for Angola signed on 31 May 1991, the first legislative and presidential elections were held in September 1992 and voting took the form of direct, universal suffrage by secret ballot. The Act reviewing the Constitution changed the name of the State to the “Republic of Angola”, the Assembly of the People was renamed the “National Assembly” and the word “people’s” was removed from the title used by the courts. Title II contains new articles on safeguards for fundamental rights and freedoms based on the main international human rights treaties to which Angola had already acceded (articles 18 to 52). Title III amended the wording of the Constitution to state that Angola is a democratic State governed by the rule of law and organized on the basis of the separation of powers, the interdependence of the sovereign bodies and a semi-Presidential political system which confers an active role on the President of the Republic. The judiciary, the organization of the courts and the essence of the Judges’ Statute have been appropriately amended. The Act also provided for monitoring of compliance with the Constitution by a Constitutional Court, procedure, powers and restrictions on amending the Constitution (articles 53 to 164). Of note is article 21, which states that “The fundamental rights provided for in the present Act shall not exclude others deriving from the applicable laws and rules of international law. Constitutional and legal norms related to fundamental rights shall be interpreted and incorporated in keeping with The Universal Declaration of Human Rights, the African Charter on the Human and Peoples’ Rights and other international instruments to which Angola has acceded. In the assessment of disputes by Angolan courts, those international instruments shall apply even where not relied upon by the parties”. The Constitutional Amendment Act also legislated on the right and duty to participate actively in public life, the right and duty to work, free choice of occupation, the right to fair pay, to rest, to holidays and protection, health and safety at work, the right to strike, the right to form a professional or trade union, the right to education, culture and medical and health care, the right to live in a healthy, unpolluted environment, and to care during childhood, maternity, disability and old-age, and care in any situation causing incapacity to work. Article 50 of Act No 23/92, of 16 September, 2<sup>nd</sup> Constitutional Review, provides that “The State shall create the requisite political, economic and cultural conditions to enable citizens effectively to enjoy their rights and fully perform their duties”.

2.a) Below we have set out some information on the employment situation in 2001



### **G. Employment rate in 2006**

10. Data on employment show an unemployment rate of about 22.5% in 2006, or 4% less than the estimated figure for 2005.

### **H. Investment and employment**

11. Although incomplete, the above information, as set out in the annex<sup>1</sup>, represents a fairly good picture of the state of business, investment and job-creation noted in 2006. The overall investment rate stood at 31.4% (8.9% more than in 2005 when the equivalent figure was 23.5%), a very significant number, especially considering that the level of private investment was about 22.7%. Despite a rise of 76.4% on 2005, public investment was 2.8%. While the general rate of activity (relationship between the economically active population and total population) stood at 49%, it is very likely that the rate of unemployment was 25.2% in 2006, which is still a very high figure under conventional economic and social rules. It is therefore necessary to shore up job-creation policies and this will have to be done by selecting productive activities which require a considerable workforce.

### **I. National legislation on access to employment**

12. Pursuant to article 5(2) of the General Labour Act in force, the Angolan State's policy to encourage employment is based on employment of workers, studies of the job market, promotion of employment, information and advice on jobs, training, occupational rehabilitation and affording priority on the job market to Angolan nationals. In the light of the lack of jobs and work access policies, especially for young people with no experience, the government has established a National Labour Assessment Programme.

13. Article 3 of the General Labour Act, No 2/00, provides as follows:

- (a) All citizens are entitled to an occupation freely chosen by them on an equal opportunities basis and without any discrimination on grounds of race, colour, sex, ethnic origin, civil status, religious or political ideas, and membership of a trade union or language.
- (b) The right to work is inseparable from the duty to work with the exception of those who are incapacitated by reason of age, illness or disability.
- (c) The Act states that all citizens have the right freely to choose and pursue an occupation without restriction subject to the derogations provided for in law.
- (d) Working conditions must respect the freedoms and dignity of the worker and allow him/her normally to satisfy his/her needs and those of his/her family, protect his/her health and enjoy decent living conditions. Article 4 prohibits compulsory or forced labour. Forced labour does not mean labour performed pursuant to martial law or civic service in the public interest, labour by persons detained in penitentiary establishments, minor work for the local community or village and normal civic obligations freely determined by the community or where its members or direct representatives have been consulted with regard to the need for such work to be

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<sup>1</sup> Annex 1: Data on employment and investment in 2006.

carried out. Work required in the event of *force majeure*, including war, flooding, famine, plagues of insects, parasites or animals and, in general, circumstances such as to endanger the normal living conditions of all or some of the population. The State establishes systems to encourage a free choice of productive employment, and establishes systems for providing material aid to those who are involuntarily unemployed and unable to obtain by their labour the means to satisfy their needs and those of their family.

14. Vocational training was the focus of special attention between 2003 and 2006 although we did not have specific data on training courses, as we can see in the table in the Annex<sup>2</sup>.

15. The Government of Angola is currently implementing a training programme in arts and trades in all Angolan provinces to encourage greater geographical diversification of training capabilities in trades essential to the reconstruction of the country. The programme consists in constructing schools for arts and trades, making them operational and opening an average of two schools in each province. The minimum age of pupils is 16 years and entry is open to young people who are unable to read or write. The young people are trained in construction, gardening, carpentry, decorating etc. The programme also provides for vocational training of pupils through employment and self-employment policies funded by micro-credit. This initiative was launched as part of the programme to combat juvenile delinquency to enable young people who did not attend school or who dropped out to acquire vocational training and a job or means of subsistence, and thereby become members of society.

#### **J. Vocational training for the disabled**

16. A total of 1 250 people in 13 of Angola's 18 provinces, including a number of beggars and unemployed persons, will benefit from vocational training and social reintegration measures under the 3rd phase of the project "Vem comigo". Funded principally by the Ministry of Public Administration, Employment and Social Security (MAPESS) this project, which is to run for one year, has made a sum of 86 million kwanzas available, thus enabling the essential conditions to be established in order for the National Association of the Disabled in Angola (ANDA) - the body responsible for its implementation, and the Lwini Fund - the administrator of the project, to achieve their objectives. During this third phase measures will focus on raising awareness and on bringing disabled people and beggars in various urban centres together with a view to including them in vocational training measures. The aim is to try and reduce discrimination within families and the general population and to use production cooperatives to offer greater opportunities for self-employment, social integration and combating poverty.

17. In order to reduce discrimination against women's right to work, the State has established a programme for the promotion and development of women in 2005-2006, the results of which are set out in the annexes<sup>3</sup>. The results in 2005 were lower than expected and it is predicted that the targets set for that year will be achieved in 2006. Under article 3(1) of the General Labour Act No 2/00, "All citizens are entitled to an occupation freely chosen by them on an equal opportunities basis and without any discrimination on grounds of race, colour, sex, ethnic origin, civil status, religious or political ideas, and membership of a trade union or language". However, prejudices which discriminate against girls and women do exist, and sometimes the

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<sup>2</sup> Annex "Data on vocational training".

<sup>3</sup> Annex: Data on the Women's Promotion and Development Programme.

discriminatory reflex which existed during the colonial era makes itself felt, whether in terms of skin colour, social, linguistic and ethnic background, family name, etc. Measures taken to eliminate discrimination include legislation and the holding of public competitions; the criteria used are those employed in public competitions and a decision is taken by a recruitment panel with human resources expertise, the aim being to ensure transparency, equity and non-discrimination. **Vocational guidance and training, employment and occupation according to race, colour, sex, religion and national origin.** Discrimination in vocational guidance, training, employment and occupation on grounds of sex is sometimes encouraged within families, schools and even the community. Thanks to the policy of equal opportunities for men and women introduced after independence these tendencies are undergoing profound change, principally in urban and peri-urban areas. Nonetheless women continue to perform lower-ranking duties at work, ultimately because of their limited access to education and the continuing high levels of discrimination against them, especially in the informal sector. Data from the IPCVD (Priority Survey on Living Conditions), in 1998 women held barely 22% of jobs in the formal sector but 63.5% in the informal sector. Work by women was heavily focused on self-employment in retailing. Women represented about 40% of public service employees, while men held 60% of the posts, according to studies conducted by the Ministry of Public Administration, Employment and Social Security (MAPESS, 1999). Men hold 66% of mid-ranking technical and professional posts and 72% of senior posts. The same pattern occurs in the professions: for example, according to the Angolan Bar (OAA), in 2001 only 29% of lawyers were women. There is, however, circumstantial evidence that women make bigger profits than men in rural areas and deal with inflation better, although there was a fall in real wage income in urban areas over the 1990s. Traditional rural societies have always divided work on gender lines within families: women are responsible for activities involving the family's subsistence, including the production of food crops, small animal husbandry, transport of water and wood, cooking and caring for children, the elderly and the sick (whose numbers have fallen significantly since the colonial era). The pressure generated by the movement of people from rural to urban areas, whether in the search for security and better employment opportunities in times of war, or for better living conditions in their struggle for survival, has changed relationships within families: the women have gained greater independence from their husbands or partners but work longer hours to combine increased family income with the domestic duties, which are still traditionally regarded as being women's work.

18. Because of mankind's past and the prejudices of the patriarchal culture which were exacerbated in the colonial era, women were discriminated against in vocational guidance, promotion, occupation and employment and also earned lower wages than men with the same training.

19. The measures to be adopted to encourage change include heightening society's awareness of issues around equal rights and opportunities for women and girls and debunking the taboos which devalue women's abilities to perform certain tasks on an equal level with men. Another special measure relates to discriminatory policies in respect of access to education and vocational training, implementation of the Family Code and the General Labour Act and other laws whose implementation is still less than ideal.

20. The population of workers with more than one full-time job hinges on qualifications, working time and the nature of the employment. Professionals with more than one job tend to be doctors, nurses, lawyers, teachers, journalists, mechanics, electricians and other qualified technical people. No studies have been made on this matter and it has proved difficult to estimate the figures in question. Generally speaking, women work longer hours to balance housework and

earning an income for the family. Even though the Family Code provides for domestic duties to be shared in Angola between spouses, this is a long way from being the case in practice.

21. The national minimum wage is periodically set by a decree of the Council of Ministers acting on a proposal from the Ministry concerned and the Ministry of Finance. The decision determining the national minimum wage is preceded by consultations between the Minister for Labour and the Ministers for Finance and the relevant economic sectors, as well as consultative meetings with representatives of the most representative employers' and workers' organizations. When determining the minimum wage, regard must be had to shifts and trends in the national consumer price index, the general wage level and social security benefits, the relative standard of living of other social groups and the economic factors on which that standard of living depends, including the needs for economic development, levels of productivity and the need to attain and maintain high employment. The national minimum wage may follow one of the following models:

- (a) Single guaranteed national minimum wage;
- (b) National minimum wage for each major economic grouping (industry, commerce, transport, services and farming)

22. **Minimum wage by geographical area.** Decree No 79/06, of 27 October 2006 is the legal text which amends the minimum amount of the national minimum wage in force as of October 2006 on the basis of inflation forecasts (the equivalent amount in kwanzas of USD 60.00). The aim of the Decree is to protect less well qualified workers, in other words people on lower incomes whose power to make demands is lower. The amount of the national minimum wage is amended on the basis of the forecast for inflation. Readjustment is the same as the adjustments in public servants' wages. The value is updated with reference to economic performance. Over the last three years, the amount of the national minimum wage was adjusted four times on the basis of inflation forecasts. The technical group responsible for studying trends in the national minimum wage is a specialized technical support structure within the National Council for Social Consensus; that Council was established in 2002 to present proposals for updating the national minimum wage.

23. Wages have legal force (LT and other legal texts) and are protected by regular review and the approval of the Council of Ministers.

24. In the eyes of the law there are no inequalities or disparities in implementation even though most management posts in business, the civil service and other services are held by men. Some public and private companies do not comply with the principle of equal wages because controls by the General Labour Inspectorate are inadequate and unionization in public and private businesses is poor.

25. The measures needed to eliminate discrimination against women include improving the operation of the General Labour Inspectorate and promoting participation in public and political life. In that regard please see Annex 5<sup>4</sup>.

26. In addition to their basic rights, workers are entitled to good health and safety at work, to protection of their physical integrity in the event of accidents at work and occupational illnesses

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<sup>4</sup> Promotion of women.

and to training in this field for the purposes of individual and collective safety. Employers are responsible both for ensuring that safety equipment is used and available, and for publicizing, promoting and implementing measures to prevent accidents at work and occupational illness. There is a need for measures and policies to monitor the situation in this regard and to safeguard minimum working conditions in respect of health and safety at work, and education in legal aspects.

27. Workers in the informal sector have no health and safety protection at all.

28. The General Labour Act provides for normal working time of 44 hours per week and 8 hours per day. That working time may be extended to 9 hours per day where work is intermittent or merely involves the employee being in attendance, provided that the employer focuses the normal weekly working period over five consecutive days. That period may also be extended to 10 hours per day where work is intermittent or merely involves the employee being in attendance, provided that the employer adopts flexible or variable working systems or if a recovery timetable is in operation. The maximum periods of daily working time may be reduced under a collective labour agreement or by a joint agreement with the Ministries concerned on the grounds that work is performed in exhausting, tiring or dangerous conditions or in conditions which entail risks to workers' health. The reduction in the normal working week does not mean a cut in workers' wages or any change in working conditions to the workers' disadvantage. The normal duration of night work may not exceed eight hours; night work gives rise to a 25% supplement on the wage payable for the same work when performed during the day. However, the additional payment is not paid for work carried out exclusively and predominantly during the night. The 25% extra pay may be substituted for a reduction in normal working time.

29. The minimum rest and meal break is one hour where there is a refectory available and two hours where there is not. The General Labour Inspectorate may reduce the rest and meal break to 30 minutes where such a change would benefit workers or where a reduction can be justified by the working conditions in some jobs. The rest and meal break may be removed altogether in exceptional circumstances, either on a temporary or permanent basis, following prior consultation with the workers' representatives and permission from the General Labour Inspectorate. A rest and meal break longer than two hours may be introduced with the agreement of all workers, as may other meal breaks. However, the rest break between the end of one normal working day and the beginning of the next may never be less than 10 hours. Overtime is allowed where there are overriding reasons in the interests of production or service, including:

- (a) Prevention or removal of the aftermath of accidents, natural disasters or other instances of force majeure;
- (b) Installation, maintenance or repair of equipment and facilities, where serious damage to the business or serious problems for the community would result if they were switched off or closed down;
- (c) A temporary, unforeseen surge in volume of work;
- (d) Replacement of workers who do not present for work at the beginning of the working day;
- (e) Movement, processing or working of easily excavated products;

- (f) Performance of preparatory or additional work which must unavoidably be done outside normal working time. Extension of work for a maximum of 30 minutes after closing to customers in retail and service providers' premises to allow time for sorting out, tidying up and preparations for the following work period. Overtime must be agreed explicitly in advance by the employer and must not exceed 2 hours per day, 40 hours per month and 200 hours per year. The weekly rest period may not be less than 24 hours. As a general rule the weekly rest period is to be on Sunday but may occur on another day where the operation of the business does not allow it to be suspended for one full day a week. Even shift-workers must have a rest break on a Sunday every eight weeks. Work performed on the rest day entitles the worker to a rest break of a full one and a half days the following week. The employer must stop work for days declared to be statutory national holidays.

### **K. Special work schedules**

30. Shift work is one type of special work, indeed it is mandatory where operational hours exceed the normal working day. Shifts may rotate or be permanent and, if permanent, may vary depending on the nature of the work performed. Where there are three shifts they must rotate; one of them must work solely at night and the others must work through the day. None of the shifts may exceed the maximum normal working time and there must be a 30-minute meal break. Where the nature of the work means it is not possible to comply with the maximum limit on the normal working day, the shift length may be calculated as an average using a maximum period of three weeks as a base; the total duration of work may not exceed 56 hours in any week. Shift rotation or change may not occur after a worker's weekly rest day. Employees working under this system are those employed in social communication, hospitals, pharmacies, bodyguards, police officers, service stations and others who work in spells of longer than eight hours.

31. During the operation of work schedules to recover time lost to stoppages caused by *force majeure*, but not to strikes or other labour disputes, leave or national holidays, the lost working time may be recovered over the subsequent six months. The lost working time may only be recovered lawfully if the employer has continued to pay the worker's wages during the stoppage.

- (a) Flexible working time provides for normal working time not to exceed the maxima provided for, namely 44 hours per week and 8 hours per day;
- (b) Variable working time provides for the maxima referred to above to be complied with, attendance at the workplace for at least two hours in the morning and the afternoon, with the rest of the time made up at the worker's discretion before or after the compulsory hours with a degree of variability such that at the end of four weeks normal working time is complied with;
- (c) An employer may be required by law to offer a part-time work schedule in certain circumstances, especially to accommodate workers who have family responsibilities or reduced working capacity, or who are attending intermediate or higher education courses, or where there is no canteen or other facility supplying adequate meals, or where there is no transport. Part-time working is regarded as a temporary arrangement and stops as soon as the situation is back to normal;
- (d) Other special schedules are established by regulatory decree or collective bargaining.

## II. IMPLEMENTATION OF THE LAW IN PRACTICE: DIFFICULTIES AND CONSTRAINTS

### A. Right to paid leave

32. Each calendar year, workers are entitled to 22 working days' paid leave pro rata for on the previous calendar year; that entitlement lapses on 1 January each year except for leave carried forward from the year of recruitment, which lapses on 1 July. Holiday entitlement may not be waived or replaced except in the circumstances expressly provided for herein, by economic or other type of compensation, even at the request of the worker concerned or with his or her agreement; all agreements with or unilateral measures by a worker to the contrary are null and void. Workers may not perform other jobs during their leave. In the event that a worker falls ill during the leave period he/she must immediately notify his employer of the fact in order that the holiday can be suspended with immediate effect.

33. Mechanisms to oversee enjoyment of this entitlement are weak and do not always allow for claims in the event of infringements. Improvement is needed both in publicizing workers' rights and in implementing control mechanisms.

34. **Workers with special contracts as domestic servants, professional sportsmen, entertainers, workers in the informal sector.** Generally speaking, leave entitlement is dependent on individual income. Domestic servants, who are predominantly women, are entitled either to take leave at the same time as their employer or to make other arrangements; however, in practice most domestic servants do not yet exercise that right.

35. Article 1 of Act No 21-C/92, of 28 August, on workers' right to form a trade union, enshrines the right to form trade unions and the right of trade unions to function freely in accordance with article 25 of the Constitution. All citizens have the right freely to form trade unions, the right to join or not to join, or to withdraw from membership of trade unions, to pay subscriptions only to the union of which they are members, and to be elected to the union's governing bodies. **The right to pursue union activities in the workplace.** Unions are organized and act in accordance with the law and democratic principles in full independence of the State, political parties, religious organizations, employers' organizations and all non-union groups. The election of a union's governing bodies must take place at a general meeting of members in a direct, open vote. Trade unions formed in accordance with the law in force in the Republic of Angola may not be dissolved by administrative action and may not be the subject of any interference on the part of constitutional bodies in their internal operation. Article 6 of the General Labour Act confers the right to form a trade union, the right of trade unions to organize and function freely, the right to collective bargaining, the right to strike, the right to assemble and the right of participation in the activities of the company.

### B. Participation by members of trade union organizations

36. Representatives of trade unions may not be dismissed without good cause while in office, neither may they be transferred from their place of work without their agreement on grounds related to their union activities. Notice given in breach of that provision entitles the worker either to be re-employed in the company with all his rights as they stood at the date of dismissal or to receive compensation equal to one year's wages as provided for in articles 32, 33, 35 and 36 of the Act in question. Trade unions are exempt from paying taxes in accordance with article 39. Representatives of union organizations are entitled to four hours per month to perform union

duties but must inform their employer in advance of the date and number of days they require to that end as provided for in article 27. Trade unions may organize meetings on business premises during or outside working time with the employer's agreement. An employer who by whatever means tries to prevent or obstruct union activities in his business or at the workplace is guilty of the practices set out in articles 25 to 33 and is to be punished in line with article 8 of Decree No 8E/91, of 16 March. Article 36 of the Trade Union Act provides for a fine of 100 000.00 new kwanzas for employing undertakings which make recruitment and promotion of workers subject to union membership. The General Labour Inspectorate has the power to impose that fine. The amount of the fine imposed on employers which make recruitment and promotion of workers subject to union activities is payable to the trade union. In accordance with article 30 of the Trade Union Act, employers must listen to the view of trade union organizations on the content of internal regulations on the management of human resources and working time, wage structure, health and safety for workers and social security matters.

37. Under Chapter I, article 1(3) of Act No 21-D/92, of 28 August, members of the police or the armed forces constitute the categories of workers which may not form or join trade unions.

38. There is no legal impediment to membership by Angolans of international unions.

39. Article 1 of the Strikes Act 23/91 recognizes the right to strike in accordance with the Constitution; "strike" means the joint, concerted, temporary refusal on a continuous or periodic basis, in whole or in part, by workers to provide their labour. The aims of a strike may be economic, social or occupational only and must be proportionate to workers' occupational circumstances; the workers must determine, within the framework of the Act, the scope and nature of the interests they wish to defend. Lock-outs are unlawful. Groups which are not allowed to strike in Angola are the armed forces, the police, public social communication bodies, holders of posts which exercise sovereignty and Public Prosecutors, prison administration staff, civilian workers in military establishments, fire-fighters. The right to strike of workers in ports, airports, railways and air and maritime transport and companies which supply and produce goods and services essential to the armed forces must be exercised in such a way that it does not jeopardize the supplies required for the defence of the nation.

40. The freedom to participate individually in a strike is ensured by article 4 of the Strike Act 23/91. Participation of a worker in a strike may not prejudice union or occupational rights; neither may it result in discrimination in relations with the employer, whether the strike is lawful or unlawful. Under the Act, lawful strikes are those organized for economic, social and occupational purposes and relate to workers' occupational circumstances.

41. The social security system is based on payment of cash allowances in the event of sickness, maternity, old age, incapacity, death (for surviving dependants), industrial accidents and unemployment.

42. There are two different types of pensions: pensions based on contributions by the worker over a given period of time, the base for calculation of which comprises three fundamental variables: period at work or making contributions, minimum wage earned during working life and the maximum coefficient at the end of work, which is capped at 35 years of service. This is converted into an old age pension when the worker reaches retirement age, which stands at 60 years of age or 35 years of service. However, that age may be reduced by up to 10 years if the worker was engaged in activities deemed to be strenuous and punishing. Moreover, the age for women is reduced by one year per child borne, up to a maximum of five years, or five children.

There is still a survivor's pension payable on the death of the worker or pensioner, whose beneficiaries are the deceased person's elders and descendants, subject to certain conditions.

43. Pensions from the State budget do not mean that recipients have worked but that they contributed to the struggle for national liberation, for example former soldiers and war veterans.

44. Insurance has become more dynamic over recent years because of the legal environment, the adoption of new texts and, above all, because the principle of mandatory insurance has been established. The number of insurance companies has increased from one to four, two of which are at the licensing stage. The number of intermediary companies or insurance and reinsurance brokers has also risen - from one to six. The volume of premiums has also risen, it went up from USD 271.9 million in 2003 to USD 367.6 million in 2005. Companies of this kind currently operating in Angola include EBSA, Empresa de Seguros de Angola and AAA. The aim of the Basic Social Protection Act is to attenuate the effects of drops in workers' income in the event of incapacity or reduced capacity, to compensate for increases in the burdens on very fragile or highly dependent families, provide means of subsistence to the resident population in need in line with the country's economic and social development and to promote the reintegration of such workers, individuals and families into the community by fully safeguarding their place as responsible citizens. The Basic Social Protection Act provides for mandatory insurance and takes group solidarity as a given; it is commutative in nature and is based on an insurance analysis funded by contributions from workers and employers. Protection is mandatory for self-employed workers and their families, and for people working for third parties; its aim is to protect them in line with economic and social development in circumstances of incapacity or reduced capacity to work, or in the event of maternity, industrial accidents, occupational diseases, unemployment, old age, death and where burdens on the family increase. The aim of basic social protection is to promote firstly national solidarity, as reflected in its distributive nature and the fact that it is essentially funded through taxation, and secondly the welfare of individuals, families and the community through social promotion and regional development; this is achieved by gradually reducing social inequalities and regional asymmetries, preventing shortages, dysfunctions and marginalization; by organizing protection measures with beneficiaries and special protection measures for vulnerable groups; providing safeguards as to average subsistence levels and people's dignity, through measures to provide aid to individuals and families in situations which are particularly serious, whether by reason of their unexpectedness or scale or by reason of the sheer impossibility of the beneficiaries to recover or contribute financially. Article 2 of the Basic Social Protection Act provides for compulsory additional basic protection systems paid for by the relevant contributions and the institutions responsible for managing them. International agreements seek to safeguard the rights of Angolan citizens who visit or work in other countries and to uphold the rights they acquire during training after their return to Angola. **Give more information on social protection.**

45. Where insurance and pensions are concerned a text has been published and approved on the legal regime governing industrial accidents and occupational illnesses, it introduces compulsory insurance under legislation on compulsory protection and establishes a technical committee to draft regulations on compulsory insurance for civil liability for cars, civil aviation and aeronautical infrastructures. Please see Decree 25/98; the market was opened in Act 1/00, the General Insurance Activities Act.

46. Early retirement through monthly benefit for life: this is paid to insured persons who have worked in punishing or strenuous activities. Retirement through old age: payment for life to an insured person who requests it and who fulfils the necessary conditions after working for 35 years

or having attained the age of 60 years. Maternity allowance to compensate for loss of earnings owing to maternity leave, without prejudice to employment; feeding allowance to compensate for the cost of feeding new-born babies; funeral allowance, single payment to compensate the dependant applicant or another person for basic funeral expenses following the death of the insured; death allowance, single benefit paid to dependents of the insured by virtue of his/her death with a view to allowing the family to regroup, etc.

47. Individuals who work on the informal market such as pedlars, servants, the self-employed, farmers, shepherds, fishermen, hunters etc.

48. The State has promulgated the Compulsory Social Protection Act and has established a technical committee to draft regulations to guarantee that right. Previously only officials in the formal sector had access to social security; however, privatization of the sector has meant that physical and legal persons are now allowed to join systems which can provide insurance. However, the mechanisms by which these systems operate are not well known. The INSS and other insurance undertakings have opened membership of insurance schemes to private individuals.

49. The National Social Security Institute (INSS) envisages registering one million Angolan workers and 30 000 undertakings in the compulsory social protection system by the third week of December this year. At the end of the project the INSS will be monitoring about 500 000 workers and will be able to increase the number of insured persons to 1.5 million. The number of monitored businesses will be over 45 000. A national campaign has recently been launched to encourage registration of employers and workers under the banner "New registration with the INSS", the aim being to update data on workers and undertakings which are already registered as well as to expand the number of businesses which fall under the umbrella of compulsory social protection; the campaign will allow the INSS to combat evasion of payment of contributions and other benefit offences. To encourage success in the campaign, work teams have been set up in all provinces in the country and a wide-ranging publicity schedule is under way. After registering at the INSS, a deduction of 3% is made from a worker's monthly wages and a further 8% is levied on the employer. The campaign aims to register all public and private sector businesses for social security and covers two basic facets: the first is to update the database of all businesses registered with social security, and the second is registration of new businesses which have never been registered with social security and whose workers have never been registered. Some businesses which make deductions for social security from their workers' wages do not pay them to the INSS. The future of a large number of workers and families is in danger as a result, as is their means of survival.

50. The family is the heart of society; it is subject to State protection, whether it is based on marriage or a de facto partnership; both types of partnership have legal effects if they are solemnized or recognized in law. The family must contribute to the education of all its members in a spirit encouraging a love for work, respect for cultural values, the combating of outmoded views prevalent among the population, the combating of exploitation and oppression, loyalty to Angola and the revolution, and the harmonious and balanced development of all its members so that each individual is able to allow his personality and talents to blossom in the interests of society as a whole. It is the job of the family, with special cooperation from the State, mass organizations and social organizations, to promote the education of young people in a comprehensive and balanced fashion so that they can blossom and become members of society. All persons aged under 18 years are deemed to be children. The age of majority for various purposes is as follows: only persons aged over 18 are able to enter into marriage. By way of

exception the marriage of a man aged 16 years and a woman aged 15 years may be authorized where the weight of circumstances and the interests of the minors concerned demonstrate that marriage is the best solution. Such authorization is to be given by the parents, guardians or other person responsible for the minor; that responsible person may be replaced by the Courts in the light of the opinion of the family council where non-authorization proves unjustifiable. Majority is 18 for civil purposes, and 16 in criminal matters. Acts which govern informal and formal assistance and protection of the family are as follows: Constitution, Civil Code, Family Code, General Labour Act, Organic Statute on Childhood and Adolescence and the Regulations of the National Department for Childhood and the National Council for Childhood. The right to marry the person of one's free choice is enshrined in the Constitution, especially in the Family Code, which defines marriage as a voluntary union between a man and a woman which is formalized according to law, with the aim of establishing a complete communion of life. Marriage is therefore based on equality and reciprocity of rights and duties between spouses. For a marriage to be valid each of the intended spouses must expressly state their willingness to enter into the marriage with the other. Often, especially in rural areas, the woman is not entitled to choose her husband and women are brought up to accept their relatives' decision. Measures taken to facilitate the founding of a family, to strengthen and protect it, especially where responsibility for bringing up children is concerned, include the promotion and harmonious development of the personalities of children and young people and the creation of conditions for them to become members of and active participants in the life of society. The State encourages the measures necessary to provide citizens with the right to medical and health care, as well as the right to care during childhood, maternity, disability, old age and any circumstances which render someone incapable of work. Children are the absolute priority and therefore enjoy special protection from the family, State and society for their development. Regardless of the number of people in the household, all citizens are equal before the law, enjoy the same rights and are subject to the same duties, without distinction. Where there is a loophole or difficulty in the application of the measures listed above, the injured party will usually organize and demand respect for its rights and, in its capacity as guarantor of the harmonious development of the family, the State attends to the situation. The General Labour Act and other texts confer a combination of special rights on women workers as regards protection during maternity to allow proper integration of women into the world of work and at the same time to allow them to discharge their highest social duty as mothers. During pregnancy and after delivery women workers have rights as follows:

- (a) the right not to perform duties which are inadvisable in their condition, with no cut in wages,
- (b) the right not to work overtime or to be transferred to another site unless that site is in the same geographical area,
- (c) the right not to work at night,
- (d) the right to two work-breaks per day to feed her child, with no cut in wages,
- (e) the right not to be dismissed, except for a breach of discipline of such a nature that maintaining the legal working relationship is immediately rendered impossible in practice,
- (f) the right to maternity leave.

### **C. System of maternity protection**

51. Around the time of delivery, women workers are entitled to three months' maternity leave. Maternity leave begins four weeks before the due date and some leave must be taken after the delivery. The amount of leave to be taken after delivery is extended by four weeks in the event of a multiple birth. Where delivery occurs after the due date predicted at the beginning of the leave, the leave is extended so that it lasts nine full weeks from the date of delivery. For the first six weeks an employer may not accept the mother's services even if she does not wish to take her full maternity leave entitlement. During her leave, the employer must pay her the maternity allowance owed by Social Security, topped up to the net wage she would have received if she were actually working; the employer is entitled to reimbursement of the amount of the allowance. Maternity leave is deemed time in employment for all purposes except pay, which is covered by Social Security. In the event of maternity leave in abnormal situations (abortion or still-birth) six months' leave must be taken, running from the date the abortion or still-birth occurred; the woman may not waive her right to that leave. At the end of the maternity leave the mother may remain on leave for a maximum of four weeks to take care of her child. The additional leave period is unpaid and may only be taken where the employer has no nursery or crèche facilities and following prior notification to the employer stating the duration of the leave. During pregnancy and for 15 months after delivery, a working mother has the right to one day's leave per month with no loss of wages for medical monitoring of her condition and to take care of her child. However, after delivery, that period may not be taken in combination with part-time working. Unless seriously disadvantageous to the employer, a part-time working schedule must be offered to mothers along the lines of one of the models provided for in the part-time working regulations for working women who have founded a family or taken on family responsibilities. All women working in the formal sector enjoy maternity protection regardless of their social circumstances. Women who do not work in the informal sector do not receive State allowances but they could be encouraged to register for the social security maternity packages currently being launched; many mothers are unaware that these packages exist. Traditionally they are looked after by relatives who support them and prevent them from making any physical effort immediately after delivery.

52. Children are given absolute priority and are therefore given special protection by the family, the State and society with a view to their development. The State encourages the harmonious development of the personality of children and young people and creates conditions for their integration and active participation in the life of society. The Constitution states that all citizens have the right to challenge and take legal action against all acts which violate their rights.

53. Social protection measures are ordered whenever the physical or psychological welfare of children and young people is in danger, especially in the event that they are victims of physical or psychological ill-treatment, they are neglected by their carers, they are abandoned, helpless, seriously ill-suited to family and community discipline, they are used as labour and subjected to physical strain likely to produce serious injury, they are involved in begging, vagrancy, prostitution or dissolute behaviour or consume alcoholic drink or narcotic drugs.

54. Protection is still insignificant in the situation today where the daily fight for survival has denied many children the right to be regarded as children. Many children are forced to work from a very young age while others must cope with exploitation and sexual abuse. The war and poverty have also caused physical and psychological problems in children. Measures to protect and care for children and young people include keeping them living with their parents, guardians or other responsible persons subject to monitoring by the juvenile court, imposing rules of

conduct, placement in a foster family, enrolment and compulsory attendance at an educational establishment, registration at a vocational training centre, request for medical care, psycho-technical or other types of testing, half-boarding in an educational care establishment or boarding in an educational care establishment. A large number of orphans and children have been separated from their parents by one means or another. A few thousand of them are living outside a family structure, often on city streets; others have been recruited and used as soldiers during the war or have been handicapped in accidents with mines, thereby swelling the large group of children in especially difficult circumstances who require special protection. Despite the fact that these considerations are negative, Angola's government's commitment to its children's rights, welfare and future is reflected in the fundamental law (Constitution), in other ordinary legislation, the ratification of the Convention on the Rights of the Child and the Optional Protocols thereto, as well as the African Charter on the Rights and Welfare of the Child. Article 21 of the Angolan Constitution makes express reference to the country's international legal commitments and states that the fundamental rights set out in the Constitution "shall not exclude certain others stemming from the applicable laws and rules of international law". Moreover, article 21 states that "Constitutional and legal norms related to fundamental rights shall be interpreted and incorporated in keeping with The Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and other international instruments to which Angola is a party" and that "In the assessment of disputes by Angolan courts, those international instruments shall apply even where not relied upon by the parties." When taken in combination with article 43 on the right of citizens to challenge and take legal action against any acts that violate their basic rights, it means that international conventions on rights which have been ratified by Angola have the force of internal law. Generally speaking, in Angola, the legislation in force on children is spread over several legal texts. The main rules on the protection and development of children and generic principles are set out in the Constitution, the Family Code, the Juvenile Court Act, the Civil Code, the Labour Act and the Criminal Code. The State is involved in protecting children's rights through its competent institutions, especially in the fields of legislative drafting (National Assembly), the organization of the courts, civil status and identification of minors (Ministry of Justice), recovery and social reintegration (Ministry of Assistance and Social Reintegration), health measures (Ministry of Health), social education needs, formulation of public policy on children (National Institute for Children, in cooperation with other bodies).

55. As far as legislative and administrative measures are concerned, under article 32 of the Convention on the Rights of the Child, the Republic of Angola has adopted measures to ensure that children are protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health. The international measures include:

- (a) The Convention concerning the Night Work of Young Persons Employed in Industry (Revised 1948) (Convention No. 90), ratified on 4 June 1976.
- (b) The Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention No. 182), of 17 June 1999, by Resolution 5/01 of the National Assembly on 16 February 2001;
- (c) The Convention concerning minimum age for admission to employment (Convention No. 138), adopted on 26 June 1973, by Resolution 8/01 of the National Assembly on 16 February 2001.

56. Article 32 under examination here, confers special protection on children from economic exploitation and from performing any work, as it provides that the validity of the legal working relationship with minors aged between 14 and 18 years is subject to authorization from their legal guardians or, in their absence, by the Employment Centre or a competent body; any contract which fails to comply with the above conditions may be annulled at the request of the minor or his/her representative. The contract is only valid in law if it is entered into in writing and evidence has been provided that the child has attained the minimum age for admission to employment (14 years) and where the employer has complied with the principles governing the requirement imposed on him to provide the children working for him, even as trainees, with working conditions appropriate to their age and preventing any risk to their health and safety and any damage to their rounded development; the employer must take the measures necessary to provide vocational training for the minors employed by him; whenever he does not have the sufficient structures and means to do so he must request cooperation from the competent official bodies to that end.

57. With regard to working time and working conditions, article 287(1) in Chapter XI of the General Labour Act lays down rules on the duration and organization of work. Overtime is prohibited but may be performed by way of exception where a minor has attained 16 years of age and where the work can be justified by the threat of serious harm. In 1997 the National Institute for Children organized a meeting on child labour and studied children's involvement in various types of work, especially in the informal sector. In towns the search for income on which to help them base their survival, and often their families, to survive, has encouraged the emergence of street children, most of whom carry out small jobs (shoe-shiners, car washing, sales of small commercial items, car wardens, itinerant announcers, carriers of goods in markets and airports, sex workers, etc.). In 1999, it was estimated that this group numbered some 26 000 children. A considerable number of other children were working as servants and in small informal businesses with no monitoring and in total disregard of the legislation in force. The children worked essentially because they had been separated from their families either voluntarily or accidentally.

58. The percentage of working children is markedly higher in rural areas and in fact stands at over 68%. Given the fact that most children who work do so in the fields or in family businesses, this would appear to indicate that most working children work in small farming businesses. Working for the family is in fact the most widespread form of child labour in Angola and accounts for 20% of the total, with no considerable difference between boys and girls. Girls begin working in this type of activity at a very young age and 13% of children aged between five and nine work for their families. Children's working conditions also appear to be less comfortable in rural areas where the likelihood that they will not be paid for their labour is 17% higher. There are significant regional variations. The regional spread of child labour varies, and stands at 21% in the metropolitan zone and 39% in the north. Furthermore, the south has the highest percentage of children performing unpaid labour for a third party. Since 1989 the government has operated a "National Family Tracing and Reunification Programme" through MINARS under article 22 of the CDC; the programme relates to children under 18 years of age who through choice or otherwise do not live in a family environment, away from both parents and without being in the care of any other adult with legal or customary responsibility for their welfare; the programme has established the following principles for providing help:

- (a) Any child who is temporarily or permanently deprived of his family environment must be provided with protection and receive special social assistance, without discrimination.

- (b) His/her identity must be maintained and/or re-established as must his/her relationship with his family, regardless of the family's race, religion or political leanings
- (c) Children have the right to live, grow up and be brought up within a family group which, in descending order of importance is:
  - (i) Their own family
  - (ii) An alternative or new family
  - (iii) An adoptive family
- (a) Assistance to separated children must be supplied on the basis of alternative community programmes; the placing of such children in institutions must be the option of last resort.
- (b) Non-institutional care consists in the following:
  - (i) Tracing the child's parents or other close relatives
  - (ii) Reuniting the child with the family
  - (iii) Placement – Family adoption
  - (iv) Temporary support services within the child's own family (guardian mothers or emergency care)
  - (v) Care in a home

59. Assistance in an institution consists in:

- (a) Children's homes or orphanages
- (b) Reception centres with boarding facilities, a temporary option while drawing up a life plan or while trying to find relatives
- (c) Reception centres offering an alternative open system for street children likely to be voluntarily separated from their families

60. The government has alternative projects for children aged between 0 and 2 years who have been placed in institutions, abandoned or whose mothers have died, the aim of which is to protect them by allowing them to be placed in new families; the project also provides for small-scale support in the form of a basic food basket which supplements the guardian mothers project and the milk and cereals project.

61. The following objectives have been established for the guardian mothers project:

- (a) to reduce the number of children placed in institutions
- (b) to provide the child with a family
- (c) to reduce the infant mortality index

62. The aims of the milk and cereals project for infants whose mothers have died or are unable to feed them are:

- (a) to prevent infants aged between 0 and 2 years from being placed in institutions
- (b) to allow children to stay with their families
- (c) to reduce the infant mortality index
- (d) to monitor and provide guidance to groups of vulnerable children
- (e) to reduce the number of children living outside a family environment

63. Where adopted children are concerned, the Family Code states that parentage is by blood line or adoption and confers exclusive power to authorize adoption on the courts. Adoption places the adopted minor on an equal footing with a natural, biological child and confers the full effects of all aspects of relationship by descent. The Family Code clearly provides that the reciprocal rights and duties between adopters and adoptee are the same as those between father and son. In terms of law of succession an adoptee is entitled to inherit as a descendant. Kinship through adoption is an impediment to marriage in the same way as it is for blood relations. Where the adoptee's natural family is concerned, adoption terminates the [legal] relationship between the adoptee and his natural parents and the only remaining link to the natural family is through the blood relationship.

64. The Constitution states that children who are physically or mentally disabled enjoy special protection and it lays down the foundations for their rehabilitation with the aim of helping them to fit into and become members of society. The children are informed of their rights through a government programme using posters, seminars and radio and television broadcasts. The competent government bodies for education, awareness-heightening and advice carry out certain activities where possible to reverse [sic] the situation. However, a number of studies need to be completed before we can draw up strategies which allow for the involvement of families and the community.

65. Article 11 of the General Labour Act states that a working relationship with minors aged 14 to 18 years is valid where authorized by the child's legal representative or, in the absence of such a representative, by the Employment Centre or the appropriate institutions. The work contract referred to must be in writing and must be able to be annulled at the written request of the minor or his/her representative either immediately or, where there is an objection to a requirement that the minor must attend an official instruction centre or follow a vocational training course, within two weeks of delivery of the contract. For minors aged 16 years and over, authorization may be implicit. Minors are entitled to special protection against dismissal.

66. The power of the legal representative to object to a contract lapses if a minor acquires majority through marriage or other lawful means. Minors may only perform light work which is not physically very demanding, which is unlikely to damage their health or their physical and mental development, and which provides conditions in which they can learn and receive training. It is therefore prohibited to employ minors in work which by its very nature and potential dangers or because of the conditions in which it is performed may damage children's physical, mental and psychological development. The General Labour Act also prohibits minors from working in theatres, cinemas, night clubs, cabarets, dance halls and similar establishments and as a salesperson or publicity agent for pharmaceuticals.

67. Minors must undergo a medical assessment before being recruited to prove their physical and psychological ability to do the work they will be asked to perform. The medical assessment must be carried out each year until the minor attains the age of 18 years. The assessments must be filed and made available to the General Labour Inspectorate. The Inspectorate has the power to order interim medical assessments. Minors' wages are determined by reference to adult workers in the field or to the national minimum wage; in the case of unskilled work the wage may not be less than:

(a) 14 years – 50%; 15 years – 60%; 16 and 17 years – 80%

68. Except where the minor is an apprentice or trainee, where the following percentages apply:

(b) 1<sup>st</sup> year of apprenticeship: 30%; 2<sup>nd</sup> year of apprenticeship: 50%; 3<sup>rd</sup> year of apprenticeship: 75%

69. However, it should be noted that the highest incidence of child labour is in the informal sector where working conditions are neither regulated nor monitored. Finally we should state that putting children to work is one of the strategies used by poor families to increase work capacity. A significant number of children leave school or do not attend regularly so that they can contribute to the household economy. The data in the table below clearly demonstrate that in the metropolitan region one fifth of children aged between 5 and 14 years is at work. The poorest families use their children more to obtain additional income. In fact, 42 out of every 100 children in the poorest group are in work, mostly in family businesses. One of the most visible indicators of urban child labour in the capital is the number of pedlars, attendants and car-washers of whom there are large numbers in the urban area.

70. Please see Annex 6, on children in work aged between 5 and 14 years; source: MIC data for 2001.<sup>5</sup>

71. The distortion of labour markets, low wages, job insecurity and the low skill levels of the work force are powerful brakes on development and they curb increases in productivity and family income, especially the income of the poorest families.

#### **D. Political context of poverty**

72. There can be no argument about the negative impact of war on people's life and liberty: it has been the determining factor in people's movements and has put a hold on migratory flows to the cities or abroad; it has also had a negative impact on market operations, basic road infrastructures, water supply, sanitation and energy as well as the social systems for health and education. These effects have proved disastrous for the socioeconomic development of the country and have contributed to the rapid impoverishment of significant tiers of the population. War, however, is not an isolated factor in that impoverishment. Political and military instability arising from the war and associated with it has introduced some troubling aspects into the definition and conduct of economic policy, and these were magnified by the transition towards a market economy. The fact that these factors converged on one another explains why comprehensive economic and sectoral policies have been unstable, producing a combination of economic and social imbalances which are in the process of being corrected. Another disturbing aspect inherited from the centralized administrative management system is excessive State

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<sup>5</sup> Annex 6 on working children.

intervention in the economy; this was justified by the adverse circumstances prevailing when the country became independent but it has led to significant distortion of market rules and mechanisms. The consequences for the economic system and State structures have been profound. The destruction caused by military activities, difficulties in providing adequate conservation and maintenance services and largely ineffective administration have together caused major deterioration in social and economic infrastructures; the resulting low level of human development, taken together with the consequences of ineffective economic policies, has created conditions which reduce productivity and economic competitiveness and led to serious, persistent macroeconomic imbalances in which the petroleum sector in Cabinda enclave has become detached from the rest of the economy. The peace accord entered into in April 2002 casts a new light on the future of Angola. The time has come to launch projects as a matter of urgency to combat poverty, reconstruct a large number of economic and social infrastructures and unify the national economy.

73. To that end, the government programme has set itself the following objectives for the coming years:

- (a) To consolidate the peace process and promote national reconciliation;
- (b) To combat hunger and poverty and promote social stability;
- (c) To strengthen State institutions and provide government services and the court system throughout the national territory;
- (d) To create the conditions necessary for holding a general election.

74. Angola is 162<sup>nd</sup> out of 173 in a list ranking countries for their human development. Despite the progress already made, especially on the political and economic levels, human development is still very poor. According to the latest data supplied by the Survey of Household Expenditure and Income conducted in 2000-2001, 68% of the population of Angola is living in poverty, which means that 68% of Angolan citizens have an average monthly consumption of less than 392 kwanzas (in 2001), or about USD 1.70 per day. The incidence of extreme poverty, which equates to consumption of less than USD 0.70 per day, is 28%. As well as consolidating the peace process, the government must ensure that its services operate throughout the national territory, it must extend basic health and education services to the whole of the population, especially those in the greatest need, rehabilitate basic economic infrastructures and promote a stable economic and social environment which can form the foundation for revitalizing the national economy and promoting an inclusive, sustainable development process. The Government has identified ten areas requiring intervention as a matter of priority as part of its strategy to combat poverty, namely: (i) social reintegration; (ii) security and civil protection; (iii) food security and rural development; (iv) HIV/AIDS; (v) education; (vi) health, (vii) basic infrastructures; (viii) employment and vocational training, (ix) governance and (x) macroeconomic management.

75. In the current post-war setting, the social reintegration of demobilized troops, displaced persons and refugees is a strategic objective of prime importance in consolidating peace and national unity and in promoting local development. Interventions within the framework of the **ECP** are aimed at establishing conditions for settling populations in the areas where they came from originally, or in areas considered more appropriate, and to promote the economic, social and cultural revitalization of those areas.

76. Alongside this, it is crucial to safeguard public security and protection: the deactivation of mines and other explosive ordnance scattered throughout the national territory is essential to allow people and goods to move with real freedom, especially in rural areas which were most heavily affected by the armed conflict and are one of the main destinations for displaced peoples. The government of Angola is seeking to reduce the incidence of poverty over the coming decade and has set itself the target of a 50% drop by 2015 in the percentage of the population living on less than a dollar a day, in line with the Millennium Development Goals, through the NEPAC and SADC programmes.

### **E. Demographic context of poverty**

77. It is estimated that Angola's population in 2002 was about 14 million with an average annual growth rate between 1975 and 2000 of 3.1%. Life expectancy at birth is 46 years and the probability at birth of not reaching the age of 40 is 41.6%. These figures reflect extremely high levels of infant mortality (150 for every 1 000 births) and mortality of children and young people (250 for every 1 000 births). The fertility rate is among the highest in the world at 7.2 children per woman. The fact of the war, the specific circumstances in Angola where a third of the population has been displaced or is living as refugees, the cultural and traditional features of the country and the widespread lack of social protection in old age could be at the heart of this very high fertility rate.

78. Another aspect of the situation is the extreme youth of the population: 50% are aged under 15 and 40% are younger than 10 years old. Only 2% of the population is aged 65 or over. The median age of the Angolan population is 15 years and the mean is 20 years (19 in Luanda). This population pyramid means that the country is very dependent on the active population and in the medium term there will be a growing supply of labour. On the other hand, against a background of national integration and the opening up of routes by which people can travel in the wake of the war, HIV/AIDS is a significant threat which must not be lost sight of in a discussion of demographics as it could have implications for social and economic development efforts. The prevalence of HIV was estimated at 5.7% in 2001. Although high, this rate is still lower than levels in the region and less than the average for sub-Saharan Africa (9%), due in part to the isolation and restrictions on movements of people caused by the war, slowing spread of the virus. Nonetheless, experience in the region, which has the highest rates of prevalence in the world (39% in Botswana, 23% in Namibia et 20% in South Africa) shows that Angola fulfils all the social criteria in a post-war situation to see a sharp increase in the epidemic; HIV/AIDS must therefore be considered as a priority issue so that the country's development can be assured. Against that background the youthful profile of the population is also a matter of concern as young people are the economic potential of the country, yet are also the tranche of the population which is most vulnerable to the transmission of HIV, the cause of AIDS.

79. The successive armed conflicts which have beset the country since independence have encouraged permanent, accelerated migratory flows from the countryside to the cities. Major accelerated, involuntary flows occurred at the following times: in 1975-76, at independence; in 1992-1993, after signature of the Bicesse Peace Accords and the later resumption of the conflict; in 1994-1995, after signature of the Lusaka Peace Accords; and between the end of 1998 and 2000, when the conflict resumed and became widespread. As a direct result of armed conflict millions of Angolans, mainly in rural areas, were prevented from living in security and peace and were the direct victims of serious breaches of human rights. Wave upon wave of peoples from rural areas were forced to leave the areas where they usually lived because the conflict had led to breaches of their rights, because of the fear caused by conditions of uncertainty or because of

extreme food shortages which threatened their survival. The consequences of the accelerated, forced migrations include:

- (a) A process of sudden and continuous impoverishment of displaced peoples, many of whom live in urban or suburban areas;
- (b) Pressure on urban social infrastructures which were already at full stretch and unable to meet the needs of the original urban and suburban population;
- (c) Pressure on labour markets with a huge influx of labour, mainly unskilled, causing growth in the informal sector of the economy and a drop in average wages and incomes in both the informal sector and the non-specialized formal labour market;
- (d) A breakdown in family protection mechanisms whereby rural members of the first generation extended family were an important mainstay for the food system in exchange for access to industrial goods;
- (e) Social fragmentation because of the absent or dysfunctioning community social security mechanisms in rural areas, as illustrated by street children; and
- (f) The rise in urban unemployment and under-employment.

80. The accelerated urbanization processes have not been uniform. Populations which were being displaced broadly took refuge in the urban centres of the provincial capitals as well as in the national capital. The migration processes were also multi-stage affairs where families migrated several times from one place to another. The urban centres of the main towns in the commune, did not play host to waves of migrants on a large scale because their military instability meant that in actual fact, medium-size towns, provincial capitals and the national capital received the bulk of an essentially rural population.

81. Another important demographic phenomenon stems from the fact that most of the provincial elites emigrated to coastal towns<sup>6</sup> or the capital of the country. This has major implications for the process of development because without the technical and entrepreneurial elite, the chances of rapid, sustainable development at provincial and local level are stymied and will be even more difficult in future. However, the concentration of economic, political and technical power, especially in the national capital, went hand in hand with a greater concentration of poverty. There are major contrasts in the capital in terms of population income, whereas some provincial capitals in the interior of the country have been undergoing continuous de-urbanization and impoverishment since independence. These processes are typified by regular power cuts in all areas even those connected to the grid, and electricity in the poorest areas is in short supply; other typical features are damaged potable water supply systems, some of which are currently just beginning to be restored, a deterioration in public services, especially in public social facilities for education and health, de-industrialization through destruction, massive damage to physical infrastructures and facilities, the loss of technical elites and the destruction of the mechanisms for formal urban and rural trade leading to poor integration of local economies. There is no accurate estimate of the level of urban concentration in the Angolan population. The United Nations' Human Development Report 2002 estimated the urban population at 34% in 2000 but it is

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<sup>6</sup> Annex 7: Rate of real growth in overall GDP in the petroleum sector and the price of oil, 1991-2001.

believed that in the last few years this figure has grown to around 60%. Another demographic characteristic which is worthy of note is the fact that households comprise five or six individuals on average. Furthermore, the results of the Survey of multiple indicators conducted in 2001 show that 35% of households comprise six or more individuals. The facts we have set out above provide a clear explanation of the demographic context of poverty in Angola.

#### **F. Macroeconomic context**

82. Economic growth in Angola necessarily reflects the political and demographic problems the country has experienced. Over the past decade, economic growth has proved very unstable, a direct consequence of the war and imbalance in the national economic structure aggravated by the war, where the petroleum sector contributes 50% of Gross Domestic Product (GDP).

Dependence on the petroleum sector has meant huge volatility in the behaviour of GDP in line with variations in oil production and its price on the international market. Throughout the period 1991 to 2001, GDP was uneven then attained a peak of 17% growth in 2001 when there was a sharp rise in oil production and the sharpest falls of -28% in 1992 and -25% in 1993 (when the war resumed) because oil production went into full swing (some operational wells dried up at that time).

83. Please see annex 7 for real growth rates in overall GDP, the petroleum sector and the price of oil in 1991-2001.

84. Oil is to a large extent isolated from the rest of the economy, yet is its dominant sector. It requires enormous capital and uses highly specialized human resources from abroad. Its direct contribution to poverty reduction through the creation of local jobs is, however, marginal. Nonetheless, the sector shows strong potential for indirectly helping reduce poverty through fiscal receipts to the State. The contribution by the petroleum sector to State receipts is over 80% and it is therefore one of the main sources of resources for government programmes, including the strategy to combat poverty outlined here. Nonetheless, in order to achieve inclusive and sustainable social and economic development it will be necessary to create conditions for growth in the non-petroleum sector, in particular the agricultural sector, an area where the country is well equipped and where the potential for job creation and guaranteeing the public's food security is much greater. The non-petroleum economy, especially agriculture, was seriously affected by the war, especially in 1991 and 1992, when a 47% drop was recorded in production. There are patent sectoral imbalances and there is a need to reverse the systematic deterioration experienced in the agriculture, forestry and fisheries sector and to rebuild it; it is therefore understandable for the sector to enjoy special priority in the context of the government's economic policy programmes, especially the poverty reduction strategy. In a country with enormous agricultural potential, the contribution of farming to GDP fell from 24% in 1991 to about 8% in 2001. Angola, which used to be a net exporter of food products, is now dependent on imports and food aid for about half its cereals requirements. Activity in the agricultural products processing industry also came to almost a full halt during the war. Prolonged financial and budgetary imbalances, with chronic inflation in the 1990s also had a disastrous impact on the non-petroleum sector, not only because of destabilization in the financial markets, but also because of distortion in investment decisions and the allocation of resources in a way which did not serve the sector well. The agricultural and manufacturing sectors were particularly penalized by hyperinflation in the first half of the 1990s.

Please see the annex<sup>7</sup> for the growth in gross value added for agriculture, forestry and fisheries and the processing industry, and for average annual inflation, 1991-2002.

85. Beyond the effects on agricultural production and manufacturing, the overall rise in prices of products also had a significant impact on the wages and incomes of the poorest people by decreasing their purchasing power. Indeed, the poor are the most vulnerable group to inflation because of their inability to protect themselves by acquiring property.

86. High inflation is also associated with a rise in the real exchange rate, which reduces the competitiveness of national production on international markets, especially markets for agricultural products and other marketable non-petroleum products.

87. Despite this worrying background the macroeconomic situation has recently shown some improvement thanks to a policy which is increasingly geared towards stabilizing the markets. Budget deficits, which ultimately stood at over 10 percent of GDP during the 1990s, are currently becoming more moderate. Obviously, the favourable changes in the price of oil on international markets has meant that fiscal revenue from oil has risen beyond initial forecasts but the institutional reforms which were introduced have also contributed to: (i) the increase in fiscal receipts, (ii) greater coverage for the State budget, (iii) the fall in extra-budgetary transactions and (iv) a change in the public spending profile, making it more focused on development (the proportion of investment expenditure (PIP) directly involved in combating poverty rose in terms of GDP from 3% in 2002 to 7% in 2003). The fiscal and budget reforms were supplemented by monetary and financial reforms. There were also some significant structural reforms, which were made with the aim of improving market operation. The gradual reduction in commercial transactions by the Central Bank is intended to revitalize both the commercial banking sector and the management of credit in the economy, with obvious advantages for the system of direct negotiations between banks and investors. Important steps forward were also made with the publication of legal texts on rules and procedures on the setting of limits on net internal assets in the banking system and the increase in the effect of compulsory reserves on foreign currency deposits. In terms of exchange-rate policy, the official and parallel markets are beginning to converge. The situation has moved from one of a differential of some 90% between the exchange rates in May 1999, the date when measures to liberalize the exchange rate were introduced, to only a 2% gap in December 2002. This trend for the exchange rates to converge helped improve relations between the merchant banks and their customers and to boost confidence in the national banking system. The success of the introduction of the economic policy set out in the government programme will allow the country's external debt, which currently stands at about 90% of GDP, to be renegotiated as part of the introduction of emergency programmes to combat poverty. The time is therefore right to begin the process of social reintegration, reconstruction, rehabilitation and economic stabilization so that we can open the way to economic prosperity and the consolidation of national unity.

### **G. Principal causes of poverty**

88. In brief, the following factors can be said to be the causes of poverty in Angola:

- (i) The armed conflict, which has led to almost three decades of population displacement, the destruction of traditional systems of economic activity the

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<sup>7</sup> Annex 7: The rate of growth in gross added value of agriculture, forestry and fisheries and the processing industry, and average annual inflation, 1991-2002.

destruction of social solidarity, social infrastructures, communication routes and distribution channels for products and other essential goods, which in turn has been at the heart of a number of humanitarian tragedies;

- (ii) The strong demographic pressure caused by a very high fertility rate, the high number of dependents in households (with more than half the population aged 18 or under) and massive migration to the towns;
- (iii) The destruction and deterioration of economic and social infrastructures, a direct consequence of the war but also the immediate consequence of inadequate maintenance and gaps in the system for timing and managing public investment;
- (iv) Defective operation of education, health and social protection services, because of the lack of technical and human resources, making access to these services difficult for the most vulnerable groups;
- (v) The very sharp fall in domestic supply of basic commodities, especially staples.
- (vi) The weakness of the institutional fabric, which is down to the low average qualifications of office and technical staff and to low productivity;
- (vii) The lack of skills and depreciation of human capital, stemming from the destruction and debasement of the education and training systems, instability in the health situation, low wages and widespread unemployment and under-employment; and
- (viii) The ineffectiveness of macroeconomic policies in correcting the major macroeconomic imbalances experienced throughout the 1990s.

#### **H. Incidence, depth and severity of poverty**

89. In 2001 the IDR set the poverty threshold at approximately 392 kwanzas per month, or about USD 1.7 per day<sup>8</sup>. The extreme poverty threshold was set at 175 kwanzas per month, or USD 0.76 per day. The data obtained by the IDR show that in 2001 about 68% of the population and 62% of households were living in poverty; among those households 28% of individuals and 15% of families were living in extreme poverty or were destitute.

90. The incidence of poverty varies between urban and rural areas. The IDR data show that urban poverty affects 57% of households whereas rural poverty has been put at 94%. The seriousness of rural poverty, as reflected by the three indicators given in Table 1, is a direct consequence of the war: the insecurity it bred inhibited households' access to arable land and markets, and the war itself destroyed small farmers' meagre resources (cattle, tools and seeds). Moreover, military recruitment reduced the labour available for farming, and population displacements channelled a significant percentage of the working population towards urban areas, leaving the fields to grow wild. The worsening of urban poverty, which was assessed in 1995 at 61% (IPCVD, 1995), was in large part down to the influx of displaced persons into towns. The rise in the urban population led to unbearable pressure being placed on infrastructures, available services and job availability, with negative consequences for living conditions and the population's well-being.

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<sup>8</sup> Where the exchange rate in 2000 is 7.7 kwanzas to 1 USD and one month = 30 days.

91. See Annexes 9 and 10, on the incidence, depth and seriousness of poverty by province and area of residence, and incidence of poverty by province and area of residence respectively. The situation with regard to poverty in the provinces covered by the 2001 survey is fairly wide-ranging. The province with the highest incidence of poverty is Namibe, which also has high indices for depth and seriousness of poverty. Namibe is also the province with the highest number of individuals living in extreme poverty, the figure for which is put at about 81% (Table 2). The situation in Cunene province is also of concern as it has the highest indices for depth and seriousness of poverty and ranks second highest for the incidence of extreme poverty. The provinces of Lunda Norte, Luanda and Cabinda recorded the lowest poverty indicators. Note however that in the 1995 survey, Cabinda had a higher incidence of poverty. The incidence of non-poor is highest in these provinces and the incidence of extreme poverty is the lowest in the sample. It should nonetheless be pointed out that Luanda is the province where the poor are most highly concentrated owing to the high population density. Indeed, 51% of all people in the country who live below the poverty line live in the capital. Although Namibe, Cunene and Huíla are the provinces with the highest poverty indices, altogether they account for 31% of the poor because of the way the population is distributed. Although the data should be interpreted with caution because of the small sample size, the survey demonstrates the need to focus policies to combat poverty on the capital, where most of the poor live. However, the seriousness of the poverty in Namibe, Cunene and Huíla provinces illustrates the need to draw up specific measures to secure the right of the people living in those provinces to live in dignity. The data presented here will have to be supplemented by studies in the country's other provinces. Further consideration will have to be given to the differences between provinces of the basic shopping basket and prices to enable a more rigorous comparative analysis to be made which can give a more accurate picture of the situation.

### **I. National poverty and human development profile**

92. The difficulties and constraints which have restricted development in Angola are reflected in the low level of human development. Despite a few improvements over recent years the Human Development Index (HDI) stood at 0.403 in 2000 (0.398 in 1997 and 0.422 in 1999): Angola ranks 161<sup>st</sup> out of 173 countries. The low index reflects serious, unbearable problems in basic aspects of the population's living conditions, despite the fact that the level of national income is above the average for sub-Saharan Africa (Table 3). This can be seen in the difference between the economic and social dimensions of HDI development. See annex<sup>9</sup>, Human Development Index in 2000 and State of poverty by gender of the head of household. The low level of human development is essentially the consequence of low life expectancy at birth (which stands at 45 years, an index of 0.34) and the low combined gross ratio of school enrolment (23%, representing an index of 0.36). GDP per capita was estimated at \$ 2.187 (2000 PPP) (an index of 0.51). It should be noted that the combined index for the level of schooling of the population clearly shows the efforts the country will have to make in the decades ahead in the field of education. There are only four countries in the world with a lower index, and the average for developing countries is 0.69; for sub-Saharan Africa it is 0.55. Over and above these general features of the Angolan population we should describe the living conditions of poor households. Below we give a detailed analysis of the socio-economic circumstances of households in Angola based on statistical information obtained from the IDR and the MICS.

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<sup>9</sup> Human Development Index in 2000 and State of Poverty by gender of the head of household.

## **J. General features of households**

93. Poverty in Angola is very closely related to the size and structure of a household. The smaller the family, the lower the incidence of poverty. A household's level of poverty also bears a relation to the number of dependants it has and, to a lesser extent, to the gender of the head of the household. Data from the MICS for 2001 show that the average size of a household is six people in urban areas and five in rural areas. Some 35% of households are composed of over six individuals. Data from the IDR (Table 4) show that the indices of the incidence, depth and seriousness of poverty are especially high in households of over seven people, where they exceed global averages. On the basis of the IDR data it has been calculated that 23% of households in Angola are headed by a woman<sup>10</sup>. The poverty level of households also bears a slight relation to the gender of the head of household. In urban areas households headed by women are less afflicted by poverty, a reflection of a substantial female presence on the informal market. In women-headed households, almost all income is used for family consumption. By contrast in families headed by men, income is also used for non-essential consumption (drink and tobacco) and on investment. In rural areas, however, extreme poverty is more prevalent in households headed by women, and this is due more than any other factor to their lower levels of schooling and economic power. The educational level of the heads of poor households is lower than that of non-poor households, regardless of gender. Nonetheless, the level of education of households headed by women tends to be lower. Of the poor households headed by women, 47.4% have no schooling whatever and 56% are illiterate; these figures are in striking contrast to the figures of 14.8% and 17.3% respectively for poor households headed by men. The distortion of labour markets, low wages, insecurity of employment and low vocational skills in the work force are significant curbs to development and to increasing families' productivity and income, especially for the poorest households.

## **K. Nutrition**

94. It has been calculated that less than 35% of the Angolan population has access to health care services provided by the National Health System. The data from the IDR show that the poorest essentially use the primary health care services, namely health centres and health stations, and that their usage of private clinics and family doctors is markedly lower (Table 6). These indicators show the importance of the primary network to a strategy promoting access to health care for the poorest groups of people. In terms of nutrition the country has experienced a number of tragedies among persons of no fixed abode and refugees. It has been calculated that over half the Angolan population is probably malnourished and that 22% of under-fives are suffering serious chronic malnutrition (while a further 45% suffer moderate chronic malnutrition). The daily calorie intake of poor households is less than one third of the recommended level. The IDR shows that in urban areas, 75% of the household budget goes on food. Even so, only 25% of urban families are estimated to consume the recommended number of calories every day. The poorest families' diets comprise predominantly fish and *fuba*.

## **L. Electricity**

95. The main sources of energy for cooking are wood and coal. It is estimated that they are used by 83% of the total population and 96% of the rural population. Wood and oil are the main sources of lighting for the poorest. Only 25% of the extremely poor have access to electricity, as compared to 66% of the non-poor. Other indicators of well-being, such as energy consumption

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<sup>10</sup> Incidence, depth and seriousness of poverty by household size.

or telecommunications usage are, of course, very low. The number of kilowatts/hour (84) is about 10% of the average for developing countries and 18% of the average for sub-Saharan Africa. The number of connections to the telephone network per 1 000 inhabitants (5) is lower than it was ten years previously (8 in 1990), and is equivalent to a quarter of the average figure for developing countries and half that for sub-Saharan Africa. As can be seen in the Annex<sup>11</sup>, electricity generation has been rising constantly since 2000, growing by some 17.4% in 2005, and by 13.3% in 2006. This growth was down to an increase in supply following the entry into operation of the Capanda hydroelectric generating station, which began to produce electricity in December 2004; this helped reduce the heat energy provided to the region by the northern electrical network. Input from the northern electric system fell from some 40% in 2003 to 15% in 2006. According to the Government Budget Report 2006 there are no precise data on distributed electricity. Data on distribution are estimated based on figures for production. The amount of energy distributed since 2000 has grown continuously at an average rate of 12.8% and grew by 15.3% in 2005 and 13.0% in 2006. There are many shortcomings in the nationwide distribution of electricity, and frequent power cuts, and this has had a negative impact on people's quality of life, given the importance of electricity to the economy, provision of services and domestic life; other people can go for many months without electricity and, where this happens, people make their own connections to the supply as official responses to requests for an electricity supply involve a long wait. Most of the urban population uses other sources of energy, especially generators, candles and lamps. The constant lack of energy causes many accidents, mainly house fires, because of inappropriate use of alternative sources of light. The Ministry of Energy estimates that only 30% of the Angolan population has electricity.

#### **M. Living conditions of vulnerable and underprivileged groups**

96. The DRP carried out show that for local communities, poverty is reflected in vulnerability to situations which seriously disrupt their level of well-being. Vulnerability factors identified by communities were, in order: (i) loss of accommodation or being accommodated in inadequate housing; (ii) lack of access to basic educational and health care services; (iii) lack of access to and ownership of property and factors of production; (iv) lack of social capital; and (v) lack of legal protection or protection of citizens' rights. These situations are exacerbated by a combination of agro-economic and structural factors such as climate, suitability of land for farming, the poor state of roads and bridges, which make it difficult to revitalize rural trade, the absence of a rural and urban labour market, the low level of effective State services in some municipalities and communes. Using the vulnerability factors as a foundation, communities defined the socio-economic welfare of households in terms of housing conditions, ownership and use of property, access to factors of production, access to social infrastructures, job opportunities, social capital in communities and legal protection.

#### **N. Framework of the Integrated Social Assistance Programme**

97. The Integrated Social Assistance Programme continues to be a priority given the current situation in Angola. Generally speaking, social problems which underlie the integrated programme mean that the Programme must continue with a view to achieving the social and productive reintegration of demobilized personnel and people who were displaced during the war, as well as with the aim of improving the provision of basic social services and promoting social

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<sup>11</sup> Production, distribution and sources of electric lighting.

harmony. Mine clearance is also a pre-requisite for people's mobility and security, and for social integration.

98. The Integrated Programme comprises the following programmes and sub-programmes:

Social Reintegration and Assistance Programme

General Sub-Programme on the resettlement and social reintegration of individuals and families

Sub-Programme on Humanitarian Assistance

Sub-Programme on rehabilitation, construction and re-equipment of community centres offering social assistance.

National Sub-Programme for the integration of disabled war veterans

National De-Mining Programme

### **O. Results (2005 and 1<sup>st</sup> quarter 2006)**

99. Analysis of the results achieved leads to some important conclusions, regardless of the fact that some of the goals set for 2005-2006 refer to programmes launched some years previously.<sup>12</sup>

100. Family reunification, repatriation of Angolans living as refugees and the self-sustaining resettlement and reintegration of families are clearly programmes which have met some success; the forecast is that they will be 100% complete in 2006. Good headway is also being made in measures to construct the new PIC, which are 46% of the way through being implemented, while the placing of children in institutions providing care and protection was 66% of the way through implementation in 2005 and should attain the targets set for 2005-2006.

### **P. Agriculture and rural development**

101. Agriculture seeks above all to: increase the production and placing on the market of cereals, leguminous vegetables and tubers, coffee, produce from small-scale inland fisheries; farm small ruminants and cattle; promote the sustainable development of natural resources; promote pilot programmes to establish the conditions for relaunching other activities (micro-finance, support for farming, small-scale irrigation works, milk production, pig-farming, poultry farming and beekeeping). The key principle underlying the strategy is to involve communities and the municipality very actively as the strategic hub for planning, intervention, monitoring and assessment. Farming Development Stations must be the forum for support measures for small farmers while province-level bodies should be responsible for providing advice, supervision and activities of interest at provincial level. The central institutions will be responsible for formulating policies and strategies, legislation, finance and supervision. We still anticipate cooperation from various partners (donors, humanitarian agencies, private sector and NGOs). The Rural Development Strategy will also have to take account of the increase in women's involvement which is so necessary on many fronts, for example, the role of women in the taking of strategic decisions, their presence on the labour market and access to the land; assistance to (re)settlers; community development of rural associations; management and conservation of natural resources; support for preventing and combating HIV/AIDS; modernizing institutions by upskilling the technical and administrative staff in the sector. In view of the key principles set

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<sup>12</sup> Annex 9: Social Reintegration Programme.

out above, lines of action to ensure that the objectives of the strategy in this sector are attained include:

- (i) Strengthening the production capacity of the traditional sector, especially food crops and small-scale inland fisheries;
- (ii) Revitalizing internal market systems (rural commerce);
- (iii) Sustainable development of natural resources;
- (iv) Reorganization and adjustment of the legal framework and gradual modernization of public bodies by making them the agents for regulating the sector and promoting its sustainable development (institutional system).

### **III. STRENGTHENING THE PRODUCTION CAPACITY OF THE TRADITIONAL SECTOR**

102. The specific aim of this strand is to organize and strengthen the institutions associated with agricultural development<sup>13</sup> so as to provide services which can help increase production and improve commercialization in the small farming sector which in the past has shown its ability to produce food for Angola and the international market; to ensure that there is no discrimination against women or other social groups in the implementation of measures; to ensure that access to and use of land is possible and that the area of land is sufficiently large, taking into account the fertility of the soil, household size, production systems and food habits; there is a compulsory requirement when granting access to land to supply seeds and agricultural tools to ensure sustainable production. The anchor point of the strategy of support for small farmers will be the municipality; agrarian development stations will be beefed up so that they can work with municipal and local authorities and obtain the support of all institutions so that an efficient service can be provided to small farmers and small-scale fishermen.

103. Measures intended to achieve the above objectives include:

- (i) Strengthening the Agrarian Development Institute, reorganizing and establishing new agrarian development stations so that, in association with other MINADER institutes and other Ministries, adequate assistance can be supplied to the small farmer and small-scale inland fishery sectors;
- (ii) Establishing a "Women's promotion office" within the agrarian development stations;
- (iii) Establishing environmental information units within the agrarian development stations, in association with the Forestry Development Institute;
- (iv) Compiling an inventory of land available for distribution to vulnerable groups;

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<sup>13</sup> Including the Agrarian Development Institute (IDA), the Agronomic Research Institute (IIA), the Veterinary Research Institute (IIV), the Angolan Veterinary Offices (SVA), the Forestry Development Institute (IDF), the National Seeds Service (SENSE) and the National Committee on Plant Genetic Resources (CNRF).

- (v) Promoting in all municipalities, with the support of the Agronomic Research Institute and the National Seed Office, the production of seeds for cereals, leguminous vegetables and cassava stems on small farmers' land;
- (vi) Promoting development of production credit to small farmers through the commercial sector, and trials with a view to establishing bodies offering micro-finance services;
- (vii) Promoting development of cassava processing and commercialization;
- (viii) Promoting Agronomic Research Institute trials of technologies appropriate for the conditions in which the small farmers work and geared to staple crops (cereals, cassava, sweet potato and leguminous vegetables);
- (ix) Monitoring of animal and public health and promoting the development of animal farming with a special focus on small farms (regular vaccination of livestock against epizootic disease); using Veterinary Offices, the Veterinary Research Institute and the Agrarian Development Institute to promote pilot studies in milk production, small ruminants, and traditional pig and poultry farming;
- (x) Concentrating the activities of the Veterinary Research Institute on epidemiological studies, experiments with technologies which can be adapted to small farming, quality control and monitoring of foodstuff of animal origin;
- (xi) Promoting trials to improve irrigation and drainage techniques in the traditional sector;
- (xii) Promoting technologies to increase milk production in small farming;
- (xiii) Encouraging trials involving small ruminants; encouraging pig rearing in small farming; and
- (xiv) Encouraging poultry farming and improving local breeds for meat and egg production.

#### **A. Reactivating internal market systems (rural commerce)**

104. Reactivating and stabilizing markets will be tasks pursued by means of the following objectives: ensuring supply of staple foods in the event of natural disaster; assisting the affected populations and re-establishing the production system; assisting vulnerable groups; reducing market fluctuations; reaching a position whereby imported food aid can be replaced with local produce in such a way as to encourage production in Angola; strengthening the institutions responsible for monitoring the quality of commercialized produce (Veterinary Research Institute and Angolan Veterinary Offices for foodstuff of animal origin, National Cereals Institute for cereals produce, and the National Directorate of Agriculture and Forests for other products of plant origin); rehabilitating the road system and rural routes; developing credit in rural areas; promoting information on product markets and farm supplies; administrative streamlining and reducing/removing bureaucratic obstacles to rural activities.

105. Those objectives will be attained by the following means:

- (a) Inter-institutional coordination through the establishment of an Inter-Ministerial Standing Commission on Food Security with a view to formulating the country's food security policy;
- (b) Strengthening of the Food Security Bureau within MINADER, which is responsible for collating, processing, analysing and disseminating data and information on prices, availability and accessibility of food products and basic supplies; study of a system of food banks using the National Cereals Institute;
- (c) Establishment of partnerships and coordination with humanitarian agencies, donors and NGOs;
- (d) Design of strategies to convert humanitarian aid into development aid;
- (e) Rehabilitation and improvement of veterinary laboratories, with priority going first to the laboratories in the port provinces (Luanda, Benguela, Namibe, Cabinda), and then to the laboratories in the provinces of Huíla (Lubango), Malange and Huambo;
- (f) Improving MINADER's central analytical laboratory in Luanda,
- (g) Drafting a plan to expand the National Cereals Institute and MINADER laboratories into the provinces;
- (h) Restoration of highways and rural roads through MECANARO-EP;
- (i) Making credit available to reactivate rural commerce; and
- (j) Streamlining of administrative procedures to achieve more efficient and more effective administration and monitoring of commercial rural transactions.

### **B. Job and income-generation opportunities**

106. The level of development of the local economies does not provide much opportunity for employment in the rural sector, meaning that communities have few alternative means of supplementing the low income they derive from farming.

107. **Access, possession and use of property:** It has been shown that access, possession and the opportunity to use property such as land, livestock, tools and domestic property are important determining factors in poverty because they reduce households' vulnerability. The protection they afford lies not only in the economic production gained through their use, but also in the opportunities to diversify income streams which they offer. It has been noted that a lack of tools increases the vulnerability of all communities, but especially recently settled communities, showing that access to land is not the main constraint. Families in more stable communities are, moreover, able to use their land as a base for setting up small cooperatives and small farmers' associations and to rent or let the land, meaning it becomes an important source of alternative income. It should also be noted that access to natural resources, forests and rivers also influences communities' capacity to maintain a combination of products which they need for their subsistence.

108. The principal aspects of food insecurity in Angola were studied during the National Forum on the Right to Food, especially the massive exodus of country people to the large cities, the

deterioration of the principal socio-economic infrastructures and the principal means of communication, the disappearance of trade links between towns and the countryside, the lack of supplies of essential foodstuffs, low indices of farm production and the presence of land mines in production areas. Low levels of agricultural production are due to the absence of agricultural supplies and their high price (seed, production equipment, fertilizer), as well as to the low price of produce, animal losses, lack of human resources, lack of financial incentives for farming, adverse changes in climate (floods and prolonged periods of raised water levels), as well as extreme poverty; the vulnerability profiles in Angola owe much to the length of the war, which created vulnerable groups including people with no settled home, refugees, repatriated persons, war wounded, widows and orphans, not to mention rural immigrants in search of new work opportunities, women heads of household, minorities, the elderly, etc.

### **C. Sustainable development of natural resources**

109. The aims under this heading are to promote the sustainable development of natural resources and to establish income-generating activities which are associated with the labour-intensive rehabilitation, conservation and management of natural resources. Measures to achieve those aims include the following:

- (a) Updating laws and regulations;
- (b) Replanting the forest;
- (c) Assessing the state of deterioration of natural resources using cartographic studies of vulnerable areas;
- (d) Drawing up medium and long-term programmes and action plans for the development of natural resources;
- (e) Promoting a pilot programme to rehabilitate and develop inland/small scale fishing;
- (f) Promoting trials of activities to combat gullying using biological techniques; encouraging the tradition of bee-keeping; and
- (g) Harmonizing the areas of responsibility of the Ministry of Urban Development and the Environment, MINADER/Forestry Development Institute and provincial government offices to prevent overlapping of rules and measures which may be at variance with environmental legislation.

### **D. Institutional reform**

110. The aims under this heading include adjusting and updating farming policies, legislation and regulations and modernizing MINADER and its institutions to encourage economic development and the sustainable management of natural resources. The actions necessary in order to attain those objectives include the following:

- (i) Revision or drafting of laws and regulations in such a way as to grant priority to aspects related to the land, forests, animal and plant health, seeds, agrarian development, pesticides, cooperatives, inland fishing and hunting, etc.

- (ii) Merger of key responsibilities within MINADER departments; harmonization of relations with the provinces and decentralization of the planning and implementation process down to commune level;
- (iii) Reorganization and strengthening of public assistance institutions (Institutes) to help them contribute better to the development of the small farm sector;
- (iv) Adjustment of the responsibilities and reorganization of the Agrarian Development Support Fund and the Coffee Development Support Fund, in line with the support strategy for commercialization and small farmers' other needs; and
- (v) Drafting of a study on ways to improve the management and effectiveness of MINADER's development offices.

### **E. Anticipated results**

111. We hope that by 2006 this programme will:

- (i) Increase the production of cereals, leguminous vegetables, roots and tubers;
- (ii) Provide assistance to 300 seed production units and supply 5 000 families with support services for inland/small scale fishing;
- (iii) Rehabilitate 1 000km of secondary and tertiary rural roads and recover at least 40 hectares from gullying;
- (iv) Replant about 50 000 forestry areas;
- (v) Supply support services on irrigation and drainage techniques over a total area of some 100 hectares;
- (vi) Rehabilitate or establish 94 agrarian development stations and 25 experimental veterinary stations;
- (vii) Establish 50 women's promotion offices and 50 environmental information units; and
- (viii) Promote the establishment of new micro-finance agencies (in each province) geared to agriculture and promote the granting of credit for agricultural production.

### **F. Fisheries**

112. Activity in the fisheries sector (catches) has been developed with a view to sustainable exploitation of fisheries resources; consequently management measures taken since 2003, which have led to the recovery of resources, especially ocean resources, have been scrutinized. Generally speaking, there have been no significant changes in the biomass table and it is therefore necessary to strengthen management measures, especially for species of higher commercial value, but also for the species most widely consumed by the population. Special attention should now be focused on encouraging traditional fishing because of its role in reducing poverty, combating hunger and unemployment. Despite the constraints referred to above, the growth rate in the sector for 2006 was higher than that for 2005 and reached 11.6%, owing to good performances in commercial and small scale fishing which grew by approximately 30% and 15%

respectively; semi-commercial fishing however, continued its downward trend in 2006, when it recorded a drop of about 16%. There was a severe slow-down in commercial fishing in 2006, except for dried semi-salted fish, where there was growth of 34%. This slow-down in commercial activity stems from the fall in catches for semi-commercial fishing, which affected the production of fresh and frozen fish by 43% and 72% respectively while fishmeal and salt fell by some 49% and 70% respectively. In terms of results, the production of preserves and dried semi-salted fish were the only segments to buck the 2005 trend.

### **G. Investments**

113. As was the case for agriculture, there was also a growth in investment in fisheries; indeed, volume of investment increased by 24.1%, giving a total of USD 7.7 million as compared to USD 6.2 million in 2005. Investments made in 2006 were the reason that the commercial fleet reversed the trend experienced in 2005 and grew by 30%. Performance in small-scale fishing was helped by investment in coastal vessels. Both commercial and non-commercial fishing grew sharply as a result of investment, of which the amount of public investment totalled USD 37.7 million.<sup>14</sup>

### **H. Employment**

114. There was no significant change in employment in the light of investment. The figure for 2005 of some 41 500 fishermen, was swelled by 4 944, mainly because of the entry into operation of five coastal vessels.

## **IV. REFORMS AND MEASURES IMPLEMENTED**

115. Although growth in production in the fisheries sector is close to the scheduled level of 73%, as compared to 65.6% for the preceding year, that level was due entirely to certain measures that were taken; those measures included distributing marine fishing equipment and gear to coastal provinces, for example tools and engines to fishermen's associations in the provinces of Cabinda, Zaïre, Bengo, Luanda, K.Sul, Benguela and Namibe. Provisions guaranteeing sustainable exploitation in the sector are set out in the Organization Plan for 2006/2010, and in the Long-term Strategy for the Sustainability of Fisheries and Aquaculture; those documents have become the main instruments for managing the resources in this sector.

### **A. Problems and constraints**

116. Problems and constraints on the pursuit of activity in this sector included the fact that lines of credit were inoperative and that it took a long time to satisfy the conditions integral to using the financial facilities in place, not to mention the continuous stoppages at fish meal production units because of obsolete equipment.

### **B. Processing industry**

117. As a result of the improvement in the economic environment and some improvements in the quality of services provided by infrastructures supporting the development of the industry, the sector experienced a level of growth in 2006 that is unprecedented in the recent past. In fact, growth in the sector attained a level of about 44.7% as against the forecast of 30.7%, a difference

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<sup>14</sup> Data on national maritime production and the fish processing industry.

of 14%. That figure was due essentially to the growth of 35.7% in the beverages sub-sector; with other sub-sectors experiencing fairly modest growth of not more than 3%. The tobacco, clothing and machinery and equipment sub-sectors fell back, even if only a tiny amount and posted figures which did not exceed 1%.

### **C. Investments**

118. During 2007, 47 industrial facilities entered operation, representing investments of USD 34.4 million; although lower than the sum for 2005, this is a good illustration of the great interest in the sector. Overall investment in the sector amounted to USD 172.8 million, an increase in the order of 4%. In terms of applications to establish new industries, the amount is around USD 491.5 million, confirming the trend seen in recent years. Available information therefore shows that the processing industry, like the diamond industry, is one of the most attractive sectors.

### **D. Employment**

119. The investments in this sector have led to the creation of 1 827 jobs; this means that when last year's figure is taken into account, the workforce numbers 34 360 people.

### **E. Reforms and measures implemented**

120. The establishment of the industrial development poles in Viana (Luanda), Catumbela (Benguela) and Fútila (Cabinda) and the preparations for the legislative package establishing the poles at Caála (Huambo) and Matala (Huíla), have generated expectations of business opportunities in the processing industry. Completion of the strategies to reindustrialize agribusiness and the preparation of a legislative package establishing industrial free zones and special economic zones have also played a huge part in increasing interest.

### **F. Problems and constraints**

121. Insufficient financial capacity on the part of business and industrialists, the lack of qualified human resources at all levels, the outmoded nature of facilities and the deterioration in basic infrastructures are seen as the most significant constraints.

### **G. Construction**

122. The reconstruction process in general, and in particular the process of reconstructing the country's infrastructure have significantly mobilized the construction sector in recent years, to the extent that it has recovered its role as the driving force of the economy, whether that be by offering better structural conditions or promoting better housing conditions for the population. As a result, the fairly strong growth in the sector over recent years reached a figure of 30% in 2006. Measures to construct roads and rebuild bridges have contributed to the figure as a result of the executive programme to rehabilitate infrastructures and reconstruct airport infrastructures.

123. In housing, 2006 saw the beginning of the second phase of the "Nova Vida", project alongside private measures geared to increasing the supply of immovable property for both housing and service development purposes.

## **H. Investments**

124. A large majority of the investment in construction is public investment under the rehabilitation programme although there are a fair number of private initiatives, especially in the real estate sector; the total figure is USD 41.9 million, representing growth in the order of 46% compared to 2005. Authorized investment in construction was only 11% of the figure authorized in 2005. The number of accredited businesses, which stands at 752 (44% of which have been accredited for the first time while the remainder are accreditation renewals), is evidence of how the private sector is performing in the construction field.

## **V. EMPLOYMENT**

125. Increased production in the construction sector has created 30 521 jobs; when added to the figure for 2005, the number of people employed in the sector is 206 521. Therefore 2006 saw an increase of 17% in the number of jobs created.

### **A. Reforms and measures implemented**

126. The level of activity in the sector is the result of the impact of legislation adopted in 2006, the objective of which was to create conditions suitable for developing activities as a public works entrepreneur or an industrialist in the construction sector. To that end, the revision of Decree No 9/91, of 23 March, approving the regulations governing the activity of public works entrepreneur, industrialist in the construction sector, promoter and supplier of works, was a major driving force in regulating this activity. In parallel, the Organic Statute on the Engineering Laboratory was approved; its task is to see that construction materials used comply with the requirements for quality and strength, thereby providing for greater public safety. Furthermore the approval of resolutions on the implementation of the second phase of the “Nova Vida” development, the fourth phase of the basic sanitation programme (Samba area), the fifth phase of the Luanda sanitation programme (airport zone) and countless executive decrees including provisions on the system governing public works contracts have also played a part.

### **B. Problems and constraints**

127. The availability of Angolan construction companies is still a problem given the need for public involvement in public works; another issue is the lack of construction materials sourced within Angola as it means that imports must be used to make up the shortfall and even then there are sometimes no materials available on the international market to meet our needs. The quality of human resources, especially with engineering skills, is also a constraint on development of this activity.

### **Reforms and measures implemented**

128. Privatization has been moving ahead slowly but surely in compliance with the stated goals and objectives. Among the main actions scheduled for 2005-2006 we note implementation of the following:

- (a) List of the particulars of all public businesses and an appraisal of State businesses with the aim of identifying which ones should be privatized and which ones should remain under State control.

- (b) Drafting of the Protocol on Cooperation for Technical Assistance to ARE by *Millenium BCP Investimento*, in anticipation of a final decision by that company.
- (c) Drafting of a legislative package allowing privatization files to be paid for using the public debt.
- (d) Preparation of a proposal for a legal framework establishing a privatization agency with the authority and competence to determine the course of privatization.
- (e) Approval of files on redimensioning and privatizing undertakings whose files have been pending for a number of years; this allowed a sum equivalent to USD 9 651 258.61 to be cashed in between 2005 and the first six months of 2006.

### **Problems and constraints**

129. It should be noted that there were a few difficulties when processing and concluding the files on privatization; these difficulties were essentially down to: (i) the fact that the businesses were not on a proper legal footing (their non-existence "de jure" and absence of registration of assets confiscated in the name of the State); (ii) the delay in the delivery of information concerning entries in the accounts for proprietary and financial assets of businesses and (iii) difficulties with financial control by businesses. Moreover, as part of the measures under the programme to restructure the public enterprises sector a number of constraints on the privatization programme were noted with a view to resolving them systematically. On the back of this, the main issues requiring a solution were identified as being: (i) schedule for putting the consolidation of business assets on a proper legal footing; (ii) offsetting of credits and debits; and (iii) workers' compensation fund.

### **C. Overall assessment of the public investment programme**

130. The budget forecast contained in the Public Investment Programme for 2006 was 559 181 259 885 kwanzas, of which amount some 13.6% was allocated to investment already under way and the remaining 86.4% to new investment.

131. The allocation of scheduled resources to projects under central control was about 92.3%, while about 7.7% went to projects under local control. The levels of financial performance and actual implementation of PIP-2006 were Kz 121 080 480 595.21, or about 21.65% overall as a proportion of the scheduled figures. The approach is based on functional classification by social area and highlights the social activities which absorb the most resources, spotlighting priority sectors: housing and community services (51%), health (23%) and education (19%).

### **D. Local control**

132. The performance of the Public Investment Programme for projects under local control can be regarded as relatively satisfactory given the financial performance noted above. The financial performance of these projects hinged essentially on the fact that they are supported financially by ordinary Treasury resources. As a result, the effects of implementing the PIP for projects under local control can be ascertained; for example, in education success can be measured in terms of the number of schoolchildren enrolled in the education system during the school year 2005 as compared with previous years when the gross rates of enrolment were fairly high. The results and impact in terms of spread of the projects under local control completed in 2005 are shown in summary form in the following table using the five indicators which are at the heart of the programme, namely the number of people benefiting from the measures which were scheduled and completed in the sectors providing basic services to the public.

## **VI. ADMINISTRATIVE DECENTRALIZATION AND RE-ESTABLISHMENT OF GOVERNMENT SERVICES NATIONWIDE**

### **A. Basic indicators**

133. Consolidating the re-establishment of State services became a priority in 2006 because of the closer relationship between government and the people in places where previously the people had had no government services, either as a result of security concerns in the past or much more recently because of the destruction of administrative infrastructures. In the meantime this led to the government services being located very close to the areas they covered. The process of rolling out State services was completed in 2003 for 38 municipalities and 185 communes and in 2004 and 2005 the phase to bring everything up to standard began, and is likely to continue for a few more years because of the enormity of need and the public investment required to satisfy people's basic needs and to supply public services. That is why the years following the re-establishment of the State services have been devoted as a matter of priority to improving the conditions for settling people who have made a voluntary, organized return to their regions of origin. In parallel to the re-establishment of social and administrative services, social communication has been restored to ensure that people receive information on the political, economic and social life of the country. Still on the topic of bringing State administration up to standard, whether in the areas where services have been re-established or the areas where re-establishment was not necessary, it was decided that the level of need was so great that measures to supplement the Programme to improve and increase the provision of basic social services had to be put in train. These additional measures included posting staff, de-mining, repairing communications routes, the construction and reconstruction of administrative and residential infrastructures thereby bringing government action more into line with the challenges presented by bringing things up to standard and local development. As part of the implementation of the tasks under the Strategic Plan for Administrative Decentralization and the State recommendations on the macrostructure of local administration, as approved by the Council of Ministers, the decentralization and local governance project was drafted with the support of the UNDP. The aim of the project is to put a legal and institutional framework in place clarifying the operational and relationships and control mechanism between the various levels of local administration, implementing financial decentralization via a pilot municipal development fund, promoting participative democracy and improving local authorities' capacity to plan and manage resources, including land, and promoting active partnership between the various stakeholders – central and local government, traditional authorities, Non-Governmental Organizations (NGOs), grassroots community organizations, private enterprise and donors. The project was implemented using measures aimed at strengthening institutional capacity in four pre-selected municipalities, namely Camacupa (Bié), Calandula (Malange), Kilamba Kiaxi (Luanda) and Sanza Pombo (Uíge). Where decentralization is concerned, we should note the approval of the revision of Legislative Decree No 17/99, of 29 October, by Legislative Decree No 2/07, of 3 January, which takes the decentralization process embarked upon under the first text to a new level and draws up a transitional organizational structure for local authorities. The adoption of the Finance Act means that the new Legislative Decree breaks new ground for local finances by codifying various provisions scattered through various pieces of legislation; Executive Decree No 80/99, of 28 May, governing financial resources acquired through taxation and other income which must be received and allocated directly to each of the receiving provinces requires the government to make additional sums available to bridge the gap between own resources and transferred powers. Thus the municipalities and the provincial governments are now regarded as budgetary units and as stakeholders in local public investment portfolios, thereby allowing choices to be made and public initiatives to be taken in the interests of the communities concerned.

## **B. Reforms and measures implemented**

134. The results of decentralization owed much to the fact that the legal infrastructure was strengthened when new legislation was adopted in the field, such as the revision of Legislative Decree No 17/99, of 29 October, on the organization of provincial governments and municipal and communal authorities. Although it is part of the Cabinda Peace Memorandum, the Special Status of Cabinda Province was also assessed, and its content improved and adjusted in line with the general regime set out in Legislative Decree No 2/07, of 3 January. The legal regime governing the detachment and transfer of staff able to perform technical, managerial and senior functions in local government services was submitted to the Council of Ministers for their opinion, the aim being to strengthen institutional capacity at provincial level in view of a recommendation made by the State that an in-depth study should be carried out into the wage bill which implementing that transfer would entail. The draft texts noted below have been drawn up on administrative decentralization:

- (a) Local Powers Establishment Act; Framework Local Powers Act;
- (b) Local State services and Local authorities (Transfer of Powers) Act; Local Finance Act.

135. Officials have been trained under the local Institution Training Programme, and it should be noted that there is a Local Government Services Training Programme (IFAL) under the aegis of the MAT, and that eight training courses have been held for municipal and communal administrators and their deputies from all over the country, totalling 480 participants. Still on the subject of training local officials, an international call for tenders was made for a one-year course in planning and managing local development under the Decentralization and Local Governance Project which 30 middle-ranking technical officers attended, mainly from the municipal authorities of Camacupa (Bié), Zanza-Pombo (Uíge), Calandula (Malange) and Kilamba-Kiayi (Luanda).

## **C. Problems and constraints**

136. The lack of bridges and administrative infrastructures and, in some cases, the presence of mines and unexploded ordnances have halted the process of re-establishing the central State authorities in some places. The lack of motivated, technically capable officials has also acted as a constraint on developing government activities, especially in the field of local government services.

## **D. Access to potable water**

137. Accessibility of potable water is a good indicator of quality of life. Table 12 shows that in 2001 only 11% of households in the capital had a piped water supply to their homes, and that figure fell to 0.2% in other towns. Use of other sources of treated water, as shown in the annex<sup>15</sup>, is further evidence that the potable water supply system is negligible.

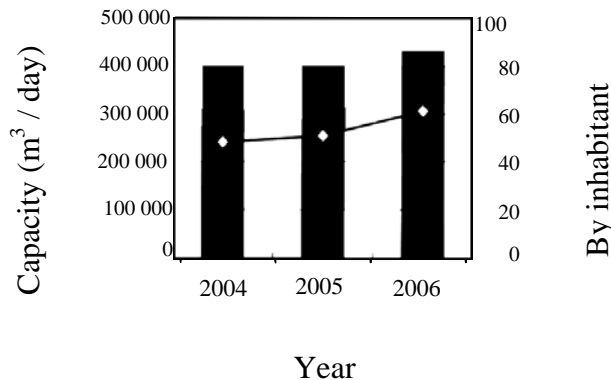
138. The breakdown of water supply systems has led to the emergence of urban water markets in the towns. The price of water on those markets is higher than the official market price and most consumers are poor families or families living in urban areas where infrastructure problems are

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<sup>15</sup> Indicators of basic infrastructures in the capital and other urban areas, and nationally.

greater. Access to basic sanitation is another significant indicator of urban poverty. Only 28% of households in the capital and 19% in other towns have access to a sewerage system.<sup>16</sup>

**139. Map of PB water fountains 2006 showing capacity of water supply systems and other sources of water supply.** The situation is illustrated in the tables below. Investment over this period has already provided benefits in terms of quantity and quality of the water produced and distributed, although the impact on the target population's access to water will grow as works currently under way come to an end; this will mean a growing index of coverage through connections to dwellings and installation of fountains under the programme to end 2008.



140. As can be seen from the above table, the increase in nominal capacity of certain systems and the rehabilitation of others meant that by the end of the two-year period available capacity grew by 27% compared to 2004; that growth rate was far below the target scheduled for the period, which was 113%. That increase is, however, also reflected in per capita consumption and can be interpreted as a sign that a larger number of people have gained access to the service. Nonetheless, the increase in available capacity in the production of potable water is still not reflected to the same extent in the quantity of water actually distributed to the population; this is because some systems have limitations on storage capacity and distribution, nor supply is intermittent or capped because of restrictions still in place on the supply of electricity to most of the towns covered. It has been calculated that the growth in water supplied in 2006 as compared to 2005 was 9.2%, which is less than the rate of growth in system capacity for the same period. Several actions are being taken and there was a decisive development in 2006 which, in addition to briefly increasing existing capacity, will make for a significant increase in the way the capacity is used. It has also been noted that despite the schedule for the sector, it has not yet been possible to take action to recover and extend existing capacity in all systems because of the overriding need to keep the programmes on-budget. The lack of urban development in the outer areas of towns has led to growing reliance on springs and boreholes as sources of water, as illustrated in the tables below where the main variations can be observed. The number of fountains and boreholes is not accounted for solely by new water points but can also be attributed to recovery of pre-existing points; the initiatives to install and recover water points helped increase the population's access to more reliable sources of potable water. Although the number of fountains built was not as high as scheduled at the end of the two years, the 30.7% increase on 2004

<sup>16</sup> Water supply systems by province.

exceeded the 20% target. The growth of 4% in the number of boreholes matches the target for the two years. Statistical data on the number of fountains and boreholes by province.<sup>17</sup>

### **E. Investments**

141. In 2006 as in previous years, investments in the energy and water sector were provided in full by the State. That was because the set of reforms allowing private sector participation is being prepared; on this occasion the issue of tariff policy must be highlighted.

### **F. Employment**

**Investments over the period led to the creation of 4 690 new jobs.**

### **G. Reforms and measures implemented**

142. The results of the activities carried out were to a certain extent associated with the measures implemented to restructure activities in the sector. The final version of the Master Plan for Reform of the Electricity Sector was produced and the plan is now under way. The regulatory body for electricity has been established and has already begun to perform its specific duties within the scope of its powers. For water, we should note that provisions drawn up on the general use of water resources and the public supply of potable water, sanitation and urban storm drains have already been submitted to the competent body for approval. Under the development programme approved for the sector efforts have been made to establish and encourage local businesses to take on responsibility for the management and exploitation of water supply systems in provincial capitals.

### **H. Problems and constraints**

143. On the one hand, one of the principal constraints on performance in the sector in 2006 lies in the difficulties in building technical capacity, which is a pre-requisite for achieving the overall objectives laid down for this sector. On the other hand, it should be noted that improvements to and increases in the supply of public services to society are constrained by the funding available for the programme to rehabilitate and build capacity for electricity generation and potable water, as are programmes for transport and distribution networks.

144. Low levels of expenditure on maintenance, low investment in water supply systems in urban areas and overloading of existing supplies as a result of rapid growth in the urban areas of Angola; according to surveys carried out in 1998, only 56% of the population of Luanda and 32% of the population of other urban areas in the country had access to piped water (taps in the house, property, or neighbouring houses, or fountains). A large proportion of the population of Luanda, 425 [sic], obtains water from tanks, from neighbours or from water tankers which transport water from the river Bengo. These sources are less important in rural areas where people use water from wells, rivers, streams etc; these sources are not protected and account for 18% of the total. In 1998, 60% of the rural population obtained water from unsafe sources. Piped water is not always drinkable because of leaking pipes, which pose a major problem, in the form of contaminated water, for basic sanitation especially in the rainy season. The supply of piped water is inefficient and there are always cuts. In some areas there is so much water that it leads to wasteful consumption, ponds and has harmful consequences for health because consumers are

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<sup>17</sup> The number of fountains and boreholes by province.

unaware of the situation. Given that consumption is patchy, EPAL finds it difficult to charge and monitor the real consumers because of the illegal pipes fitted in various areas of towns especially where the urban planning line is poor, in periurban and suburban areas of Luanda. EPAL cannot maintain or expand the water supply system to periurban areas because of budgetary constraints and because the statutory prices for piped water are very low. Increasing water prices in Luanda to a level which would allow costs to be recovered, as provided for but not yet fully implemented under the Follow-up Programme (SPM), could form the basis for a viable strategy to expand access to a reliable water supply at affordable prices in Luanda through the piped water network.

### **I. Telecommunications services**

145. The quantity and quality of telecommunications services has risen because of the increase in mobile telephony traffic. Angola has two private mobile telephone networks, UNITEL and MOVICEL, which supplement the work done by the sole public telecommunications undertaking, Angola TELECOM; the country also has fixed telephony services in Luanda, Cabinda, Huambo and Huila, and they account for 85% of all services. All provincial capitals and some municipalities have a fixed telephony service. Some 3 257 jobs were created in telecommunications services in 2006. The assessment of the government programme for 2006 states that growth in telephony services was 38%, with mobile telephony growing by 40.5% and fixed telephony by only 0.4%; in 2005 by contrast, growth rates were higher and reached about 105%, mainly owing to 118% growth in mobile telephony – fixed telephony grew by only 3.6%. The comprehensive postal service in recent years has been erratic and this is shown in growth of 116% in 2004; in 2005 the figure was only 80% of the 2004 figure but the figure for 2006 was 114%.<sup>18</sup>

### **J. Transports**

146. The end of the war, freedom of movement and the increase in foreign investment have produced very active development in the transport sector. In 2005, growth in road and rail passenger transport was as high as 59% and 63% respectively. Air transport rose by about 120%. Maritime transport re-emerged in 2006 for the first time since 2004. One of the greatest constraints on both passenger and freight transport is the quality of the roads, making passenger road transport problematic: people prefer to travel by air for reasons of speed and comfort. However, the roads continue to be the preferred method for transporting freight because of the cost. The government has invested in a major nationwide road and bridge rehabilitation programme which is currently under development.

### **K. Commerce**

147. Free movement of people and goods has led to commerce and the commercial network is expanding and improving its links with the rural economy through supplies of manufactured products and greater supplies of agricultural produce in the major consumer centres. The process of consolidating the place of the rural market within the national market is therefore under way although it is hampered by the poor quality of the roads and the almost complete absence of working railways. Licences have been awarded to 34 770 commercial establishments, providing better nationwide coverage; there are 4 518 major stores (12.9% of the total), 20 634 small and medium-sized stores (59.3%), while traders providing commercial services account for 3 150 establishments (9.6%) and there are 6 468 makeshift traders (18.6%). The available

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<sup>18</sup> Telecommunications services.

statistics show that small and medium-sized establishments provide most coverage to Angolans and a distinct feature of the commercial network is that commercial services are relatively spread out in terms of location.

#### **L. Investments**

148. Investments totalling USD 35.4 million have been authorized for commerce as compared to USD 49.3 million in 2005. The sub-sectors involved are the wholesale and retail trade.

149. Data held by the IDR on housing show that poor households mainly use straw, cane and wood to construct the walls of their homes. Cement and zinc are mostly used by the non-poor. Hay is used as a roof mainly by the extreme poor. The non-poor tend to use stone, tiles, Lusalite and zinc. Inadequate housing is one of the basic features of poverty in Angola, both in urban and rural areas, although building materials tend to be more sound than in other parts of Africa because cement was cheap until prices were liberalized in the 1990s. The IDCP for 1998 shows that only 9% of homes in Luanda and 5% in other towns are of the traditional type, meaning they are made from adobe blocks and a makeshift roof. In Luanda 68% of households and in other urban areas 75% of households live in conventional houses, in other words houses made from cement blocks with sheets of zinc or another similar rigid material for the roof. In rural areas 58% of people have conventional homes and 48% live in traditional homes. The major human settlements in peri-urban areas are a mass of unauthorized buildings with no legal documentation and the tenants in some houses hold no watertight lease contract. These informal settlements were built in areas of erosion where there are no highways, no basic sanitation, no latrines, water, electricity or rubbish dumps, poor access to major roads, and no urban plan of any form, leading to serious problems. The renewed outbreak of war in Angola and the displacement of populations to safer urban areas meant there was no planning or investment in housing projects. About 17-18% of households live in urban centres and in Luanda are housed mostly in buildings which are in a state of disrepair through lack of maintenance and policies encouraging condominium. Some properties were confiscated and the nationalization of housing was never properly documented. One Privatization Act included provisions allowing properties to be purchased pursuant to Act 19/91: many purchasers still do not have the title deeds for properties abandoned by the colonists and some State tenants do not have lease documents. A number of these properties have been privatized but most of them belong to the State and have not had any maintenance work carried out on them for over 25 years.

#### **M. Urban development**

150. The adjustment to demographic trends emerging from the rural exodus is a major challenge for all developing countries but has been very fast in Angola because of the population displacements during the long war. In countries where this has happened it is rare for people to return simply because there is stability and this is also true of Angola where only a small minority of displaced people returned to their places of origin during the brief periods of peace in 1991-92 and 1994-98. Many of the people who did so had to migrate again and as a result have been more cautious about returning. Generally speaking, displaced people have gradually integrated into the communities which acted as their hosts and have either settled there permanently or moved to the cities. At the time of the last census in 1970 only 14% of the population lived in urban areas. The INE worked on the assumption that 42% of the population lived in towns in 1996, a figure which had risen to 60% in 2001.

151. The type of ownership of land and of urban accommodation is another factor which typifies urban poverty. It is thought that most of the poor and non-poor do not hold valid deeds to the accommodation or land they occupy on the outskirts of towns. Moreover, according to IDR data for 2001, 22% of poor families use their accommodation as either dwelling or work-place. In 2001 33% of heads of households in Luanda used informal sites (such as the street, stalls, fairs, foyers, small squares) to carry on their informal activities, illustrating the difficulties and prohibitive cost for the poor of obtaining an area designated for conducting business.

152. After independence the Angolan State approved Act No 43/76, of 19 June, which transferred to State ownership all housing belonging to Angolan or foreign nationals whose owners were absent from the country without explanation for more than forty-five days, with no right whatever to compensation.

153. To protect the interests of the State, businesses and other assets were nationalized and confiscated under Act No 3/76, of 3 March, in view of their importance to a resistant economy. Act No 7/95, of 1 September on State Housing Stock deems all immovable property or individual parts of such property nationalized, regardless of any formalities, under Act 3/73, of 19 June as the property of the State. That Act deems all other immovable property and individual parts of such property which fall within the scope of the above Acts as confiscated and belonging to the State with no need for any formalities. Article 5 of the Act states that court rulings on immovable property which falls within the scope of that Act may be re-examined in line with the law which applies. Act. No 23/92, of 16 September, revising the Constitution states that all the legal effects of acts of confiscation and nationalization carried out in accordance with the applicable law are valid and irreversible subject to the provisions of specific legislation on privatization (article 13). Article 1 of Legislative Decree No 4/03, of 9 May, approving the organic statute of the Ministry of Urban Development and the Environment (MINUA) provides that the Ministry is the public body responsible for drafting, coordinating, implementing and monitoring policies in the fields of land use planning, urban development, housing and the environment.

154. To that end MINUA oversees the National Housing Institute established under Decree No 2/04, of 9 March, a public body with responsibility for implementing government policy incentivizing and promoting housing and managing the State housing stock on a temporary basis with no requirement to cooperate with the local State services or local bodies. The National Assembly also approved the Housing Incentives Act No 3/07, of 3 September, which sets out the general principles and rules which must underpin housing policy and seeks to establish conditions which make a reality in practice of the basic right to housing enjoyed by all citizens in a social State governed by the rule of law and operating a market economy. The Land Act No 9/04, of 9 November, lays the foundations for the legal regime governing land which is part of the original property of the State, the land rights to which such land may be subject and the system governing the transfer, settlement, exercise and extinction of such rights. Land is in the original ownership of the State and is part of its private property or its public property.

155. Transfer of a property right and settlement of restricted land rights on lands which are part of private State property may only take place in the aim of making beneficial and effective use of that land. Indices for beneficial and effective use of land are established by land management instruments and have regard inter alia to the goal aspired to, the type of crop grown there and the construction index. Land rights other than those provided for in the Act may not be settled on land which is part of private State property. The State respects and protects land rights owned by rural communities including customary rights.

156. Lands belonging to rural communities may be expropriated in the public interest and be requisitioned against fair compensation. The limits of urban areas are set out in liens, urban development plans and approved housing development transactions. The area of urban land which is the subject of an award may not be greater than: a) two hectares in urban zones; b) five hectares in suburban zones; c) the award of areas larger than those set out in the above subparagraphs lies within the remit of the Minister with responsibility for the official land register.

157. The transfer or settlement of land rights on a natural or legal person to whom the State or the local authorities (which exist in law but cannot yet act) have previously awarded one of the land rights provided for in Act No 9/04 is to be dependent on evidence that beneficial and effective use has been made of the land awarded. Natural and legal persons seeking the transfer or settlement of the land rights provided for in that Act must provide evidence of their ability to make beneficial and effective use of those rights. Plans for crop farms, animal farms or forest farming on agrarian or forest land whose area does not exceed 10% of the minimum area of the arable unit stipulated for each area of the country are exempt from the provisions set out hitherto in this paragraph; evidence of adequate ability is not required in those cases. The area of the arable unit is stipulated in a regulation issued under the Act and varies according to the area of the country and the type of terrain. For the purposes of the preceding subparagraph farm land may be:

- a) Irrigated land, land used for fodder or horticulture and non-irrigated land.

158. The legal instruments by which certain land rights provided for in the Act may be transferred or settled are as follows:

- a) Contract of purchase and sale; compulsory acquisition under a direct provision of a long-lease, compulsory transfer effected in this manner takes place by agreement between the parties or through sale by a court exercising the potestative right of a long leaseholder as set out in a court decision;
- b) Long lease contract establishing beneficial civil ownership;
- c) Special contract awarding a building lease;
- d) Special lease awarding right to occupy property by virtue of an agreement with the owner.

159. The special provisions of this Act and the regulations issued under it, along with the provisions of the Civil Code apply to legal licensing matters. Subject to the provisions of the previous subparagraph, local authorities may issue their own regulations on the content of legal licensing instruments for lands which are under their private ownership. Decree No 13/07, of 26 February, approves the General Regulations on Urban Buildings. The aim of the Housing Incentives Act No 3/07, of 3 September, is to define housing incentive policy, a key factor in making a reality in practice of the right to housing which all citizens enjoy under the Constitution.

160. The Act sets out the general principles which must underpin housing policy and seeks to establish conditions which make a reality in practice of the basic right to housing enjoyed by all citizens in a social State governed by the rule of law and operating a market economy. The Act applies to all measures, plans or programmes which seek to encourage housing policy, whether spurred on by public or private initiatives. Incentives may comprise: a) drawing up new criteria

for providing accommodation to the population and the construction of new neighbourhoods and towns; b) regulation of the system of fiscal incentives; c) regulation of the housing credit system d) promotion of the emergence of public or private housing funds; e) incentives for public and private housing partnerships. They could, depending on the criteria, be:

- (a) Urban and rural housing, depending on location;
- (b) Social housing;
- (c) Housing at market prices because they are promoted publicly or privately;
- (d) Self-builds. The Housing Incentives Fund will have financial autonomy backed by income from licences and management of social housing, and from allocations under the State budget. The Housing Incentives Fund is subject to administrative supervision by the Ministry of Urban Development and the Environment and to financial supervision by the Ministry of Finance. Decree No 6/07, of 6 February, establishes the Luanda Planning and Management Institute whose role is to promote and coordinate all land use, planning and urban management for the province of Luanda. The Institute is a legal person with administrative, financial and pecuniary autonomy. The Institute has the following powers: a) to coordinate the general drafting process for land use plans (POT) for the province and its municipalities, especially urban development plans for the various urban centres within its remit, in particular the Master Plan (PD) for the city of Luanda and various specific plans to recover or convert run-down areas, expansion plans, urban development plans for new areas while ensuring vertical and horizontal compatibility with the rules and other principles set out in the Land Use Planning Act. Decree No 43525 approves the legal regime governing tenants and governs urban lets. That Decree states that the let is to be made in writing and signed by the owner and the tenant; where one or the other party is unable to write, he may ask a third party to sign, in the presence of two witnesses who must also sign before a notary who is to attest to and legalize all the signatures. Lets which must be drawn up by a notary are: a) recordable lets; b) commercial or industrial lets; c) lets for pursuit of a profession; d) lets by corporations, foundations, associations or groupings affected with a public or private purpose formed by lawful means. The let may not be for more than 30 years and where duration greater than 30 years or in perpetuity is provided for that duration is to be reduced to 30 years. The let must always be a specific sum of money. In addition to the obligations incumbent upon them by virtue of the effect of the contract the owner and the lessee are responsible for complying with all obligations entered into by them in the contract to the extent that they are not incompatible with any essential or compulsory legal requirement in that regard. Termination of the contract on grounds of a breach by the lessee must be declared by a court as provided in the Act in accordance with the formal requirements of procedural law. In view of this, we have drawn up a table on the law as it relates to urban development and land use planning which sets out the rights and obligations of the parties to whom it is addressed. The legal framework also sets out the mechanisms for supervision of the rights of individuals in areas which go beyond urban development and land use planning in Angola.

## VII. INTEGRATED PROGRAMME FOR HOUSING, URBAN DEVELOPMENT, BASIC SANITATION AND THE ENVIRONMENT

161. The name of the integrated programme refers to the visible and often most pressing issues for the urban and rural environments which require urgent solutions. The programmes identified are the following:

Housing development programme

Programme to resolve exceptional environmental matters

- Sub-programme to combat gullying
- Sub-programme to combat desertification

Programme for land use planning, urban development and the environment

162. The acknowledged anchor point in the PGG for 2005-2006 is land use planning for sustainable development although coordination with the strategic aims of urban planning, environmental protection and nature conservation is key. Land use planning and urban development cannot be dissociated from geodesy, cartography, and land registration; natural resources must also be added to the list.

### A. Results (2005 and 1<sup>st</sup> quarter 2006)

163. The nature and specific features of this integrated programme, which is essentially at the stage of establishing a framework means that its goals and results are mainly qualitative and descriptive.

Integrated Programme attached as an annex

#### Results 2005 (extent of implementation in%)

Land use planning

- Implementation of LOTU begun (Land Use Planning and Urban Development Act) (70%)
- Rules under the Land Act issued (100%)
- Drawing up of the National Land Register (80%) – ICA and provincial governments
- Production and discussion of the legislative package for land use planning and urban development
- Approval of the General Rules for Urban Development and Rural Land Use Plans
- Drafting of the General Rules for Land Licences

Cartography and Land Register

- Modernization of the national geodesic network (80%)
- Up-dating of national maps on the scale of 1:100.000 (90%)

#### Housing

- Drafting of the Framework Housing Act (100%)
- Listing and registration of housing stock (100%)
- Up-dating and adjustment of rent for residential property (60%)
- Drafting of the policy and strategy for housing (80%)

#### Environment

- National policy and strategy for the environment (30%)
- Report on the general state of the environment (70%)
- National Environmental Management Programme (100%)
- Programme to combat desertification (50%)
- Programme to improve the environment along the coastal strip (30%)
- Air quality strategy and national strategy to combat noise (30%)
- "Country Programme – Protecting the ozone layer " (100%)
- Programme of environmental education and awareness-raising (100%)
- Regulations issued under the Basic Environment Act– discussion of preliminary drafts of documents (100%)
- *Summary of data on CFCs and HCFCs in refrigeration and air-conditioning systems*

#### Basic sanitation

- National waste management strategy (40%)

#### National resources and parks

- Phased rehabilitation of national parks (30%)
- Reinstigation of the regional biodiversity programme (80%)
- Establishment of priority conservation areas, sustainable use of resources and distribution of benefits (50%)
- Establishment of cross-border conservation areas (30%)
- Humid areas management project (50%)
- Mangroves Project (80%)
- NBSAP Project (80%)

164. The above list demonstrates significant success in Angola's ability to convert plans into reality and the forecast is that we will achieve the goals set for the years 2005-2006. Note inter alia the results obtained under the national listing of land use planning instruments, the regulations issued under the LOTU and the Land Act, basic housing legislation and the rules issued under the Basic Environment Act. The implementation in practice of plans in some sectors of the integrated programme is also subject to a quantifiable follow-up process. The amount of social housing constructed in 2005 is below target.

## B. Housing development programme

<i>Responsible body Sub-programme Indicators</i>	<i>U.M.</i>	<i>Results P 2005-2006</i>		
		<i>2005</i>		<i>2006</i>
		<i>Forecast (2005-06)</i>	<i>Achieved</i>	<i>Forecast</i>
<b>Ministry of Urban Development and the Environment</b>				
<b>Special Works Office (OE)</b>				
<b>Ministry of Public Works</b>				
<i>(Infrastructures to support the construction of housing)</i>				
Infrastructures in Vila Camama				
– For high-rent dwellings	Unit	6 060		
– For mid-rent dwellings	Unit	18 480		
<i>(Construction of housing)</i>				
Construction of social housing	Unit	5 130	2 500	
Construction of type C Bauerr housing	Unit	300	58	200
Construction of dwellings (“Nova Vida” project)	Unit	1 762	285	58
Construction of infrastructures in Panguila				
Constructions of dwellings in Panguila	Unit		422	600
<i>(Availability of social housing)</i>				
– Number of families benefiting (a)	N°	4 400	0	

(a) These 4 400 families include 1 000 in Luanda; the other 3 400 are spread over the other 17 provinces

Source: Ministry of Urban Development and the Environment and the Ministry of Public Works

## C. Political measures

165. The political measures envisaged for the period 2007-2008 provide continuity with the measures for the current two-year period as the pre-conditions and objectives are substantively the same. The measures include:

<b>PROGRAMMES</b>	<b>ESSENTIAL POLITICAL MEASURES</b>
Housing Development Programme	<ul style="list-style-type: none"> <li>• To draft housing plans through concerted action on the part of the Ministry of Public Works, the Ministry of Urban Development and the Environment and the provincial governments</li> <li>• To incentivize housing by constructing basic infrastructures and to pursue measures to rehouse families who will have to be moved from the areas where these projects are implemented</li> <li>• To promote financial support for the construction of housing and repair of damaged housing</li> <li>• To build and install basic sanitation infrastructures in the new housing</li> <li>• To promote the construction by businesses, cooperatives and other bodies of new “homes” for workers</li> </ul>

PROGRAMMES	ESSENTIAL POLITICAL MEASURES
<p>Programme to resolve exceptional environmental matters</p>	<ul style="list-style-type: none"> <li>• To combat desertification</li> <li>• To rehabilitate the sanitation systems in the major cities in line with urban master plans</li> <li>• To draft plans and projects for macro and micro drainage for all provincial capitals with the support of the Ministry of Public Works and the Ministry of Urban Development and the Environment</li> </ul>
<p>Programme for land use planning, urban development and the environment <i>(Areas not covered by the other programmes)</i></p>	<ul style="list-style-type: none"> <li>• To draw up national land use planning instruments (Municipal master plans and indicative plans)</li> <li>• To implement the plan to make new maps/ various themes</li> <li>• To compile the national land register</li> <li>• To modernize the national geodesic network</li> <li>• To improve environmental management conditions by promoting the phased implementation of the National Environmental Management Programme</li> <li>• To encourage education and awareness-raising in environmental matters by implementing the Programme of environmental education and awareness-raising</li> <li>• To promote the rehabilitation and establishment of national parks</li> <li>• To establish the conditions necessary to involve the private sector in the environment in various fields, whether in waste management or park management, etc.</li> <li>• To identify and define the scope of wet areas</li> </ul>

#### D. Access to health care services

166. Influenced by the concept of primary health care which emphasized prevention, promotion and basic care in the community, legislation enacted following independence introduced free health care and medicines, prohibited private health care and required all health care professionals to work in the national health service. Angola was living under a socialist system and at the time free access to health care was one of the main benefits of independence for Angolans. In 1992, after the end of the socialist system, a new Basic National Health System Act was introduced which allowed health care to be privatized to the extent that health care costs could be recovered, while fair access to health care was protected; the Act maintained primary health care priorities and a strong policy on preventive measures and health promotion (MINSa 1997). Payment for services was introduced in some health care units in 1994 whereas in others hidden payments were accepted unlawfully by health care workers to supplement their low wages, the value of which had fallen because of inflation and frequent delays of several months in payment of their wages. Many private health centres sprang up, allowing staff to work in more than one health care establishment and this led to an increase in neglect of the public health care sector and growing misappropriation of health care equipment and resources. In 1998 a survey of basic social services provided data on the use of health centres by the public and related matters; it was found that the reasons for use were cost and distance. According to the study, only 42% of people used public health care services (29% health care stations and medical centres and 13% hospitals) whereas 26% used the private sector and 21% provided their own care. In Luanda use of public hospitals was particularly low (34%), and 34% of people used private hospitals. The fall in the use of public health care services occurred following

privatization and the legalization of private medicine; the drop can be explained essentially by better quality in the private sector, a better welcome, the availability of medication and auxiliary health care services such as analytical laboratories, radiography or ultrasound. The lack of medication and other health care equipment such as dressings, cotton wool, syringes and needles, along with long queues, the way the appointment system operates and often the quality of reception provided by staff in public health care units are at the heart of the fall in their use. People in rural areas use traditional medicine but there are no data on this. The survey focused on the difficulty in acquiring medications on the informal market: pharmaceuticals are sold at markets and in squares and are exposed to the sun and humidity, they are not correctly prescribed, have passed their expiry date, are not recognized brands and are often fake. The survey showed that only 22% of medication had been obtained from government health care units and other sources were private pharmacies and clinics, whereas 40% of medications had been obtained on the informal market. A shortage of operational pharmacies was a fairly long-standing issue, but a large number of private pharmacies has recently emerged, especially in urban centres; their charges, however, are high compared to the informal market and that is why many people, especially those on low incomes, obtain their pharmaceuticals on the informal market.

### E. Main problems in public health care units

	<i>Public units</i>	<i>Private</i>	<i>Traditional</i>
Shortage of medication	46.1	17.9	11.1
Queues	15.7	10.3	3.3
Very expensive	9.9	23.8	16.6
Poor reception	8.3	23.8	6.5
Distance from home	5.7	4.9	9.4
Other causes	14.3	9.2	7.5
No problems	5.3	41.1	45.6

Survey conducted in the provinces of Huambo, Huíla, Luanda and Uíge

Source: IDCP, 1998 INE, s.d.

### F. Analysis

167. The Angolan population's state of health is very poor and there is approximately one doctor for every thousand [sic] patients. The health care situation is due in part to the lengthy war which destroyed or damaged the health care infrastructure and the provision of health care services; it is also due to cross-cutting factors such as the level of poverty, levels of sanitation, the availability of potable water and the lack of sufficiently nutritious food. The epidemiological table for the country is dominated by transmissible and parasitic diseases especially malaria, HIV/AIDS, tuberculosis and trypanosomiasis (sleeping sickness), and under-nourishment. These diseases are responsible for over 70% of deaths. Malaria is still the principal cause of death in Angola and accounts for some 35% of demand for medical care, 20% of hospitalizations, 40% of perinatal deaths and 25% of maternal mortality. Measles ranks fifth in the causes of death. The rates of infant and child mortality are among the highest in the world: in 2001 the rates stood at 150 and 250 deaths per 1 000 children respectively. The main causes of death are malaria, diarrhoea, respiratory infections, anaemia, measles and malnutrition. This situation reflects the lack of access to sufficiently nutritious food and access to potable water, poor sanitation and poor access

to basic preventive and curative health care. The rate of maternal mortality is also very high at 1 500/100 000, according to data for 1995. The main causes of maternal mortality are malaria, haemorrhages, eclampsia, unsafe abortion and complications during delivery, all of which are associated with a lack of access to low-cost, good-quality reproductive health care services. As stated above, Angola has a 5.7% rate of prevalence of HIV/AIDS. Although that rate is relatively low in comparison with other countries in the region, it is feared that increased movement of people and the return of refugees from neighbouring countries with higher levels will mean that HIV/AIDS will spread rapidly nationwide. Angola also has a high number of physically disabled people. Between 40 000 and 70 000 people have been maimed, mainly in accidents caused by land mines exploding. The country also has a high fertility level, estimated at 7.1%, the result of the fact that young people become sexually active at an early age and low uptake of contraceptives. According to data from the MICS, 33% of young women become mothers before the age of 18. This is also a contributing factor to the low indicators for maternal and infant health. Where the health care network is concerned, Angola has 27 national and provincial hospitals<sup>19</sup>, ten of which are in Luanda, 291 health care centres and municipal hospitals and 934 health care stations. It has been calculated that less than 35% of the population has access to functioning health care facilities within five kilometres of their home. A significant proportion of existing infrastructures and equipment are in a state of severe disrepair owing to lack of maintenance or refurbishment. According to the most recent data, about 40 health care centres and 209 health care stations are not operational and many more are finding it very difficult to continue to function, particularly because of the lack of qualified technical staff and the absence of regular supplies. Indeed, there is a serious shortage of basic diagnostic tools, essential medication, transport and communications equipment and other essential materials. The war not only affected the health care infrastructure, it also had a significant impact on the geographical distribution of health care professionals and on the training of new staff. Angola is estimated to have about 45 500 health care workers; of that figure, 25 000 are administrative and auxiliary staff (about 55%) and only 1 000 are doctors (25% of whom are foreigners working in the provinces). This means that each doctor has almost 14 000 people in his care. About 70% of doctors are in Luanda.

168. It should be pointed out that promotion pathways, refresher training and on-the-job training have only benefited a minority of health care professionals. A population in a poor state of health cannot take advantage of the opportunities which political stability and economic growth could offer in terms of job creation and the instigation of productive activities. That is why health must be viewed as one of the highest priority sectors in the current Strategy to Combat Poverty: it can support programmes being implemented by the government, especially the Ministry of Health. It should be noted that MINSa is currently drawing up a Development Plan which will establish priorities for the sector and the principal strategies for the period 2005-2010. The plan will provide continuity with the efforts made under the ECP against a background of post-conflict reconstruction and rehabilitation.<sup>20</sup>

### **G. Health Care Programme as part of the ECP**

169. The general aim of the health programme is to improve the state of health of all Angolan citizens, without discrimination, on the principles of equity.

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<sup>19</sup> Trends in morbidity and mortality.

<sup>20</sup> Most frequently visited health care centres.

170. Without losing sight of that general objective, the strategic elements or specific aims of the health programme are:

- (i) To increase and improve access to primary health care, especially for maternal and infant health;
- (ii) To improve the quality of existing services by emphasizing the importance of training, supervision and availability of essential medication, improving diagnosis of the most common diseases including malaria, tuberculosis and diseases which can be prevented through vaccination;
- (iii) To control the spread of HIV/AIDS; and
- (iv) To increase the provincial and municipal involvement in management and planning.

171. The programme seeks to improve access to basic health care services for the poor and most vulnerable groups living in areas which have recently become accessible, in areas of resettlement and in areas seriously affected by the war. On those principles, during the priority phase of the programme (from 2003 to 2005), measures will be rolled out as a matter of priority in the provinces of Bié, Huambo, Huíla, Kuando Kubango, Kuanza Norte, Kuanza Sul, Lunda Norte, Lunda Sul, Malange, Moxico, Uíge and Zaire.

172. Implementation of the priority phase of the programme relies heavily on the principles of decentralization and participation. Efforts will therefore be made to consolidate decentralization and standards and protocols will be drawn up providing for adequate training of provincial and municipal health care teams. In particular, appropriate measures will be taken to increase the involvement of municipalities and communes in the decision-making process on health investment so as to enable gradual capacity building and community involvement in resolving health care concerns and ensuring continuity of health care. The government will also establish effective mechanisms to provide effective coordination, avoiding duplication and providing consistency between government bodies, the private sector, international cooperation organizations and the beneficiaries themselves. This phase is reliant upon cooperation from the Social Support Fund (FAS) which has extensive experience in constructing health care stations. Preference in construction and rehabilitation works will be given to entrepreneurs, and to local resources and skills. Special efforts will also be made to extend services to selected towns through the formation of primary health care teams in each province with the support of NGOs and the private sector. The plan is for the following measures to apply to each of the programme's strategic elements.

#### **H. Access to primary health care**

173. Access to primary health care will be improved by increasing the number of health care units and establishing a minimum package of services at primary and secondary levels; those levels will be decentralized and will have increased administrative support.

174. The following measures should be noted with regard to access to primary level health care units:

- (i) Rapid assessment of the state of the health care network in the provinces and municipalities and drafting of technical criteria on which to base infrastructure

rehabilitation. If necessary, temporary structures will be used to provide basic health care services while rehabilitation and/or construction are under way.

- (ii) Rehabilitation and/or construction of health care units and provision of equipment and other essential items, primarily to health care centres and stations and municipal referral units, as well as some provincial hospital services which have an impact on the provision of primary care services such as maternal and infant mortality (blood bank, operating theatre and emergency service). Supplies of potable water and electricity to the units will be guaranteed.
- (iii) Drafting of standards for the maintenance of health care units.
- (iv) Recruitment of doctors specializing in surgery, internal medicine and paediatrics with a view to provision of high quality services in satellite health care units in ten provinces.
- (v) Acquisition of means of transport for patients and support for supervision activities.

175. The following measures are planned for provision of services in the fields of maternal and infant health care, and the prevention and treatment of the most prevalent transmissible diseases:

- (i) Support for and organization of referral mechanisms in complex obstetric cases;
- (ii) Widening of access to treatment for tuberculosis through greater supply of directly observed treatment (DOT);
- (iii) Establishment of vaccination programmes based around fixed station strategies, routines and vaccination campaigns for poliomyelitis and measles;
- (iv) Promotion of nutritional education and monitoring, breastfeeding therapy and access to micronutrients (vitamin A, iodized salt and de-worming);
- (v) Prevention, early diagnosis and treatment of malaria following the revised malaria treatment protocol which includes use of “Fansidar” in pregnant women and the introduction of impregnated mosquito nets.
- (vi) Prevention, early diagnosis and treatment of trypanosomiasis.

### **I. Quality of health**

176. This element seeks to improve the quality of health care services through continuous training, refresher training and a regular, adequate supply of essential medication and other equipment. The technical capability of health care professionals will be improved through refresher training and courses to retrain health care promoters as auxiliary nurses. The training programmes will prioritize childhood diseases (Comprehensive Care for Childhood Diseases – AIDI), obstetric emergencies and family planning. All health care staff, including traditional mid-wives, will be trained in advising patients infected with HIV. The increase in access to essential medication and medical equipment will be realized through provision of:

- (i) Kits containing essential medications (including reproductive health care kits and trypanocides) to municipal hospitals, health centres and health care stations;

- (ii) Kits containing medications for tuberculosis based on the national directly observed treatment protocol (DOTS);
- (iii) Reagents for early and accurate diagnosis of sexually transmitted infections, HIV and AIDS, tuberculosis, malaria and human trypanosomiasis.

177. There is no awareness among the poorest people of HIV/AIDS, the prevalence of which is estimated at 5.7%. About 87% of women aged between 15 and 49 who belong to the poorest section of the population are not aware of any means of preventing the transmission of HIV/AIDS, and 71% are unaware of any means of preventing transmission from mother to child (the equivalent figures for the total population aged over 15 are 62% and 52% respectively). It should be noted that the level of malnourishment among the population makes them more vulnerable to the virus (as shown by the greater likelihood of contracting sexually transmitted infections) and increases the likelihood of carriers of the virus developing AIDS.

### VIII. HIV AIDS

178. Information about how widespread the virus is in Angola is hampered by the fact that there has been no national survey of seroprevalence. Assessments of prevalence are based on surveys limited to specific population groups and cannot give a true picture of extent of the infection; nonetheless, problems related to prevalence among pregnant women in Luanda aged between 18 and 40 who attend ante-natal appointments at public health care units indicate a sharp rise over the last decade from 1.13% in 1993, 3.4% in 1999 and 8.6% in 2001 according to INSP/UNICEF CIPRS/WHO 2002. That rise brings the rate close to that for sub-Saharan Africa where prevalence was 8.6% in 2000; extrapolating from the data, at least 500 000 people are probably infected. Although on the rise, the number of registered cases of AIDS is still low (925 in 2000 and 939 in the first nine months of 2001); the lack of diagnosis means that most cases develop into full-blown AIDS. Surveys on the prevalence of HIV in two other provinces (Huíla and Benguela) give lower figures (4.4% and 2.6%); however, in frontier provinces the number of cases could be higher because of the free movement of people, including refugees, to and from neighbouring countries with very high levels of HIV. A survey conducted in Cabinda province in 1998 indicated rates of prevalence in the order of 8%. Rates may be higher in the frontier areas in the east and south of Angola because of movement across the borders with Zambia and Namibia where prevalence in 2000 was 20% and 19.5% respectively, according to data from the WHO/UNAIDS. Another factor in infection are at-risk groups such as female sex-workers and tuberculosis patients. A survey conducted in Luanda in 2001 by *Population Services International* reported extremely high prevalence (32.8%) and another survey recorded a rate of 10.4% among tuberculosis patients in a Luanda hospital. The main mode of transmission is unprotected heterosexual sex – the result of a reluctance to using condoms. Data from the MINSA on cases of AIDS recorded in 1995-2001 (until September 2001) show that 10% of cases were caused by mother-child transmission, 21% by unsterile instruments and 8% by infected blood in blood transfusions. Healers and traditional mid-wives use unsterile instruments and certain puberty rituals and circumcision may also result in infection; some private health care workers in urban areas and other healthcare units may also cause infection when administering vaccinations because of their lack of awareness and irresponsibility. The shortage of health-care equipment and tools is also sometimes a cause of virus spread because of the low level of acceptance that the virus exists and the low level of awareness among the public. This information is taken from the joint assessment of the country conducted in 2002 by the United Nations system in Angola.

### **A. Analysis**

179. The rate of prevalence of HIV is estimated to have been 5.7% in 2001, meaning that there are currently over 350 000 people in Angola living with the virus which causes AIDS. The annual number of new cases of AIDS among people living with HIV stood at 21 000 in 2001. According to the most recent calculations, the rate of prevalence could reach between 8.4% and 9.9% in 2005 and between 12.5% and 18.8% in 2010. This means that the number of people living with HIV/AIDS is likely to rise to between about 628 000 and 749 000 in 2005 and between 1.08 million and 1.65 million people by 2010. The number of new cases of AIDS will probably rise to between 45 000 and 49 000 in 2005 and between 89 000 and 118 000 thousand by 2010. The cumulative number of deaths due to AIDS is estimated at between 200 000 and 204 000 in 2005 and between 516 000 and 586 000 by 2010. Those figures also indicate that life expectancy, which stood at 46 in 2001, will gradually fall over the decade and will probably be between 39.5 and 42.5 in 2010. Another important statistic relates to the number of deaths from AIDS among children which was put at 6 000 in 2001 and current thinking is that it will rise to between 12 000 and 14 000 in 2005 and between 22 000 and 31 000 in 2010. The number of AIDS orphans, which in 2001 was put at 84 000 children, could be as high as 427 000 or 492 000 in 2010. Internationally, according to the available data, there were over 28 million people living with HIV/AIDS in sub-Saharan Africa in 2002, which equates to a rate of prevalence of about 9% among the adult population aged between 15 and 49. Some of the countries with the highest rates of prevalence in sub-Saharan Africa are Botswana, Namibia, Zambia and South Africa, which all have rates of over 20% and all share a border with or are close to Angola. In view of the socio-economic characteristics of the Angolan population and the growing internal displacements of people because of the return of peace, it is thought that the country may experience a sharp growth in the epidemic over the coming years. In view of this, HIV/AIDS is one of the most critical factors in national development. The increase in the movement of people as a result of the opening of roads, the return of refugees and the opening of borders with neighbouring countries (which are in fact the countries with the highest rates of prevalence in southern Africa) could be a huge threat to efforts to contain the virus. In addition, the vulnerability of the Angolan population to the HIV/AIDS epidemic is due to other socio-economic and cultural features, including the youth of its population; low indices for human development, a reflection of low food security; the low level of education, particularly a lack of knowledge about AIDS and how it is transmitted, poor hygiene and difficulties in accessing health care services, as well as factors bound up with society and the community which are associated with the community's customs and beliefs.

### **B. Programme to combat HIV/AIDS under the ECP**

180. The country's capacity to respond to and combat HIV/AIDS has been hampered by the limitations of services in all areas of high demand such as counselling, voluntary screening, prevention of vertical transmission and treatment with antiretroviral drugs. The efforts being made are not yet a solution which can reverse the outlook for the epidemic because there has been no definition or scheduling of the human capital and equipment in which investment must be made before the strategies can be applied at all levels nationwide.

181. The drafting of policies to combat HIV/AIDS must necessarily be part of the development of the government's ECP which envisages an accelerated, sustainable reduction of poverty and the promotion of human development and social well-being. To that end, the right to survive and the right to a long and healthy life are fundamental premises of the fight against poverty and they make the ECP indissociable from the strategy to combat HIV/AIDS. Indeed experience in the

region shows that there is a direct correlation between people living in poverty and HIV/AIDS; the two elements have a negative effect on each other by increasing poverty and leading to further transmission of the virus. In practice, the poor have less access to education and therefore less information on how to protect themselves from HIV transmission. Someone living below the poverty threshold is, given his vulnerability, more likely to adopt risky behaviours, thereby increasing the risk of transmission. Moreover, a person with HIV/AIDS must deal with the increase in his costs, both direct (with health treatment) and indirect (the result of his limited ability to work and generate an income). This leads to poverty for the individual and his family and the situation is worse where the infected person is also the head of the household. In response to the urgent need to slow the progress of the epidemic and to develop the ability to deal with the matter, the government of Angola started working on a National Strategic Plan (PEN) for sexually transmitted infections (STIs), HIV and AIDS. The plan, which covers the period 2003-2008, essentially seeks to establish conditions to tackle the major challenges thrown up by the HIV/AIDS epidemic. To that end the PEN defines the framework and the general strategies which will guide the government's and society's approach to combating the epidemic. The key aims of the government programme to combat HIV/AIDS as set out in the PEN are:

- (i) To strengthen the country's ability to combat the HIV/AIDS epidemic;
- (ii) To contain transmission of HIV by increasing efforts at prevention; and
- (iii) To lessen the socio-economic impact of HIV/AIDS on individuals, families and communities.

182. In order to achieve these aims the government has drawn up a number of guiding principles. It will be crucial to ensure that strategies to combat HIV/AIDS are integrated into the other subsectoral strategies which are part of the ECP, given that there is a direct correlation between populations living in poverty and vulnerability to transmission of the epidemic. Gender issues and lack of women's empowerment, which are also intrinsic aspects of poverty, are a determining factor in the propagation of the epidemic and must therefore also be tackled under the strategy to combat HIV/AIDS using a cross-cutting approach. Furthermore, if we are genuinely to respond to the epidemic we will need a multi-sectoral approach which involves all partners and promotes synergies. As members of the CNLS, the various stakeholders, including Ministries for the appropriate sectors, will have to contribute to the prevention of HIV/AIDS and to reducing its impact on the public. To that end their strategies and plans will have to include measures aimed at preventing HIV/AIDS and attenuating its effects. Partners in cooperation and civil society in general will also have to be involved and will have to work with the government to implement the various facets of the PEN. The strategy to combat HIV/AIDS will still be geared primarily to those social groups identified as being most vulnerable to infection and its social impact. The principal target groups will be young people, especially girls, adults who are on the move a lot, including lorry drivers and military personnel, people living with HIV/AIDS and members of their families, and AIDS orphans. Geographically it is necessary to concentrate on rural areas as they have been overlooked in HIV/AIDS programmes and projects, largely because of difficulties accessing them as a result of the war. The high levels of ignorance and lack of information on the epidemic among rural populations merits special attention. Indeed, according to the results of MICS2, 46% of the rural population aged 15 or over had never heard of HIV/AIDS and 80% knew of no means of preventing transmission of the virus. Using these strategies, the government has identified a number of measures which will be implemented in partnership with society. The measures seek to contribute to the three aims of the PEN.

### **C. Strengthening the nation's ability to respond to HIV/AIDS**

- (i) Regulation of the National Commission to Combat AIDS (CNLS), a government body with responsibility for national coordination of measures to tackle HIV/AIDS;
- (ii) Make the CNLS operational to provide multi-sector involvement in the implementation of the PEN and good coordination in the formulation and implementation of sectoral policies; and
- (iii) Mobilization of government, civil society, public and private businesses for greater involvement in the effort to combat HIV/AIDS by strengthening the technical capacity of the various key stakeholders in the fields of planning, coordinating and monitoring of HIV/AIDS programmes.

### **D. Preventing the transmission of STIs and HIV/AIDS among the population as a whole and among the groups most vulnerable to infection**

- (i) To promote activities providing information, education and communication to change sexual behaviour, especially among vulnerable groups;
- (ii) To establish and expand counselling and voluntary screening services in the provinces;
- (iii) Improving treatment of STIs by adopting an approach based on diagnostic criteria and expanding family planning and reproductive health services;
- (iv) Establishment of conditions to ensure safe processing of blood by ascertaining compliance with standards for safety, staff training and hospital equipment; and;
- (v) Establishment of mechanisms to monitor and assess STIs and HIV/AIDS in the country by expanding sentinel stations and conducting sero-epidemiological and underdetermination studies of the strains of HIV in the country.

### **E. Attenuating the impact of the epidemic on families and communities**

- (i) Strengthening multisectoral institutional capacity to provide holistic care to people infected and affected by HIV/AIDS;
- (ii) Drafting and application of a national policy on antiretroviral drugs.
- (iii) Using inexpensive technology to diagnose and monitor people living with HIV/AIDS;
- (iv) Promoting activities to protect the human rights of people infected and affected by HIV/AIDS;
- (v) Supplying greater support to NGOs and community organizations involved in the care, counselling and social and psychological support of people living with HIV/AIDS;
- (vi) Establishing capacity to provide palliative care, especially within communities, for people living with HIV/AIDS;

- (vii) Promoting palliative care, and special social and psychological support to children and young people infected and affected by HIV/AIDS;
- viii) Promoting material and economic assistance to the families of people living with HIV/AIDS.

#### **F. Anticipated results**

183. This strategy is seeking to achieve the following goals by 2007/08:

- (i) Universal access for the sexually active population to information, education and services, including condoms, counselling and voluntary screening.
- (ii) A 25% reduction in the prevalence of STIs among vulnerable groups.
- (iii) A reduction of between 1% and 3% in the risk of HIV infection through contaminated blood.
- (iv) Research into seroprevalence and underdetermination of strains of HIV in the country.
- (v) Greater access for people infected or affected by HIV/AIDS to counselling, voluntary screening, psychosocial support, antiretroviral therapy and other essential services including health care, education and food.

184. The aims and goals of the strategy also comply with the Millennium Development Goals, which provide for containing the spread of HIV/AIDS and reversing current trends between now and 2015.

#### **G. STIs and HIV/AIDS**

185. The programme on this matter is set out in the section specifically dealing with HIV/AIDS.

186. As regards areas falling within the direct remit of the MINSAs, the following specific measures should be noted:

- (i) Training of health care officers in treatment based on diagnostic criteria;
- (ii) Increasing the safety of activities surrounding transfusions in all provincial hospitals and health-care units offering blood transfusion services;
- (iii) Improving health care professionals' knowledge of biosecurity measures to prevent hospital-acquired infections;
- (iv) Supporting the diagnosis of and screening for STIs, especially syphilis, using rapid tests;
- (v) Supporting the introduction of the use of antiretroviral drugs, and specifically, supplying antiretroviral drugs in previously identified pregnancies in order to prevent vertical transmission from mother to child.

## **H. Institutional capacity-building**

187. This strand seeks to boost management capabilities in the sector and to decentralize decision-making down to provincial and municipal level in view of the increase in public demand for services. The programme will have to obtain the technical support needed to overcome weaknesses in local health-care structures. Local health-care teams will be boosted through training initiatives in management and strategic planning.

188. This strand also provides for review and adjustment of the national health-care policy in place and for the drafting of a five-year Health Development Plan based on the ideas outlined here and the incorporation of that plan into the ECP.

## **I. Anticipated results**

189. The government of Angola has set the following goals to increase access to good-quality primary health care:

- (i) To reduce the mortality rates among children under five (by 75% by 2015);
- (ii) To reduce maternal mortality rates (by over 75% by 2015);
- (iii) To halt and reverse the spread of HIV/AIDS, malaria, tuberculosis, trypanosomiasis and leprosy.

190. According to the draft government programme for 2006, the country's epidemiological profile shows that malaria continues to be the principal cause of disease and death and accounts for 96.8% of mortality, 78% of demand for health care, 45% of hospitalizations and 35% of maternal mortality. The situation is highlighted by the change in the epidemiological profile in the post-conflict period following the increase in the movement of goods and people, explaining the rapid spread of the cholera epidemic which killed 2 715 people.

191. Thanks to vaccination programmes polio is generally under control and the prospect of eradication is an ever-growing possibility. Nonetheless, against all expectations, wild polio virus has re-emerged in the provinces of Moxico, Luanda, Benguela and Lunda Sul. Over 95% investment in health, principally from China and sources in Europe. In 2006 the government made bulk buys of hospital equipment to treat diseases which were previously treated in other countries through the National Health Board, especially haemodialysis, heart surgery, etc. As part of the health reforms the construction is under way of 13 90-bed municipal hospitals and nine 30-bed health centres, and rehabilitation work is being carried out on four regional hospitals, two sanatoriums and two psychiatric hospitals. The number of new health workers has risen by 44 071. The spread of the cholera epidemic was down to the ineffectiveness of measures taken to combat it; cholera emerged in provinces where it had never previously been seen; poor basic sanitation, problems of access to potable water and to educational and preventative measures are just some of the reasons why the steps taken to combat the epidemic failed.

192. Each of us has mental health issues and psychologists need to work among Angolans who have lived or are living in provinces where the war was at its most intense. There is a shortage of psychiatric hospitals and psychologists to care for the mentally ill. The government would like to build two further psychiatric hospitals as part of its programme to modernize health care.

193. The Angolan National Health System (Foundations) Act No 21-B/92 sets out the main thrust of health policy, especially promotion of good health and the prevention of disease, which are priorities in State planning; the Act ensures fairness in the distribution of resources and the use of services, as well as promoting equal access for citizens to health care regardless of their economic circumstances or where they live; it provides for special measures during childhood, maternity, old age and for the disabled, and gives priority to those wounded in the war and to workers whose occupations justify it. It provides for the rational management of available resources, supports the success of the health care services, promotes involvement by individuals and organized communities in drawing up health policies and plans, encourages education in health issues to prevent behaviour harmful to the public's and an individual's health, fosters training of staff in health care and private research, including in the area of traditional medicine. The National Health Commission is a government body whose role is to regulate, guide, plan, assess, inspect and represent interested parties in the operation of bodies which provide health care. The Commission is made up of representatives of health-care users, health-care workers, and representatives from government departments whose areas of activity relate to health, and representatives and from other bodies.

194. Angola has adopted the primary health care methodology of the WHO. Bearing that methodology in mind, a strategic plan was drawn up for an accelerated reduction in maternal and child mortality in Angola (2005-2009), with regard to the Millennium Goals. In Luanda, the capital of the country, there is a pilot programme to improve health care for the public. There are two aspects to the programme:

- (a) Rehabilitation and re-equipment of public health –care units;
- (b) Strengthening of primary health care, which has four component strands,:
  - (i) Public and private partnership for health care;
  - (ii) Mobile teams;
  - (iii) Community participation (Community health officers);
  - (iv) Increasing qualified human resources (60 Cuban doctors).

195. Indicators for the provision of primary health care illustrate a situation of some concern. The percentage of children aged between 12 and 23 months who are vaccinated against the principal diseases (BC, DTP3, Polio 3 and measles) is barely 27%, and varies between the poorest and least poor socio-economic groups by between 20% and 35% (table 7). There is also considerable variation in this indicator between rural areas (18%) and urban areas (31%). In maternal health, it is estimated that qualified staff attended only 45% of deliveries. The figure for the lowest socio-economic group, i.e. the poorest people, is half that. Once again there is a noticeable variation between rural areas (25%) and urban areas (53%).<sup>21</sup> These indicators are a reflection of the population's fragile state of health. Rates of infant and childhood mortality are, as a result, among the highest in the world and there are also considerable variations between socio-economic groups. The difference in the two indicators between levels of income points up the highly vulnerable state of people in very poor families, who record 83 more deaths among their children under five for every 1 000 live births than does the wealthiest group. The large

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<sup>21</sup> [Blank].

differences in this indicator point to the poor access of the poorest families to basic health-care services.<sup>22</sup>

196. Measures to heighten awareness must be taken to improve on the health indicators for the last five or ten years, especially in primary health care.

197. In Angola, mortality of children under five is put at 250 deaths for every 1 000 live births; in other words one in four children dies before his fifth birthday. This is the third highest rate in the world and is almost double the rate for sub-Saharan Africa. This human tragedy means that about 181 000 children die every year. Infant mortality among children of less than one year of age and that of children under five, which includes the rate for the under-ones, are the main indicators used to measure children's health and well-being.

198. These indicators are sensitive to changes in the state of health but equally they are the outcome of a combination of factors such as access to health care services, water and waste services, personal hygiene, food hygiene, food security, housing conditions, family income, knowledge of healthcare and its implementation in communities and families. They are a reliable reflection of children's state of health and of society's level of development. The MICS survey of 2001 grouped the provinces into regions in order to analyse mortality geographically. The levels of mortality for the various regions are extremely high, especially in the western region (Benguela and Kuanza Sul), the risk of death is 26% higher than the national average. The absolute number of estimated deaths is heavily influenced by the population figures for each region; the capital and the western region account for over half the estimated deaths each year for the entire country. Among deaths of children under five, one third occurred in the neonatal period (35%), 26% during the post-neonatal period (between one and eleven months) and the remainder among children aged between one and four years. This profile shows that environmental causes rooted in the lack of environmental hygiene and the waste discharge capacity, and in overstretched sanitation infrastructures as a result of the rural exodus are more important than biological causes in mortality of Angolan children. For diseases targeted by the PAV, the MINSA managed to achieve coverage of over 90% during National Polio Vaccination Days despite all the difficulties it faced. Coverage by routine vaccination for the various PAV antigens is still low, especially the multiple dose vaccinations, and this is a reflection of the low density of health care facilities nationwide, especially in rural areas. The MICS survey shows that breastfeeding is being maintained: 89% of children are breast-fed until 24 months; however, the rate of exclusive breast-feeding for the first six months is only 14%. Babies under six months who have not been exclusively breast-fed are twice as likely to die from diarrhoea or pneumonia than those who have.

199. Maternal mortality in Angola is one of the highest in the world and is estimated at 1 500 deaths per 100 000 live births. In absolute figures that means about 11 000 maternal deaths and 33 000 orphans every year. This tragedy is bad for society, especially in terms of survival and child care. The MICS 2001 survey showed that nationally, 61% of pregnant women attend one ante-natal appointment (the MINSA advocates four such appointments) and only 38% of deliveries occur in the presence of qualified staff. Ante-natal care by a doctor stands at 12% and only 6% for assistance during delivery. Fertility is on average seven children per woman of child-bearing age. One third of Angolan women are already mothers before the age of 18. Early motherhood involves greater risk of death and is the source of high maternal mortality.

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<sup>22</sup> Annex 23: Health indicators by region.

## **J. Access to family planning**

200. **Rates of access to family planning and girls' access to schooling.** Contraception among married or co-habiting women is used by only 6% of those aged between 15 and 49: almost four times lower than the average for sub-Saharan Africa, which is put at 26%. The national capacity to attend in the event of obstetric complications is very low. Life expectancy at birth is 40, one of the lowest in the world.

201. The groups regarded as vulnerable are as follows: women, children, the elderly, the disabled. Proposed goals with a view to accelerated reduction of mortality through the implementation of the strategic mother and child plan in Angola, 2005/2009:

- (a) Construction of health-care units throughout the country in urban and rural areas
- (b) A 50% reduction in mortality among children under five (from 250 to 125 deaths for every 1 000 live births)
- (c) A 30% reduction in maternal mortality (from 820 to 680 deaths for every 10 000 live births).
- (d) A reduction of 30% in malnutrition among children under five (from 31% to 22%).
- (e) An increase and improvement in public access to primary health care services
- (f) Reduction in the birth rate and development of a family planning programme in the country so that in the medium term the birth rate in individuals, families and communities falls to a level which allows quality of life to improve.

202. In areas with no access to a health care service, malaria and diarrhoea must be treated by trained officers; a combination of essential family practices must be employed to reduce the risk of disease.

203. Appropriate care must be provided within the family to ill children and pregnant or breast-feeding women, complications recognized and medical assistance sought in good time. Health care advice is delivered through radio and television programmes and adverts, seminars in every health care unit in the country, and a number of seminars in markets and communities. There are advance mobile teams supplying preventive services such as vaccination, distribution of vitamin A, de-worming, distribution of impregnated mosquito nets, community education and care for a number of prevalent diseases such as malaria and DDA. The services supplied by these teams are delivered to communities which have difficulty in accessing the health care service. We also note participation by NGOs and Churches in preventive services and community care.

## **K. Partnerships with the WHO, UNICEF, the UNFPA, the EEC and USAID**

204. International aid plays an important role in implementing the strategic plan and helps MINSa by providing technical support for planning, implementation and monitoring (WHO).

205. The role of UNICEF is to ensure children's survival, development and protection and it also contributes technical and financial support.

206. The UNFPA is involved in reproductive health measures, especially information campaigns aimed at changing young people's behaviour, counselling and family planning services.

207. DATA on cooperation with USAID and the EEC as well as with other partnerships which participate technically and financially.

## **IX. RIGHT TO EDUCATION**

### **A. Analysis<sup>23</sup> of the state of education in Angola**

208. Immediately after independence, the government of Angola focused a great deal of attention on education based on the principles of universality, freedom, accessibility and equal opportunities, and made primary education compulsory and free of charge from grade 1 to grade 4. In Luanda and other urban centres the population exodus has made it necessary to introduce three groups for this level of education with the aim of allowing an increasing number of children to have access to education. Large investments were made in education at the time in an effort to overcome the lack of teachers and reduce the number of children outside the education system. Angola had very low levels of school enrolment and illiteracy at the beginning of the 1970s was about 85%.

209. At that time several literacy campaigns for adults were launched involving a large number of volunteers all over the country in workplaces, among the military and paramilitary forces, at markets, etc. The number of pupils enrolled in the first six grades was 1.48 million in the school year 1979/80. Enrolment in full-time education, mainly at primary level, was 33% in 1975. Workers attending intermediate and university level education were authorized to study for a certain period and work for the other while being paid their full wage.

210. However, the outbreak of war in the 1980s meant that school enrolment fell both in absolute terms and as a percentage of the school-age population which was growing rapidly at the time. The reason behind low enrolment must be sought essentially in the direct effects of the war leading as it did to the destruction and abandonment of schools, mainly in rural areas. The lack of a sufficient number of good quality staff nationally in education given the size of the country and the high number of school-age children was another important reason. The lack of school furniture for classrooms, poor working and teaching conditions along with the lack of teaching equipment became progressively worse to the extent that industries manufacturing them were gradually abandoned or destroyed. People from other sectors, some with no teaching experience, were recruited to perform educational work on a part-time basis.

211. In 1995 the Ministry of Education produced a detailed recovery plan for the sector, known as the "National Framework Plan for Reconstruction of the Education System". The three-phase plan provided for rehabilitation, consolidation and expansion of the system with the aim of achieving a net rate of enrolment in primary education of 67% by 2005 and a fall of about 50% in illiteracy, especially among women.

212. Because of the insecurity in the country and the fall in budgetary allocations to education, the number of pupils enrolled fell by about one million. Although enrolment in primary

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<sup>23</sup> The statistical information in this section is taken for the most part from the National Action Plan for Education for All, the Comprehensive Strategy to improve the Education System and the Bill implementing the General Programme of Government 2005-2006.

education was 1.4 million in 1998, according to Ministry of Education data, in 2001 the level was lower than that of 1980 despite the 2/3 increase in the population of primary school age.

### **B. Limitations of data sources**

213. The Ministry of Education's data sources are limited by the fact that for a number of years the provincial offices of the Ministry have been unable to obtain information about schools. Pupils attending private schools, whose numbers have increased rapidly since private education was legalized in 1991, are not fully incorporated into the official statistics.

214. Indicators for education in Angola are among the lowest in sub-Saharan Africa. Illiteracy among people over 15 years of age was 58% in 2000, compared to an average figure according to United Nations indicators of 38% for the whole of sub-Saharan Africa. The figures in the results of the MICS however, are even lower, at about 33% among over 15s. Illiteracy among women is higher (46%) and is even as high as over 70% for women in the poorest socio-economic group. High levels of illiteracy among women are a matter of great concern in view of the fact that a mother's level of education has a great influence on her children's education and the well-being of the household.

215. The Angolan population is very young: over half are under 19. According to statistics held by the Ministry of Education, the pre-school population in 2000 accounted for some 17% of the population and the school-age population (5-25 years of age) accounted for approximately 42%. There is therefore a fairly high potential demand for education.

216. Access to the official education system is fairly limited and in 2000 about 25% of children aged between 5 and 18 had never been to school. The level is even higher if one takes only children in the 5 to 11 age range into account (34%), reflecting late entry of children into the education system. Indeed in 2000, only 56% of six to nine year olds were enrolled in the first level of primary education (grades one to four). The rate was higher in urban areas (and relatively higher still in coastal urban areas) than in rural areas (61% as against 44%). It should be noted that the gross enrolment rate<sup>24</sup> was 75%, meaning therefore that there were older children in this level of education. In the second and third levels (grades five to eight), access is even more restricted and registration of ten to 13 year olds in those grades is only 17%. There is a gender imbalance in enrolment rates at these levels which is not present in the first level, namely 21% for boys and 18% for girls. The gross enrolment rate for the whole of primary education (grades 1-4) stood at 54% in 2000 according to calculations made by the INE.

217. To compound the poor coverage, educational performance is also very low. School failure is extremely high in all three levels of education (in the order of 30-35%). This not only increases the cost of the system as pupils remain within it longer, but also prevents new pupils from starting because the network is limited. Drop-out rates are also very high at an average of over 30%. The causes of the low level of performance in the three levels of education are essentially: inadequate condition of school facilities, insufficient teachers and limited availability of teaching aids. It should again be noted that girls' performance tends to be lower.

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<sup>24</sup> The gross enrolment rate means the number of pupils of all ages who are registered in a given level of education and is expressed in terms of a percentage of the population in the official age group for that level (in this case for six to nine year olds).

218. On human resources, the principal problem in many cases is teachers' low level of academic training in delivering education. The provinces of Luanda, Cabinda, Huíla and Kuando-Kubango stood out in 1998 because of the high percentages of level 1 teachers with inadequate qualifications (50%, 88%, 93% and 100% respectively!). Absenteeism (estimated at 40% in basic education) is also a serious problem. The availability of teachers, especially in the most densely populated areas of the urban coast, is an additional constraint. It is estimated that in level 1 the number of pupils per teacher is on average 45, although that figure varies greatly nationwide and is as high as 70 pupils per teacher in certain coastal areas. The provinces of Lunda Sul, Lunda Norte, Moxico, Cunene and Kuando-Kubango stand out because of the low numbers of pupils per teacher.

219. The number of children per classroom varies between 40 and 70 in level 1 (and tends to be higher in urban centres) and between 71 and 80 in levels 2 and 3 respectively<sup>25</sup>).

220. In short, the education system in Angola is still very poor, mainly because of the poor quality and low quantity of material and human resources available.

### **C. Education Programme within the framework of the ECP**

221. Aware of its responsibilities to follow up the deliberations of the World Education Forum held in Dakar in 2000, Angola approved two pieces of legislation in June and September 2001: the Basic Act on the Education System<sup>26</sup> and the Integrated Strategy to improve the Educational System. The former sets out the general lines of the policy on education and State involvement and the structure of the new system of education. The latter one of government's strategic guidance tools for the sector; it provides for alternatives, and for diverse educational methods but does not lose sight of the need for closer linkages between formal, informal and non-formal educational initiatives as a means of developing an integrated and inclusive educational system whose aim is to promote high quality education for all.

222. Government measures will be based on a strategy constructed around geographical priorities in accordance with the principle of equity. The first group of target provinces comprises the six provinces most affected by the war and, therefore, the ones with lowest school enrolment, namely Huambo, Bié, Uíge, Kuando-Kubango, Malange and Moxico. The second priority group includes the provinces where enrolment is between 40% and 60%, namely Kwanza-Norte, Kwanza-Sul, Lunda-Norte, Lunda-Sul, Cunene and Zaire. The third group, where enrolment levels are over 60% includes Luanda, Huíla, Cabinda, Namibe and Benguela.

223. Under the Basic Act the education system has three levels: primary education, secondary education and higher education.

224. Children under six have access to pre-school education before embarking on those three levels.

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<sup>25</sup> Cf. Annexes on education, No 25 and No 25A.

<sup>26</sup> The Angolan Constitution, especially Title II on fundamental rights and duties, provides that it is the task of the family to promote and provide, with State support, all-round education of children and young people (article 29). The Basic Education Act was promulgated under that article.

225. Standard primary education comprises six levels, in other words it spans the 1<sup>st</sup> to 6<sup>th</sup> grades; it is free and compulsory nationwide<sup>27</sup>. Primary schooling is provided in all provinces and municipalities in the country. The government has undertaken to reduce the number of children outside the education system and, as a result, there are no children outside the education system in Namibe and Cabinda provinces<sup>28</sup>.

226. Secondary education is divided into two stages, Secondary Education Stage One, which covers three grades (7 to 9) and Secondary Education Stage Two, which also covers three grades (10, 11 and 12), for intermediate technical training.

227. The priority actions in the improvement programme focus on school coverage in the sub-systems of general education, teacher training, vocational technical training and adult education. Of note are measures with regard to special education methods, programme reform and mechanisms for administration, management and inspection which help improve the quality of education services provided under the various sub- systems.

228. It is important to note that the government of Angola has recently taken some important steps towards universal primary education. The Ministry of Education has already appointed 29 000 primary school teachers for the school year 2003; this will allow the system to take in about 1.1 million further pupils and could mean enrolment of over 90% as of 2004.

#### **D. Primary education**

229. The following measures are provided for with a view to ensuring free, good-quality, compulsory primary education for all, allowing everyone to receive training which contributes to the harmonious development of their intellectual, physical, mental and civic capabilities:

- (i) The rehabilitation, construction<sup>29</sup> and equipping of infrastructures, focusing on the construction of low-cost infrastructures using local materials and community cooperation; and
- (ii) The supply of books and other essential school equipment (teacher reports, notebooks and other teaching equipment) based on current requirements and additional needs resulting from expansion of the network.

#### **E. Adult education and integration of adolescents and young people, combating illiteracy**

230. About 1.29 million adults signed up to the literacy campaigns launched between 1976 and 1992. The literacy programme drew to an almost complete halt at the end of 1992 because of the new outbreak of war. There have been few follow-up activities to consolidate knowledge acquired by adults who took part in the literacy campaigns and as a result about 70% of the adults who recently became literate have become illiterate again.

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<sup>27</sup> There is provision for adult education in the primary (literacy and post-literacy) and secondary tiers.

<sup>28</sup> According to news published by the government.

<sup>29</sup> The Ministry of Public Works and Urban Development has drawn up regulations on the construction of schools and their geographical location such as typology for school construction.

231. As is the case throughout Africa, illiteracy among women in Angola is markedly higher than among men. The figure stood at 70% in 1995, much higher than the 53% average in sub-Saharan Africa.

232. Basic education for adults and adult literacy are powerful factors with a high impact on the redistribution of income, promotion of social equity and correction of regional asymmetries and structural imbalances.

233. The sub-strand of adult education is currently being re-established, whereas at one time in recent decades it was entrusted to bodies which received little assistance from the MED, leading non-governmental organizations and churches to focus closer attention on improving it.

234. Nonetheless, the following work is currently under way:

- (a) Drafting of new programmes for primary and secondary education (literacy and post-literacy);
- (b) Drawing up of teaching materials for primary and secondary education (teaching programmes, pupil manuals, teachers' guides);
- (c) Literacy and Accelerated Schooling Programme (in cooperation with Brazil and Cuba).

235. The following measures have been incorporated into the programme under that framework:

- (i) Boosting of adult literacy programmes, especially in areas where illiteracy is highest and with a special focus on the education of women, demobilized military staff and people displaced by the war;
- (ii) Development of non-formal education programmes as part of the post-literacy phase involving civil society and other government bodies and focusing on students' needs through linkages to income-generation programmes to allow students to acquire economic autonomy (farming activities, fishing, managing small businesses and other community development activities); and
- (iii) Construction, rehabilitation and equipping of mixed academic and vocational schools and education centres in order to bring education to children, adolescents and young people in unusual circumstances or who live on the streets.

#### **F. Statistics on illiteracy, adult education, continuing education**

236. It is estimated that over 30% of the population over 15 is illiterate (although some assessments put that figure nearer 50%). Illiteracy is higher among women. About 50% of Angolan women are illiterate. Nonetheless, net enrolment of girls in primary school is not far below that of boys.

237. There is a clear link between poverty and the level of education attained by individuals. It is estimated that 41% of all the people who are totally uneducated are extremely poor. There is comparatively greater attendance at adult literacy and education programmes among the extreme poor.

### G. Special education<sup>30</sup>

238. The form of special education in Angola was established under Decree No 56/79, of 19 October. Assistance for people with special educational needs is provided under guidance from the National Special Education Institute in ten special education establishments situated in nine provinces.

239. The institutions are distributed as follows: Luanda (2), Benguela (1), Huila (1), Bengo (1), Lunda Sul (1), Namibe (1), Malange (1), Kuando Kubango (1), Moxico (1). It should also be noted that there are integrated classes and special classes in all provinces. Despite that fact, we should add that there are not enough schools in Angola capable of accommodating pupils with special needs and that there are no school programmes tailored to special needs learners.

240. Under the rules for operating an educational establishment which accommodates children with special educational needs we should state that the equipment we have is inadequate; if we take account of the specific needs of the various users we should have schools, teachers, and specific and non-specific teaching materials for each category of user to best accommodate their pedagogical, psychological and medical needs.

241. In 2006 there were 12 661 special needs pupils in the 18 provinces, 7 331 boys and 5 330 girls. The most common handicaps among registered pupils were related to their hearing (3 273 pupils), mental ability (2 429 pupils) and sight (1 179 pupils)<sup>31</sup>.

242. Special needs children who are resident in the capital are sent to the Psycho-Pedagogical Assessment and Guidance Centre in Luanda for assessment.

243. Owing to the absence of Psycho-Pedagogical Assessment and Guidance Centres in the rest of the country, children from other provinces follow an assessment process conducted by a group of specialists and teachers experienced in special education.

244. Despite the lack of information and awareness among the population of these issues, the public is aware of the need to bring their children with special educational needs to our establishments.

245. The following measures are provided for in terms of the modalities of special education:

- (i) Improved access (transport) of the disabled to schools and public services through the building and fitting of access ramps;
- (ii) Integration of special needs children into the standard system; and
- (iii) Research into establishing and adopting sign language.

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<sup>30</sup> Cf. annexes for information on the special education school network, a chart of pupils registered per year and projections and estimates concerning the disabled Angolan population by province.

<sup>31</sup> Still on the topic of access, it should be noted that only 10% of the total of 300 000 children identified as having special educational needs are enrolled in school.

## H. Teacher training

246. The hope is that the necessary numbers of teachers will be able to be trained quickly to cope with the potential public demand for education particularly in view of universal access to primary education, the eradication of illiteracy and the integration into the system of special educational needs children. Therefore, in view of the growth and expansion in initial and continuing professional development of teachers, especially for primary education, we have drawn up the following actions:

- (i) Retraining of teaching assistants whose academic training is below the level required by the public service to bring them up to the required standard and make teaching available to them as a career;
- (ii) Training teachers to deliver the six grades of primary education as the sole instructor;
- (iii) Continuous and refresher training for teachers of the six primary grades;
- (iv) Initial teacher training for the first and second stages of secondary education;
- (v) Continuous and refresher training for teachers of secondary education;
- (vi) Restructuring of basic teacher training courses;
- (vii) Training for the trainers of primary teachers;
- (viii) Gradual introduction of teacher training colleges for primary level under the educational reforms;
- (ix) Introduction of colleges with a special focus on training teachers in vocational and academic subjects for work in rural areas; and
- (x) Establishment of a “teaching certificate” for instructors other than those in higher education who do not have a professional qualification as a sign of their on-the-job training.

247. There are teacher training schools in all the provinces in the country. Courses are delivered over four academic years. Potential teachers must have finished 9<sup>th</sup> grade, the end of the first stage of secondary education. After training they receive a qualification as teachers of primary education (1<sup>st</sup> to 6<sup>th</sup> grade) or teachers of secondary education (stage 1) (7<sup>th</sup> to 9<sup>th</sup> grade).

<i>Number of schools</i>	<i>Number of teachers trained</i>				
	<i>1978-2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>
37	21 282	5 003	2 921	4 145	7 200

The salary scale for teachers is the same as for other public officials.

### **I. Analysis of regional gender disparities in education<sup>32</sup>**

248. As stated previously with regard to the basic analysis of the gender disparities in schools, a campaign to raise parents' awareness of enrolling their children for school, especially their daughters, is under way and as yet we do not have any specific results as to report as to its impact.

249. Administrative data from the Ministry of Education and data from the MICS show that girls are at a slight disadvantage compared to boys in terms of access to education although the imbalance is much less acute than in the past and less acute than in most countries in sub-Saharan Africa.

250. According to the data from the MICS, many more women than men (aged 19 or over) have never been to school (43%) and only 18% of women attended beyond the 4<sup>th</sup> grade (38% for men).

251. In 1994/95, girls made up 48.0% of pupils in the 1<sup>st</sup> stage of basic education, 49.6% in the second stage and 48.5% in the third stage, according to the data studied from nine of the 18 provinces<sup>33</sup>. The fact that Luanda accounts for a major share of these numbers and that more girls are enrolled there than boys (50.1% girls to 49.9% boys) causes a slight distortion in the proportion of girls' enrolments.

252. Nevertheless, the percentages are favourable compared to the averages for sub-Saharan Africa where girls make up only 45.6% of all enrolments in the first six grades.

253. Gender disparity is even more serious in some provinces in the interior compared to coastal or neighbouring provinces, reflecting the geographical inequalities in educational investment and development generally.

254. The above contrasts show that there are educational disparities between rural and urban areas. While 18% of adults in urban areas aged 19 or over have never been to school, the figure for rural areas is 41%.

### **J. Access to school and numbers dropping out or repeating a year<sup>34</sup>**

255. In the light of the most recent studies conducted and bearing in mind the absence of any census, it is estimated that between 880 000 and 1 000 000 children are outside the education system.

256. About 34% of children under 11 have never been to school. The proportion of children who have never attended school is higher in rural areas (42%) than urban areas (24%) and is as high as 50% among children in the poorest socio-economic groups.

257. The percentage of children of primary school age who are registered (the net enrolment rate), is another indicator of the accessibility of the standard education system. Net enrolment in the first stage of primary education (1<sup>st</sup>-4<sup>th</sup> grades) is about 56%. The capital region and other

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<sup>32</sup> Cf. Annex on education, No 24.

<sup>33</sup> Bengo, Bié, Huíla, Kwanza Norte, Luanda, Lunda Sul, Malange and Moxico.

<sup>34</sup> Cf. Annex on education, No 26

urban areas are better served than rural areas. The inequality between the very poor and the richest is colossal: for every 35 children from poor families out of a hundred who go to school, there are 77 from high-income families.

258. Drop-out rates and low success at school which are features of the urban state school system are most prejudicial to the poorest. This has implications for the impoverishment of the poorest families by removing one of the mechanisms for social mobility, namely access to education, from the younger generations and, therefore, the opportunity of better jobs and higher incomes. The indicator for the percentage of children entering the education system who ultimately reach 5<sup>th</sup>, 6<sup>th</sup> or 7<sup>th</sup> grade is a good structural indicator of educational opportunities and of living conditions in households. Studying in the capital region makes a big difference: 78% of children there reach 7<sup>th</sup> grade. By comparison, in other urban areas and in rural areas the figures are 65% and 64% respectively. The differences between rural areas and other urban areas are almost nil. However, differences in the indicator between households with different income levels are fairly marked: only 33% of poor children reach 7<sup>th</sup> grade whereas the figure for better-off households is 81%.

259. The rate of school success is also very low in Angola. Only 30% of pupils registered in 1<sup>st</sup> grade finish 4<sup>th</sup> grade and only 15% finish 6<sup>th</sup> grade. Over 30% of pupils have to repeat 1<sup>st</sup> grade

#### **K. Availability of education using the pupil's mother tongue as the language of instruction**

260. National languages were introduced into the education system to improve the supply of education and its quality and to prevent linguistic exclusion of children whose mother tongue is not the official language of instruction. The introduction of national languages currently involves the six languages with the highest number of speakers in Angola, namely Kimbundo, Kikongo, Umbundo, Chokwe, Kwanyama and Bunda.

261. Implementation of the programme means that from 2007 there will be eight supervisors and 120 teachers trained in the BTL (Breakthrough to Literacy) methodology in selected schools in the various linguistic regions of the country and teaching materials in six national languages and Portuguese, including:

- (i) Guides for teachers;
- (ii) Pupil manuals;
- (iii) Posters and conversation charts;
- (iv) A vertical plateau;
- (v) Phonic charts;
- (vi) Phraseological rules for pupil and teacher;
- (vii) Ten reading books.

262. By implementing the programme the government is seeking to reduce the gap between the number of male and female pupils in rural areas of the country as language is still a barrier to accessing the right to education, especially in the more remote areas of the country.

**L. Number of private schools providing basic education: difficulties of access**

263. Luanda: 321; Benguela: 8; Huíla: 13; Cabinda: 5; Huambo: 4; Luanza: 3; Lunda Sul: 4; Lunda Norte: 2; Moxico: 4; Kuanza Norte: 2; Zaire: 1; Namibe: 3; Cunene: 1

264. The greatest difficulty in terms of access to private education lies in the disparity between the high prices charged in monthly registration fees (between USD 50 and USD 150) and the basic income of pupils' families.

**M. The existing school network: construction and repair of schools.<sup>35</sup>**  
**Programme reform**

265. Reform of the education system is under way to improve all citizens' access to education. The core reform is restructuring of programmes, of education programmes, pupil manuals, teachers' guides and the rehabilitation and construction of educational establishments.

266. The goal of universal access to basic education can be achieved only with the support of a multi-stage programme of reform. In the first stage some shock measures will have to be implemented to establish a link between children and school and extensive uptake:

- (i) Introduction of the concept of basic learning goals to allow teachers to be trained quickly and, as a result, more children to be absorbed into the system; and
- (ii) In the short term, greater flexibility in the school year to allow two grades to be studied in one calendar year (accelerated learning).

267. With a view to gradual improvement in the quality of instruction and in order to generate human resources sufficiently equipped to be able to play a part in the economic and social development process we propose the following by way of structural reforms:

- (i) Drafting of rules for pre-school education and design of a programme focused on educational needs in early childhood;
- (ii) Introduction of national languages in study plans as an aspect of individuals' identity and socio-cultural development;
- (iii) Implementation and development of computing in basic education study plans;
- (iv) Development of educational disease-prevention campaigns focusing on primary health care and combating major endemic diseases, especially HIV/AIDS, aimed at teachers, education officials and pupils; and
- (v) Development of educational programmes seeking to promote tolerance, mutual comprehension, and to prevent violence and conflict from the perspective of national consolidation, reconciliation and unity.

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<sup>35</sup> Cf. Annex No 28 on education.

#### **N. Administration, management and inspection**

268. The measures set out below have been incorporated into the programme to support development in the sector:

- (i) Improvement of current means, methods and procedures in the planning, administration and monitoring of education and the design of new instruments tailored to the government's policy of decentralization;
- (ii) Strengthening institutional capacity at various levels of administration in the field of education through the adoption of measures related to organization, management and supervision which can act as the mainstay of expansion in the system and increasing the quality of instruction;
- (iii) Support for local planning and management initiatives in addition to those taken under the national framework;
- (iv) Improvement in the educational environment of schools providing basic education through promoting human, material, pedagogical and social conditions;
- (v) Reorganization and consolidation of the school network with a view to correcting the serious geographical asymmetries which currently exist; and
- (vi) Development and implementation of the National Plan for Education for All.

#### **O. Anticipated learning outcomes**

269. The government of Angola has set the following goals to ensure that universal education will be achieved by 2015:

- (i) Provide 100% national coverage and educational assistance to children including pre-schoolers;
- (ii) Reduce adult illiteracy;
- (iii) Reduce illiteracy among women;
- (iv) Incorporate all children within a particular age group into groups for primary education and into the first and second stages of secondary education with a view to universal national enrolment;
- (v) Increase the gross and net enrolment of girls to 100%;
- (vi) Eradicate the "street children" phenomenon by providing such children with public, formal and non-formal educational services and social support;
- (vii) Improve the effectiveness of teaching by achieving a nil drop-out rate; and
- (viii) Increase retention and progression of girls to 100%.

270. A school snack has already been introduced to help achieve the latter three objectives.

271. The school snack programme was introduced in 2006; it is in place in 12 provinces (Luanda, Benguela, Bié, Cabinda, Huila, Kuando Kubango, Kuanza Sul, Lunda Sul, Malange, Moxico and Uige), and it aims to prevent children dropping out of school, to increase and improve the ability to learn and to combat and reduce poverty. The programme benefits 590 000 children in about 300 primary schools.

#### **P. Basic technical and vocational instruction at secondary level**

272. One of the most obvious constraints is the quality and quantity of human resources and the lack of secondary schools; the existing infrastructures do not have the capacity to accommodate pupils moving on from primary level.

273. Account has been taken of expanding vocational training in secondary schools for adolescents who have never been to school or who dropped out before reaching the end of their training; attention was also paid to geographical location. Thirteen new academic and vocational schools are under construction and will soon open. In addition to intermediate courses, the schools will offer basic vocational training so that they can accommodate the target population.

274. Admittedly, that this type of instruction is not available to everyone but it is currently being followed by 65 000 pupils; the plan is for about 80 000 pupils to be following it by 2008 thanks to the construction of the 13 schools referred to above.

275. There are currently 80 technical intermediate colleges where training takes four years, although two of them are not open. Luanda, the largest centre of population, has 30 colleges and the other provinces have two to three on average.

276. Secondary education is also free of charge. Basic vocational training, which takes between six months and two years, runs parallel to intermediate technical training.

277. MAPESS has programmes nationwide in arts and trades to train young people in vocational skills. The training is in computing, carpentry, electrics for construction work, plumbing, locksmithing, construction, car electrics, sewing and cutting, agriculture, mechanics, coachbuilding and handicrafts.

278. The government is going to build 52 arts and trades training colleges by December 2007 through the Ministry of Public Administration, Employment and Social Security (MAPESS) and the provincial governments. The project is part of the National Training Programme in Arts and Trades which was launched recently. When all the colleges are open it will be possible to train 15 552 individuals annually in 11 specialities. The aim of the programme is to offer young people in suburban and rural areas options for vocational training, and to pave the way for them to enter the labour market by promoting vocational training near where people live, encouraging self-employment and occupational partnerships, reducing the movement of young people from the country to the towns, cutting crime, creating greater employment opportunities and combating poverty.

279. Technical training in the arts was also a priority in 2006. The crop of new teachers who passed the public examination meant continuity of training in drama, music, dance and visual arts. The same year saw a sharp fall, however, in the number of pupils because of a lack of infrastructure caused by deterioration of existing facilities; this is why registrations of pupils entering 9<sup>th</sup> grade were not available for the national dance and music schools.

280. The Ministry of Education project *Construindo Talentos com a História das profissões*, which it launched in 2006, is still running.

281. The project is at the pilot stage and involves 250 pupils in five schools. It is an extra-curricular project tackling specific areas of basic vocational training using a technical and pedagogical approach approved by the Ministry of Education. The second stage will aim to offer places to 4 500 young people in seven of the country's provinces, plus Luanda. It will be open to young people from the 1<sup>st</sup> stage of secondary instruction onward and aims to increase interest in technical occupations, assess aptitudes, and to encourage young people to look towards the trades as a means of gaining employment and entering the job market.

### **Q. Higher education in Angola<sup>36</sup>**

282. Higher education is structured as follows:

- (a) Degree studies
- (b) Postgraduate studies

283. The structure of degree studies is as set out below:

- (a) School leaver's certificate
- (b) Bachelor's degree

284. There are two categories of post-graduate studies, namely:

- (a) Academic post-graduate study
- (b) Vocational post-graduate study

285. There are two levels of academic post-graduate study:

- (a) Master's degree
- (b) Doctorate

286. Vocational post-graduate study includes specialization.

287. Higher education may be delivered by the following bodies:

- (a) Universities
- (b) Academies
- (c) Higher education establishments
- (d) Colleges

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<sup>36</sup> Cf. Annex No [blank].

288. Article 8(1) and (2) (Access) of Legislative Decree No 2/01, of 22 June on general rules governing higher education read as follows:

- (i) Access to higher education shall be open to candidates who successfully finish intermediate education (general, technical or standard) or its equivalent who demonstrate the ability to pursue it in line with criteria to be drawn up by the ministry in charge.
- (ii) The evidence of ability as referred to in the preceding subparagraph shall be specific to each course or group of courses and shall be regulated by the Ministry of Education and Culture.

#### A. SUMMARY

289. Practice shows that the precepts set out above do not apply because of the mismatch between the country's existing educational infrastructures and the ever-growing number of candidates seeking access to this level of education.

290. Compliance with the above would involve establishing institutional and educational infrastructures for higher education nationwide so that the needs of the number of candidates able to enter higher education can be accommodated.

291. There is a plan to develop higher education which provides for the construction of other higher education establishments to increase the public supply of higher education. Currently, Angola has the following higher education establishments: the Public University, ISPRA PIAGET, Independent University, Methodist University, Public University of Palanca, Catholic University<sup>37</sup>. Instruction at the Public University is free for standard instruction and paid for night classes. The average monthly cost at the Public University is USD 150. In private universities the average monthly cost is USD 250.

292. Article 10(1) and (2) of the Legislative Decree cited above (rules governing higher education) provide as follows:

- (a) The State shall encourage and support efforts at cooperation between public and private bodies aimed at encouraging progress in science, technical fields and technology.
- (b) The State shall establish the conditions necessary to promote scientific research and carry out research activities within higher education and other establishments affected with the same purpose.

#### B. SUMMARY:

293. Given the reality of the current situation in higher education in Angola, we can state that it does not have the means necessary to carry out scientific research, neither does it have a set of rules governing work in scientific research, whether in public or private universities, even in the study and research centres which the country does have. The development plan for higher education referred to above provides for measures to act as a basis for work in this area known as

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<sup>37</sup> Cf. Annex No 29 on information.

“Promoting academic and pedagogical activity” and that plan advocates the establishment of conditions enabling a favourable climate for scientific research to become part of the institutional fabric.

294. Finally, article 3 (specific principles) of the Legislative Decree referred to above (rules governing higher education) reads as follows:

295. “Subject to the general principles set out in the Basic Act on the Education System, the specific principles underlying higher education are:

- (a) The freedom to learn, teach, research and publish culture, thought, art, science and technology;
- (b) The democratic management of learning establishments;
- (c) Guarantee of the quality standard of instruction delivered and therefore of the staff trained and the research work carried out;
- (d) Freedom in scientific and technological research;
- (e) The link between education and instruction, science and technology, work and social practices.”

#### C. SUMMARY:

296. The way we understand the concept of freedom as set out in the Decree-Law is as a combination of interlinked factors which aim to allow the higher education establishments in Angola to fully pursue their activities without constraints of any kind.

#### **R. Percentage of the budget**

297. The end of the armed conflict, along with the programme of public investment in education, the drafting of National Plan for Education for All and the Integrated Strategy to Improve the Educational System has meant a considerable increase in the budgetary allocation in education.

298. The change in the percentage of the budget allocated to education over the last five years has been as follows:

- (a) From 6% in 2002, it rose to 9.8% in 2007. Over the last year the absolute figure for the budget for education was USD 1 700 000 000.00.

299. Allocations have been made to provincial governments for the social sector in general (Programme to improve provision of social services to the public) and there has been an increase in the MED’s investment budget.

#### **S. International assistance in exercising the right to education**

300. Given the situation in the post-war period several State and private organizations have demonstrated their commitment in various ways, from the grant of low-interest loans to non-repayable grants.

301. In education, for example, more comprehensive staff training, construction, school expansion and development have been made possible through external support.

302. Worthy of note is the support given under bilateral arrangements by several countries to train Angolan staff, the involvement of Japan and Portugal in constructing and expanding schools with non-repayable grants, Spain's involvement in constructing a graphics unit and the support of organizations such as UNESCO, UNICEF, the European Union and NGOs in training trainers and the construction and fitting out of schools.

303. Although modest, that support helped bridge a number of gaps which the Ministry would have spent longer filling if it had acted alone because of the scant resources available to it.

304. Socially, it is clear that thanks to foreign aid there has been a fundamental drop in the number of children outside the system, and this has helped reduce juvenile delinquency and increase the number of trained technical staff in a wide variety of fields, which will lead to a drop in unemployment.

305. The exchange of experience produced by the cooperation has brought improvements to quality of work, and to the efficiency and effectiveness of the education system, by tailoring the knowledge gained to fit the situation in Angola.

306. Culturally, the field of knowledge has undergone a notable symbiosis of cultures stemming from the fact that staff have been trained abroad.

307. The possibility that a single activity can be conducted using various technologies, in other words differently depending on the country where each technical officer studied, adds value and cultural depth.

## **X. RIGHT TO PARTICIPATE IN CULTURAL LIFE**

### **Legislative measures I**

308. Available indicators for **culture**<sup>38</sup> show a slow and still gradual development both as regards the construction of infrastructures and the number of readers in libraries and numbers of visitors to museums. By contrast, the number of pupils enrolled in national drama, dance and music schools is developing very positively.

309. Staying with culture, 120 technical staff (directors and choreographers) from theatre and dance groups in the provinces of Moxico, Lunda-Norte and Lunda-Sul took part in a regional seminar to promote culture, theatre, dance and music. Over the same period a training seminar for municipal cultural heritage managers was held in Cabinda and was attended by technical staff from every municipality in the province. A seminar held in Malange on managing and organizing archives was attended by 51 employees from the provinces of Malange, Kuanza-Norte and Bengo; as far as libraries are concerned, training was delivered to reading advocates from public libraries, certain social projects based in Luanda and the National Library.

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<sup>38</sup> Cf. Annex No 30 on culture.

310. In sport<sup>39</sup>, apart from the excellent results in several disciplines at national and international level, we must note the increase in the number of participants and the construction of certain facilities, a process which will be stepped up in 2006.

311. The 3<sup>rd</sup> Symposium on national culture was held in 2006 and focused on cultural policy in Angola and the Cultural Development Programme. The national music festival “Variante 2006” was held, the culmination of municipal and provincial festivals. We should also note that 1 400 groups encompassing 135 230 individuals took part in Carnival 2006, confirming it as the biggest festival in the country. National language assessment saw the drafting of an alphabet for the Nyaneka-Humbe language at a seminar in Lubango.

312. Note must be made of the high number of people benefiting from measures to reduce the climate of intolerance among young people under the Executive Programme for Youth<sup>40</sup>, and the high number benefiting from cooperation between young people. By contrast the number of *Jangos juvenis* [youth centres] built and the establishment of young literacy brigades and regional brigades to self-build homes for young people have not measured up to the figures forecast, but the plan is to correct the situation in 2006.

## XI. CIVIL SOCIETY

313. There are three legislative documents apart from the Constitution of 1992 which govern the development of activities by associations and NGOs in Angola as follows:

- (a) Act No 14/91, or the Associations Act, establishes the basis on which associations and NGOs operate in Angola.
- (b) The NGO Regulations (DL No 84/02) governs the operation of NGOs which are described as associative groups.
- (c) The Public Purpose Act (Act No 5/01) acts as or establishes legal mechanisms by which an association or an NGO can acquire the status of an organization affected with a public purpose.
- (d) There is no specific text governing the operation of NGOs which are regional, local or provincial in scope.

314. UTCAH, the government interface between Angolan and foreign NGOs, will this year reach the end of its mandate which began with the revision of Act No 14/91 and supplementary legislation. The revision aims to iron out some of the loopholes which still obtain, and to allow all organizations in the sector to progress from being emergency organizations to development organizations.

315. It is also important to note that the legislation on Civil Society Organizations (OSCs) in force in Angola includes specific and distinct legislation providing guidance to and governing certain types of associations such as parents’ committees, small farmers’ associations and residents’ committees.

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<sup>39</sup> Cf. Annex No 31 on sport.

<sup>40</sup> Cf. Annex No 32 on culture.

316. While knowledge of general legislation on associations is relatively widespread, knowledge of specific legislation in the sector is markedly less well known.

317. Angolan NGOs/OSCs and those present in Angola are increasingly involved in promotion especially through sector-based networks. Therefore we can state that there is a multi-faceted civil society in Angola.

318. Beyond the formal networks, there are active discussions between OSCs on matters linked to MD, ECP, combating corruption, transparency and good governance, issues concerning land, gender, HIV/AIDS, children's rights, juvenile delinquency, unemployment, education for all, national reconciliation, reintegration, elections and others. There are signs that the work of the NGOs has begun to have a degree of influence; proof of this lies in the changes introduced in the Land Act, the Press Act and proposals received in relation to the Associations Act which is undergoing a revision.

319. Similarly, some improvements have started to be recorded with regard to respect for detainees' human rights as a result of work done some time ago involving NGOs/OSCs working with governmental authorities, the courts and the police, among others.

320. Given the profile of NGOs/OSCs, the time is right to draw up and put in place a study of fiscal reform and a study to establish a specialist technical and scientific document centre, the aim of which should be to publish and study social or fiscal problems, issues or phenomena from the perspective of how to influence policy in those areas.

321. Current legislation on internal management and responsibility governing NGOs/OSCs is only at an embryonic stage and therefore there is currently no provision for them to make accounts of their responsibilities and management available freely, transparently and in due form to their members, the public concerned, State institutions, their internal and external donors or other parties,.

322. The environment for funding NGOs/OSCs in the post-conflict period is more restricted in that humanitarian funds which existed during the emergency period have dried up, bringing about a hiatus in strategic management in terms of the reconstruction of Angola among most donors. Nonetheless, recently we have seen a growing downward trend in available funds while some funds have been channelled directly towards governmental agencies.

323. Angolan NGOs/OSCs have little experience in fund-raising because of the poor training they receive from their foreign counterparts, which double up as unfair competitors and lower their estimation in public opinion, thus hampering them from moving closer to the principal, most powerful donors.

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## GLOSSARY OF ABBREVIATIONS

### ACRONYMS

AAA	Angola, today and tomorrow
AIDI	Comprehensive Care for Childhood Diseases
ANDA	National Agency for the Disabled in Angola
ANIP	National Private Investment Agency
CDC	Convention on the Rights of the Child
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CIRPS	International Board for Plant Genetic Resources
CNLS	National Council to combat AIDS
CNRF	National Committee for Plant Genetic Resources
DDA	an illness
DOT	Directly observed treatment
DRA	an illness
DRP	
ECP	Strategy to combat poverty
ENSA	National insurance company of Angola
EPAL	Provincial water company of Luanda
ARE	
EPE	Study, planning and statistics office
HDR	
IDA	Agrarian Development Institute
IDCP	
IDF	Forestry Development Institute
IDH	Human Development Index
IDR	Rural Development Index
IFAL	Local Administration Training Programme
ICA	Geographic and Land Institute of Angola
IIA	Agronomic Research Institute
IIV	Veterinary Research Institute
INC	National Cereals Institute
INE	National Statistics Institute

INSP	
INSS	National Social Security Institute
IPCVD	Priority Surveys of Living Conditions
LT	General Labour Act
LOTU	Land Use Planning and Urban Development Act
MAPESS	Ministry of Public Administration, Employment and Social Security
MAT	Ministry of Territorial Administration
MECANARO/EP	
MED	Ministry of Education
MICS	Survey of multiple indicators
MILLENIUM BCP INVESTIMENTO	Angola Millennium Bank
MINADER	Ministry of Agriculture and Rural Development
MINARS	Ministry of Assistance and Social Reintegration
MINOP	Ministry of Public Works
MINSA	Ministry of Health
MOVICEL	A private mobile telephone network
MST	Sexually Transmitted Diseases
NBSAP	
NEE	Special Educational Needs
NEPAD	New Partnership for Africa's Development
OAA	Angola Bar
ILO	International Labour Organization
WHO	World Health Organization
NGO	Non Governmental Organization
PAN/EPT	National Action Plan / Education for All
PB	
PEN	National Strategy Plan
P	General Programme of Government
GDP	Gross Domestic Product
PIP	Public Investment Programme
GNP	Gross National Product
PNLRF	
UNPD	United Nations Development Programme
RDC	People's Republic of the Congo
SADC	Southern African Development Community

SENSE	National Seed Office
AIDS	Acquired Immunodeficiency Syndrome
SPM	
SVA	Angolan Veterinary Offices
TELECOM	Public telecommunications service of Angola
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNESCO	United Nations Educational, Scientific and Cultural Organization UNFPA United Nations Population Fund
UNICEF	United Nations Children's Fund
UNITEL	A private mobile telephone network
HIV	Human immunodeficiency virus