

Convention on the Elimination of All Forms of Discrimination against Women

SHADOW REPORT

Submitted by

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This shadow report was prepared for submission to the 54th Session of the Committee on the Elimination of All Forms of Discrimination against women in order to show a more realistic picture of some of the problems affecting women in Angola.

Introduction

The social problems within the Angolan context affect systematically the full enjoyment of human rights. The lack of water, electricity, public transport and the poor of public resources have a negative impact in the lives of families and women, due to gender stereotypes entrenched in the Angolan society.

Although Angola has relatively satisfactory legal framework, the materialization of women's rights and the development of policies and programs for empowerment and effective participation of women still is very weak. Women suffer systematic discrimination within the family, and in the workplace, sexual harassment is a serious problem.

Women represent about 59% of the Angolan population, and this should put them in the centre of government concerns and strategies. They participate actively in the country's economy representing 63,5% of the economically active population in the informal market. However, and as regards women in the informal market, the government has not taken any measure to allow them to benefit from social security and right to retirement.

Following the 2012 elections, there is been a decrease in the participation of women both in parliament and the executive levels.

Thus, in this report, we present some aspects that we would like the CEDAW Committee to consider when doing the analysis of the report submitted by the Angolan government and inquire about aspects it deems appropriate.

I. Legal Framework and Convention Visibility

According to the report submitted by the government regarding the Implementation of the Provisions of the Convention, article 1 and 2, in section 8, states that the Angolan Constitution determines the principle of equality between men and women, but that equality prevails only in formal forum, since the gap concerning equal opportunities between men and women remains considerable.

Angola is experiencing a fertile period of legal reform and public policy but until now some of the revised laws continue to include discriminatory aspects and the process of policy-making does not take into account gender issues resulting in poor application of these same policies perpetuating thus the cycle of inequality and discrimination. Examples include:

- **Political Parties Law:** demands political parties to participate in elections with lists zebra, i.e., a man, a woman, and so following, however, this obligation is not fulfilled by the political parties and there is no supervision or penalties for non-compliance. The absence of such mechanisms of supervision prevents Angola to meet the established quota of 50% women in government organs, recommended by the SADC Protocol on Gender and Development;
- **The Penal Code (still under review):** decriminalizing the abortion but requires the knowledge and consent of the spouse for take place. The same code assigns very lenient sentences for crimes against women compared to other types of crimes. (As an example, the crime of rape the penalty is from six months to two years, and for aggravated robbery, as a mobile phone with a knife, 2-12 years);
- **Educational System Reform** - Continues to reproduce gender stereotypes. Housework, professions and life in society portrayed in textbooks reinforce existing inequalities based on these stereotypes;
- **Family Planning Program** - It is not comprehensive for men and nor contemplates contraceptive options for the same. That reinforcing the prejudice of the program is only for women;

Domestic Violence Law (Law 25/11) – Introduced some advances related to family violence, which the woman is the main victim, such as the criminalization of the marriage of minors and rape within marriage. Unfortunately, non regulation of the law, after 2 years of its adoption, reduces its utility.

- **Section 9, d) of the report submitted** by the government indicates the establishment in 2006, of a multisectoral coordinating council for gender issues and a team tasked to follow up the implementation of the Convention. However, this coordinating council, which should meet every six months, only met twice, once in 2008 and another in May 2011. Moreover, there are no reports of any activities or team formed to follow up the implementation of the Convention, ie, we can say that such bodies are inactive.

II. Public Policy for the Empowerment of the Women

Angola has a National Gender Policy (2011-2015) and an Action Plan for Women's Empowerment and Gender Equality, but most of the action plan has not yet left the drawing board and the few of them that come out have not contributed to the improvement of the situation of women and in some cases even caused an opposite effect.

This is the case of the national microcredit program for women in rural and urban areas that only covers seven provinces. It is believed that this program is triggering situations of domestic violence in rural areas, because some men began to physically assault their wives by those refusing to give them money from the management of the credit ¹.

III. Violence against Women, stereotypes and harmful practices

Violence against women continues to be trivialized in Angola. Although the number of reports made are still reduced, compared with the frequency such cases occur, the police is still not registering the complaints.

Despite the equality in the legal forum, homicide crimes committed by men and women are judged differently by the courts as either the publicity given by the media. Usually men who kill their partners have a lighter sentence and cases are not widely advertised in the average for public, despite happen with some frequency. The women who murder their partners receive heavy penalties and cases are subject of headlines in the average public, private and social sites.

A striking example is the case of Nerika Loureiro² – murdered her husband with a knife and was sentenced with the penalty of 17 years in prison, in closed regime, and to pay a compensation to the heirs of US\$ 350,000.00 and the payment of US\$ 700,00 in court fees.

Currently a murder investigation of the young Jorge Valério whose main suspect (mastermind of the crime) is his former girlfriend, Jessica Coelho, 17 years of age, in the light of Angolan law minor, that having been exposed, publicly, in a press conference held by the National Directorate of Criminal Investigation.

In cases where women are the victims is not given the same media attention, does not know the status of the investigation done by the police and most of the time the face and name of the offender is withheld on the pretext of safeguarding the citizen's good name, even when it is caught in flagrante or there are witnesses, as seen in the examples below:

Cecilia Clement³ - Found dead with three stab wounds and cutting one breast, on 21/10/2011, a boardinghouse in Cazenga, Luanda District - The husband is the principal suspect, he is a fugitive and is not given any information about the investigation of the case.

Romana Belarmino⁴ - Beaten by husband to death in the presence of five year old son on 28/02/2012, in Cazenga, Luanda District. The Husband is a fugitive. Also, is not given any information about the investigation of the case.

Carolina Jamba⁵, 37 - Murdered by husband in Matala, Huila Province, with a stroke of the hoe head and **Elisa Thomas**, 25, beaten to death by her husband in Mulondo, Huila Province. Both in the day 28/02/2012. As in previous cases there is no information about the course of the investigation or the whereabouts of the authors.

¹ Lunda-Sul Tchifunga Community (there are 30km of Saurimo Municipality) which was rare the cases of violence against women before the implementation of the Micro Credit Program.

² <http://www.angonoticias.com/Artigos/item/29547>

³ <http://www.rna.ao/radioluanda/noticias.cgi?ID=50148>

⁴ http://www.portalangop.co.ao/motix/pt_pt/noticias/sociedade/2012/1/9/Mulher-anos-idade-morta-pelo-marido-Cazenga.b269a8ae-e72a-4f10-913c-27391edf97e8.html

⁵ http://jornaldeangola.sapo.ao/18/71/duas_mulheres_assassinadas_pelos_maridos

⁶ http://jornaldeangola.sapo.ao/18/71/mulher_foi_morta_a_paulada_por_ciumes_1

Gender stereotypes are one of the causes of violence against women and are part of the socialization process to which we are exposed, including the servers and public managers. There are not training programs on gender issues for public managers and servers and they still have a speech sexist and discriminatory against women. There are some civil society initiatives nationally⁷ and internationally⁸ to fill this gap but are not opened enough by the state institutions.

IV. Womens political participation and representation at the national level

The participation of women in political life, compared with previous years, has increased but it does not necessarily mean that there is continued progress, therefore, note that at the beginning of each term are actually appointed women to positions of decision but after a while some of them are replaced by men, thus leading to a decrease in percentage of participation of women in political life in the country.

Currently the percentage of women in parliament is 34% whereas in the previous legislature was 38.6%, i.e. there was a decrease of 4.4% representation of women in Parliament. An important aspect is that the number of women in parliament has not represented more gender policies.

Despite the inclusion of women in political, economic and social development there is still much to be done, therefore, the participation of women in decision making bodies, public administration, the judiciary and other sectors of activity is far from reaching the quota desired, although these represent 59% of the Angolan population.

V. Education and Employment

The female illiteracy rate remains very high, 70%⁹ of the illiterate population in Angola are women. This high rate of illiteracy prevents the political, social and economic emancipation of woman. The families also contribute to this illiteracy because children, in particular young girls, are prevented to attending school because of family responsibilities stereotyped.

The funds of the State Budget for the Education Sector are very insignificant taking into account the real needs that the industry faces. The State Budget (OGE) for 2013 increased investment in higher education¹⁰ and reduced funding for basic education. Since many women interrupt their formal training by pregnancy or by constituting family early, not reaching the top level, this increase investment in higher education and reduction of investment in basic education (where there are more deficiencies) that certainly does not benefit them, since become poor quality.

With regard employment, women who are in the formal market, private or public sector, suffer systematic harassment, and their rights as a maternity leave, nursing leave and vacation days because of each minor child as angolan labour law determine, are constantly violated.

⁷ The Woman in Action Platform designed a workshop on gender for Executive Member and Parliamentary, three ministries sent a representative and no one of MP appeared.

⁸ The American NGO EngenderHealth has created a Training Manual about Gender and Domestic Violence for police officers and a training program. For more than two years since the project was draft, still waits for the approval by the government.

⁹ Data from national statistic institute.

¹⁰ Report from Political and Social Observatory of Angola and ADRA – Action for Rural Development of Angola about National Budget for 2013.

The absence of regulation regarding social protection in the informal sector, particularly domestic workers and street vendors, prevents access to the retirement of old age, accident or disability.

VI. HIV/AIDS and Maternal and Child Health

During 2010 and to date, there have been several disruptions stocks of condoms, HIV testing and antiretroviral drugs¹¹. This conditioned the entry of pregnant women to the Program of the Cut of Vertical Transmission on time and hence the birth of more children with HIV. According to the Director of the Pediatric Hospital of Luanda David Bernardino¹², about 20% of children who are admitted in the pediatric ward are HIV positive.

The Program for Family Planning and Prenatal Consultation work poorly, especially the availability of anti-contraception and contraceptive methods. Women should have at least 5 children, 35 years and husband's permission to do tubal ligation and is not available the method vasectomy.

The availability of information and specialist services for women on the prevention and combating cancer diseases is less than the investment made in relation to diseases that affect men¹³.

The few infrastructures built do not include hospitals and others emergency services to meet the needs of women. For example, the hospital and maternity in Balombo, Benguela Province, not possess surgical rooms. In many hospitals it is usual a bed sharing between two or three patients and their babies¹⁴.

In Irene Neto Maternity, in Huila Province, 84 women died, from January to September 2011, due to complications during or after childbirth¹⁵.

There are no specialized services for postpartum depression across the country. There are records of several cases of suicide in Lucrecia Paim maternity, Luanda Province. The right to safe motherhood is not seen as a women and human right.

The increasing privatization of services in public hospitals limits equal access to them and is a barrier to improving the national health system. As an example. Hospitals Américo Boa Vida, Augusto Ngangula, Lucrecia Paim and Pediatrics of Luanda that offer private services. Employees of health services have created using private investment and human resources matters of public hospitals.

The budget for the health sector reaches only 5.29%, which seems to be clearly insufficient to the needs and priorities of citizens. It is well known that most people with economic power does not resort to public health institutions, preferring private institutions or medical care abroad. This fact suggests that the public health institutions are to care for the most vulnerable. Therefore, the OPSA and ADRA consider that the share of the budget devoted to health is clearly inadequate for our needs, being somewhat understandable that a country that celebrated 10 years of peace continue to spend on defence (8.85%), Security and Order public (8.79), significantly more than the Health¹⁶.

¹¹ Disruption of ARV stock has been frequent. Occurred in 2007 and 2008 was normalized for two years and returned to occur in 2010, 2011 and 2012. The government has given no explanation for this.

¹² The speech addressed of the launched of report about the impact of HIV/AIDS in the children, in INLS – 22/07/2011.

¹³ There is considerable difference in terms of quantity, quality, and distribution of the material produced on prostate cancer and breast cancer.

¹⁴ http://jornaldeangola.sapo.ao/14/20/falta_de_cammas_na_maternidade.

¹⁵ http://jornaldeangola.sapo.ao/14/16/nova_maternidade_tem_area_escolhida.

¹⁶ Report from Political and Social Observatory of Angola and ADRA – Action for Rural Development of Angola about National Budget for 2013.

Conclusions and Recommendations

Taking into account the weak commitment of the Government in defense of women's rights and the adoption of effective measures to eliminate all forms of discrimination against women and given the regional and international commitments that the Angolan government took over, we recommend:

1. Engage in legal reform and public policy experts gender to ensure the elimination of direct and indirect discrimination that they reproduce;
2. Legislate on labor in the informal sector, particularly domestic work and walking in order to guarantee the right to social security and assistance for women who make careers in the informal sector;
3. Advise the General Labor Inspectorate to monitor, punish and report cases of abuse suffered by women in the workplace;
4. Regulatory urgently Law 25/11 - Law on Domestic Violence, and include in the curricula of Police Training School lessons about gender in order to be prepared to deal with the issue in the performance of their duties;
5. Supervise the preparation of lists of political parties in elections in order to obey the guidance of the existence of lists zebras, and not based on the proportional number of women in the direction of the parties;
6. Create training programs or programs included in overcoming public servants and managers on gender issues and practices harmful to women;
7. Review the policy management of the health sector, train more technicians and ensure the effective destruction of inputs in the health sector so that the hospitals can respond effectively to the needs of its users, who are mostly women;
8. Increasing the expansion, especially in rural areas, family planning and sexual and reproductive health, and create a massive program of dissemination of information about cancers affecting women, as well as other health services designed to meet the needs of women.