

REPUBLIC OF ANGOLA

**CONFERENCE OF STATES WHICH ARE PARTY TO THE UNITED
NATIONS CONVENTION AGAINST CORRUPTION
VIENNA, FROM 26 TO 28 AUGUST 2013**

Point 2 – Implementation of Resolution 4/3, entitled Marrakech Declaration on the Prevention of Corruption and the recommendations made by the Working Group in its meeting in August 2012.

**GOOD PRACTICES AND INITIATIVES IN THE PREVENTION OF
CORRUPTION**

- (i) **THEMATIC DISCUSSION ON INTEGRITY IN JUDICIARY AND JUDICIAL SYSTEMS, ADMINISTRATION SERVICES AND REPRESSION, ARTICLE 11 OF THE UNODC.**

I thank you Mr. Chairman.

My delegation would like to take this opportunity to congratulate you on your election as the Chairperson of the fifth Session of the Conference of States Parties of the United Nations Convention Against Corruption and assures you, our full cooperation during this session.

We also would like to thank the Secretariat for all the efforts in preparing the documentation made available.

Mr Chairman, With the ratification by the Republic of Angola of the Conventions on Corruption, namely the United Nations Convention against Corruption and the African Union Convention on Preventing and Combating Corruption, mechanisms were developed for their implementation, stressing the need for the State to disclose, inform and enable its citizens regarding transparency and the combating of corruption.

Within the scope of fulfilment of its obligations regarding the combating of Corruption, the Angolan Executive has produced suitable legislation on the subject, with the aim of stimulating active participation and awareness of society in the prevention and combating of this scourge throughout the country.

So the Republic of Angola has approved and is applying the arrangements referring to article 11 of the United Nations Convention against Corruption.

In relation to the Judiciary, Judges are independent and impartial, being subject only to the Constitution and the law. Article 6 of Law no. 14/11, of 18 March.

Judges cannot perform any other public or private functions, except teaching or scientific research, nor exercise party functions or enrol in political parties, political associations, or develop any party-political activities. Article 16 of Law no. 13/11, of 18 March. Appeal Court Judges are subject to half-yearly assessment of the merit of their professional performance by the Senior Council of the Judiciary, under the terms of the respective assessment regulations. Article 18 of Law no. 14/11, of 18 March.

In relation to the Public Prosecution Service, Attorneys are bound by criteria of legality and objectivity, impartiality and by the exclusive subjection to the Constitution, the directives, orders and instructions provided for in law. Article 31 and 32 of Law no. 22/12, of 14 August. Magistrates of the Public Prosecution Service cannot exercise any other public function or activity of a private nature, except teaching and scientific research. Article 116 of Law no. 22/12, of 14 August.

The Judiciary Senior Council of the Public Prosecution Service is the organ of the Prosecutor-General's Office with responsibility for the top management and discipline of the Judiciary, functioning in a plenary sitting and in a Permanent Commission. Article 1, Law no. 15/11, of 18 March. Magistrates of the Public Prosecution Service are assessed half-yearly, not just for evaluation of the facts associated with their professional performance, but also about any others which must be evaluated in their moral and civic conduct, article 37.

Apart from this assessment, the Magistrates of the Public Prosecution Service are assessed on professional merit, which takes place every two years. Article 39.

The assessment criteria deal with the following themes:

1 – Efficiency in the Administration of Justice:

- a) Swiftmess in intervening in processes;
- b) Profile of the Magistrate in the taking of decisions and conducting himself professionally;
- c) Intervention capacity and Decision-making Power;
- d) Lodging of appeals to Higher Court.

2 – Level of Knowledge Displayed over Technical-Legal Matters in which the Magistrate may intervene.

3 – Observance of Time-limits and other Rules of Proceedings.

4 – Assiduousness and Punctuality.

5 – Professional Achievement.

6 – Moral and Civic Conduct.

A Magistrate who is classified as "deficient" must be the subject of disciplinary proceedings.

Apart from disciplinary responsibility for breach of professional conduct, Judicial and Public Prosecution Service Magistrates are criminally liable for the practice of crimes like: *Prevarication* (Article 284 and 289); *Refusal of the court to exercise its powers* (286); *Failure to Promote Criminal Proceedings* (287); *Fraudulent Promotion of the Public Prosecution Service* (288); *Violation of Professional Secrecy* (290); *Illegal Arrest* (291), all of the Penal Code.

(ii) THEMATIC DEBATE ON PUBLIC EDUCATION, IN PARTICULAR CHILDREN AND YOUNG PEOPLE AND THE FUNCTION OF SOCIAL COMMUNICATION MEDIA AND THE INTERNET (ARTICLE 13 OF THE UNITED NATIONS CONVENTION AGAINST CORRUPTION)

The right to be informed and educated through social communication media is a guarantee provided for in the Angolan Constitution, which cannot be subjected to any prior censorship, namely of a political, ideological or artistic nature. Moreover, the exercise of press freedom aims to ensure extensive and impartial information, on all subjects of public interest, including debate and information relating to public funds expenditure and expenses.

The responsibility for educating and informing all citizens residing in Angola about the effective performance of the management of the public exchequer means that Angolan social communication today might have a more interventionist role in the defence of public affairs and of transparency in governance. That means to say that no citizen must have his private, social and professional life prejudiced by virtue of the legitimate exercise of the right to be informed about the performance of the Government in managing the State's general budget and the Country's wealth. It is important to emphasise that all private or public information in any country is disseminated through the following media:

- a) Newspapers, including electronic ones;

- b) magazines;
- c) all the other periodic publications;
- d) sound broadcasting;
- e) television;
- f) news agencies;
- g) cinemas and public spaces where documentaries and news are shown.

The right to personal information also arises from the obligation to respect international law signed up to by Angola, in particular in the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights, in the United Nations Convention against Corruption.

The Angolan State continues to stimulate and promote the appearance of local radio and newspapers, in each province, and of regional radio and newspapers, with the aim of stimulating a liking for reading and listening to programmes of local and regional interest.

It is not possible for us to talk about information without talking about promoting access to education. Angola is a country with an extraordinary generalisation of higher education. Few countries considered as developing nations have created more than 20 public and private universities within the space of one decade. This is one of the indicators that the responsibility for educating, training and informing its citizens continues to be one of the most important priorities of the Angolan Executive.

All this work is led by the Angolan Education Ministry, which has the mission of defining, coordinating, executing and appraising national policy relating to the education system, within the framework of pre-school education, basic and secondary education and out-of-school education, and articulating, within the scope of national policies for promoting qualification of the population, the national education policy and the national policy on professional training.

Young people and children, during the personality formation process, apart from the Education Ministry, are also monitored and guided by the Ministry of Youth and sports whose responsibility is, amongst others:

1. Dynamisation of a broad information movement, and mobilisation of youth, for the national reconstruction process.

2. Training and socio-professional integration of young people.
3. Promotion of educational opportunities, use and popularisation of new information technologies for children and young people.
4. Promotion of a broad education campaign for citizenship, defence and promotion of civic and cultural values.
5. Stimulating the interest of young people in discussing important matters like the quest for a first job, combating corruption, the fight against HIV/AIDS, and other endemic illnesses.
6. Development of objective actions to contribute to minimising the phenomenon of illiteracy among young people.
7. Combating juvenile delinquency.

At this time, a Programme called "Angola Youth Programme" (PAJ) is about to be introduced with Young People.

It is an instrument for putting into practice the Government's Executive Plan to Support Youth (PEGAJ), whose primary objective is the mobilisation of young people aiming to have their active and permanent participation in the process for National Reconstruction of the Country. Its implementation will be extended gradually and progressively to the different localities of the country, in harmony with the specific characteristics of each of them and in accordance with the conditions produced for that purpose.

It is a dynamic project, structured to support and flesh out proposals, demands arising from the creativity, innovation and entrepreneurial spirit of young Angolans. It is innovative, open to the inclusion of projects for stimulating employment with a particular impact on young people.

The PAJ is intended for young people from the ages of 15 to 30, in particular young women, students, people who have been demobbed from military service, young street people (hawkers, goods packers, car washers), people with disabilities and young people from the rural environment.

A youth opinion poll programme on a municipal, provincial and national scale is currently running throughout the country, also coordinated by the Ministry of Youth and Sports, with the aim of collecting proposals, contributions and ideas with the aim of seeking consensus for the Executive to effect better planning of the programmes and projects which are to be developed in favour of young people.

There is still a long and arduous road to travel for all Angolan children and young people to have access to information on specific matters like corruption, education and first jobs. But we are sure that from a little comes a lot. The rules, law and programmes being executed, inform that the direction to progress and the harmonious growth of children and young people in Angola is right given the encouraging results obtained throughout the country.

Luanda, 19 August 2013

The Working Group