

## **REVIEW OF THE DOCTORAL THESIS OF**

**Carlos Jorge Queta MA, titled “Mieždunarodno – prawowyje osnovy  
zaszczity praw riebijonka w Afrikie” (International legal problems of  
children’s rights protection in Africa)**

I. Mr Carlos Jorge Queta MA is a citizen of Angola who completed full-time doctoral studies at the Belgorod State National Research University in the Russian Federation. Under the agreement between Belgorod University and the University of Warmia and Mazury in Olsztyn, this dissertation will be defended in the Faculty of Law and Administration of the UWM in Olsztyn. The reviewed dissertation is written in the Russian language.

The thesis is devoted to highly important contemporary issues concerning the protection of children’s rights in African states. The issues concerning protection of children’s rights are always of the utmost importance all over the world. This problem, although it has been discussed in many environments, has not been published in the form of a monographic study and, for this reason, the choice of the subject is most appropriate. Therefore, it is important to raise these issues in an academic dissertation. The issues raised by the Author are difficult, as they require the Author to possess deep theoretical knowledge, particularly in the field of international public law as well as practical knowledge. Therefore, it is good that the Author took up the academic study of the topic that is so important and interesting from the academic and practical perspective. The Supervisor and the Co-Supervisor should also be acknowledged for the choice of the topic.

The study is of an interdisciplinary nature, presenting themes within the scope of international public law, comparative law as well as criminology, which harmoniously intertwine. The Author seems competent as regards the issues brought up (particularly in the scope of international law) and presents them from the position of an expert.

I have studied the dissertation of Carlos Jorge Queta MA with great interest and I can declare with full satisfaction that it is proof of the academic maturity of the Candidate, confirmation of his craftsmanship, erudition and at the same time it provides an original solution to a theoretically attractive and important research topic. **As a Reviewer, I evaluate the dissertation positively and recommend it to be accepted in the pending doctoral procedure pending.**

**II.** The dissertation consists of an introduction and four subject-matter chapters, conclusion and bibliography. Those parts are preceded with a list of abbreviations, which is very useful for the reader, particularly in view of the fact that the thesis is written in a foreign language.

In the introduction, the Author presents the subject, demonstrating the significance and importance of the issue. He rightly emphasizes that the problem of children's rights protection in Africa is continuously valid, particularly in recent years. At this point, it should be added that the scale of poverty in many countries, poor infrastructure, vast areas, age-old customs and numerous conflicts make this problem extremely valid. When in Europe and North America children's rights usually concern harmonious development, psychological protection and protection against violence or abuse, in many countries of Africa, children's rights refer directly to their right to life. The introduction consists of an opening, containing an overview of the state of the research in this area, indicating the subject of the research conducted, stating research objectives and explaining the research methods applied. The Author presents a detailed list of international legal acts used in his thesis and demonstrates the contribution of his research to scientific development. From the methodological point of view, this part of the thesis is prepared very meticulously. Since such a good methodological background is rare in doctoral theses, it deserves high recognition.

In Chapter I, the Author appropriately presents the subject matter of universal standards concerning the protection of children's rights. He discusses the establishment and development of international protection of children's rights, presents the long history related to the emergence of children's rights, referring even to antiquity and up to the present times. The Author initiates a very interesting and valuable research discussion. He presents numerous opinions of researchers from all over the world, presenting them together with his interesting and valuable commentary. He efficiently uses literature



written in Russian and in English. After presenting the historical outline, the Author, perhaps too extensively, discusses contemporary legal regulations. In the Reviewer's opinion, a separate section should be devoted to those issues. In the further part of this chapter, we can also find an extensive reference to contemporary international legal acts devoted to protection of children's rights. At that point, the Author refers to global regulations.

Chapter II is devoted to the specificity of international legal protection of children's rights in Africa. The Author presents the development of the system of children's rights in Africa. Taking into account the political, economic and social situation of African nations, he rightly emphasizes that attempts to establish and introduce standards for children's rights on this continent constitute a significant achievement of humanity. The Author discusses general conventions that have been adopted, but also mutual agreements between individual states in this regard. In a subsequent part of the chapter, he presents problems of globalization in the context of the protection of children's rights. Next, the legal status of these issues all over Africa is presented, as well as regulations in force in individual states. The problems discussed concern violence against children, the application of corporal punishment, the use of child labour and child care. The subsequent part of the chapter is devoted to the activity of interregional, regional, sub-regional, intergovernmental organisations operating in the sphere of children's rights in Africa. Subsequently, the Author presents the problems related to implementation of rules of international law as regards the protection of children's rights in various African states. The Author presents those problems using the examples of Uganda, Nigeria, Namibia, South Africa, Ghana, Mozambique, Lesotho, Burundi, Congo, Burkina Faso, Ethiopia, Cameroon, Sudan, Mali, Guinea, Malawi and Zambia. Issues concerning the role of international organizations in this regard are also discussed.

Chapter III is devoted to the specificity of legal protection concerning individual categories of children. Here, the Author distinguishes the category of new-born children and pregnant women (as regards child protection in the prenatal period). The mortality rate in this group of children is very high. Another category is made by older children (including youth) – which are the subject of trade. The main aim of these dealings is the use of slave labour of children as domestic help, in agriculture and industry, forcing them to beg, commit crimes, enter into marriage and be exploited as household workers. It also covers sexual abuse, trade in child-athletes and the use of children as soldiers. In the final part of this Chapter, the Author presents the most striking cases of using child labour,

disclosed in numerous reports of international organizations, and brings up the issues of “early marriages” of children. The dissertation is of a typical legal nature. The Author, in covering criminal aspects, also discusses several legal aspects.

Chapter IV presents a comparative analysis of legal solutions concerning protection of children’s rights in various countries. The Author chooses Portugal as the reference for comparing legal solutions applied in African states. For the Polish reader, such a comparison might seem slightly exotic. However, in many countries of Africa, Portuguese is the official language and this country provides a certain standard for legal solutions. The Author starts with a comparison of the legal status in Portugal and South Africa. The Republic of South Africa is a highly developed state and provides a point of reference for many African countries as regards business, social and legal solutions. Afterwards, children’s rights in the European Union states and the African Union member states are compared. As results from this analysis, legal solutions, objectives and values are the same. However, in the opinion of the Reviewer, what is significantly different is the execution of these rights.

In the conclusion, the Author claims that protection of human rights, including the children’s rights on the African continent makes a part of the general fight of African states against apartheid, racism and fight for the right to self-determination. The legal system for the protection of children’s rights in Africa is developed and, from the legal point of view, seems satisfactory. However, the political instability in the states on this continent, poverty, social contrasts, centuries-old traditions, superstitions, low level of education (its low availability) and level of health care make the execution of children’s rights ineffective in practice.

The thesis is written in proper Russian (the Author is the citizen of Angola, where the official language is Portuguese). It contains summaries in English and Polish. The thesis consists of 309 pages and the bibliography includes 373 items in total. However, in the bibliography section, the Author did not provide separate lists for the sources of law, books and articles and the websites used, which would be a good solution.

**The reviewed thesis deserves a very positive overall evaluation. The few errors concerning presentation of the subject matter and certain repetitions do not affect its general evaluation and do not undermine the academic value of the study.**

**III.** On the basis of the above presented evaluation, I conclude that the doctoral dissertation of Carlos Jorge Queta MA satisfies the conditions for doctoral theses as specified in Art. 13 of the Act on Academic Degrees and Academic Title and Degrees and Title in Art Studies of 14 March 2003 (Dz. U. No. 65 of 2003, item 595 as amended).

**Consequently, I put forward a motion to admit Carlos Jorge Queta MA to further stages of the doctoral procedure.**

  
Prof. zw. dr hab. Bogusław Sygit