

ANGOLA 2018 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Angola is a constitutional republic. In August 2017 the ruling Popular Movement for the Liberation of Angola (MPLA) party won presidential and legislative elections with 61 percent of the vote. MPLA presidential candidate Joao Lourenco took the oath of office for a five-year term in September 2017, and the MPLA retained a supermajority in the National Assembly. Domestic and international observers reported polling throughout the country was peaceful and generally credible, although the ruling party enjoyed advantages due to state control of major media and other resources. The Constitutional Court rejected opposition parties' legal petitions alleging irregularities during the provincial-level vote count and a lack of transparent decision-making by the National Electoral Commission.

Civilian authorities generally maintained effective control over the security forces.

Human rights issues included reports of unlawful or arbitrary killings by government security forces; arbitrary detention by security forces; harsh and life-threatening prison and detention conditions; restrictions on free expression and the press, including criminal libel and slander; refoulement of refugees to a country where they had a well-founded fear of persecution; corruption, although the government took significant steps to end impunity for senior officials; trafficking in persons; and crimes involving societal violence targeting lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons.

The government took some steps to prosecute or punish officials who committed abuses; however, accountability was limited due to a lack of checks and balances, lack of institutional capacity, a culture of impunity, and widespread government corruption.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were reports the government or its agents committed arbitrary or unlawful killings. For example, on June 1, an officer with the Criminal Investigation Services (SIC) shot and killed a robbery suspect in broad daylight while the suspect lay injured on the ground surrounded by SIC officers. A bystander filmed

the killing, and the video footage circulated widely on social media. On June 10, the Ministry of Interior, which oversees SIC, ordered an investigation and placed the SIC officer who killed the suspect in preventive detention. Authorities charged him as well as six other officers present at the scene with qualified homicide. The trial of the seven officers continued at year's end.

In a 2017 report, *The Field of Death*, journalist and human rights activist Rafael Marques stated a SIC campaign of extrajudicial killings of young men in Luanda. According to Marques, many SIC victims were accused of petty criminality or otherwise labeled as “undesirable” by residents of their respective communities. The report stated the national police at times coordinated with SIC officers in the killings. In December 2017 the public prosecutor announced the creation of a commission of inquiry to investigate the allegations, and the investigation continued at year's end.

On August 14, the Luanda Provincial Tribunal convicted First Sergeant Jose Tadi and sentenced him to 18 years in prison and a fine of one million kwanzas (\$3,450) for the 2016 killing of 14-year-old Rufino Antonio during an Angolan Armed Forces (FAA) demolition operation of allegedly unauthorized housing. The court convicted three other FAA soldiers for their involvement in the case and sentenced each of them to one year in prison. In September the family of Rufino Antonio filed a lawsuit against the government for failing to try or hold accountable the FAA commanding officers who oversaw the demolition operation.

At year's end the Supreme Court had not rendered a decision on the appeal of the 28-year sentence imposed in 2016 on Jose Kalupeteka, leader of the Light of the World religious sect, convicted in connection with the 2015 clashes between members of his group and police that left 13 civilians and nine police officers dead, according to official figures.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit all forms of torture and cruel, inhuman, or degrading treatment or punishment, but the government did not always enforce these prohibitions. Periodic reports continued of beatings and other abuses of

persons on the way to and in police stations during interrogations. The government acknowledged that at times members of the security forces used excessive force when apprehending individuals. Police authorities openly condemned some acts of violence or excessive force against individuals and asked that victims report abuses to the national police or the Office of the Public Defender (Ombudsman).

On April 14, police detained Antonio Castro Cassongo and five other members of the Lunda Tchokwe Protectorate Movement (LTPM) during a training workshop led by Cassongo. For several days police failed to acknowledge the whereabouts of the six individuals. After family members and the LTPM reported the disappearances to the press, a municipal police commander in Cafunfo acknowledged authorities had detained the six individuals in Cafunfo prison. They later released all six detainees; however, Cassongo stated that police brutally beat them while in custody.

During the year there were fewer instances in which security forces reacted violently to public demonstrations against the government. The visible presence of security forces was enough to deter significantly what the government deemed unlawful demonstrations. Authorities claimed known agitators, who sought only to create social instability, organized many of the public demonstrations.

Prison and Detention Center Conditions

Prison and detention center conditions were harsh and life threatening due to overcrowding, a lack of medical care, corruption, and violence.

Physical Conditions: On March 19, Meneses Cassoma, the spokesperson and chief prison inspector for the penitentiary services, acknowledged to the press that overcrowding in prisons was a serious problem.

Authorities frequently held pretrial detainees with sentenced inmates, and short-term detainees with those serving long-term sentences for violent crimes, especially in provincial prisons. Inmates who were unable to pay court-ordered fines remained in prison after completing their sentence.

Prison conditions varied widely between urban and rural areas. Prisons in rural areas were less crowded and had better rehabilitation, training, and reintegration services. Prisons did not always provide adequate medical care, sanitation, potable

water, or food, and it was customary for families to bring food to prisoners. Local nongovernmental organizations (NGOs) stated prison services were insufficient.

There was no additional information on the killing of prisoner Bruno Marques in March 2017. In 2016 newspaper *Novo Jornal* published photos taken by Marques that allegedly depicted Viana jail's deplorable conditions and sick and malnourished prisoners.

On March 18, SIC officers detained Mario Francisco, the director of penitentiary services for Cunene Province, and five other individuals on suspicion of diverting food from Peu Peu prison. In July 2017 the NGO Ame Naame Omuu denounced conditions in Peu Peu prison and filed a complaint with the provincial-level representative of the Ministry of Interior after uncovering the deaths of nine Peu Peu prisoners from unidentified causes. Prison records later identified cases of malnutrition resulting in inmate deaths. Francisco awaited trial and remained released on bail at year's end.

Administration: The government investigated and monitored prison and detention center conditions.

Some offenders, including violent offenders, reported paying fines and bribes to secure their freedom, but it was unclear how prevalent this practice was.

Independent Monitoring: The government permitted visits to prisons by independent local and international human rights observers and foreign diplomats. Nevertheless, civil society organizations faced difficulties in contacting detainees, and prison authorities undermined civil society work in the prisons.

Members of opposition parties visited prisons around the country on a regular basis and reported uneven improvements in living conditions and rehabilitation programs. A local NGO that provides pro bono legal services to inmates stated prison officials were trying to improve conditions but that overcrowding limited results. According to the Ministry of Justice and Human Rights, ministry representatives made monthly visits to detention centers with representatives of the Office of the Public Defender, the Attorney General's Office (PGR), and members of the National Assembly to assess prisoners' living conditions.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, security forces did not always respect these prohibitions. The constitution provides the right of habeas corpus to citizens to challenge their detention before a court.

According to several NGO and civil society sources, police arbitrarily arrested individuals without due process and routinely detained persons who participated, or were about to participate, in antigovernment protests, although the constitution protects the right to protest. While they often released detainees after a few hours, police at times charged them with crimes.

Role of the Police and Security Apparatus

The national police, controlled by the Ministry of Interior, are responsible for internal security and law enforcement. The SIC, also under the Ministry of Interior, are responsible for preventing and investigating domestic crimes. The Expatriate and Migration Services and the Border Guard Police, in the Ministry of Interior, are responsible for migration law enforcement. The state intelligence and security service reports to the presidency and investigates sensitive state security matters. The FAA are responsible for external security but also have domestic security responsibilities, including border security, expulsion of irregular migrants, and small-scale actions against Front for the Liberation of the Enclave of Cabinda separatists in Cabinda.

Civilian authorities maintained effective control over the FAA and the national police, and the government has mechanisms to investigate and punish abuse and corruption. The security forces generally were effective, although sometimes brutal, at maintaining stability. There were allegations during the year that the SIC committed extrajudicial killings, at times in coordination with the national police, to combat crime (see section 1.a.). The national police and FAA have internal mechanisms to investigate security force abuses, and the government provided some training to reform the security forces. Impunity for security force abuses remained a problem, however.

Local populations generally welcomed police presence in neighborhoods and on streets as enhancing general safety and security. Nevertheless, police routinely were believed to extort civilians to supplement their income. Corruption and impunity remained serious problems. The national police handled most complaints internally through opaque disciplinary procedures, which sometimes led to formal punishment, including dismissal. They participated in a television series designed to show a gamut of interactions between police and civilians. The goal of the show

was to encourage the population to collaborate with police while discouraging security force members' procurement of bribes or their payment. The national police also utilized social media to communicate with civilians. The PGR has an anticorruption unit, charged with oversight of police wrongdoing. The government disclosed publicly the results of some investigations that led to disciplinary action.

Police participated in professional training provided by national and international organizations that focused on human rights and combatting trafficking in persons.

Arrest Procedures and Treatment of Detainees

The law requires a magistrate or judge to issue a warrant before an arrest may be made, although a person caught committing an offense may be arrested immediately without a warrant. Authorities, however, did not always procure warrants before making an arrest.

By law the public prosecutor must inform the detainee of the legal basis for his or her detention within 48 hours. NGO sources reported authorities often did not respect the law. If the public prosecutor is unable to determine whether there is a legal basis for the detention within 48 hours, the prosecutor has the authority to release the person or, depending on the seriousness of the case, require the person to submit to one or more pretrial procedures prescribed by law, such as posting bail, periodic appearance before authorities, or house arrest.

If the public prosecutor determines a legal basis exists for the detention, a person may be held in pretrial detention for up to four months without charge and up to 12 months before a judge is required to rule on the case. Cases of special complexity regarding crimes for which conviction is punishable by eight or more years allow for pretrial detention without charge for up to six months, and up to 14 months before a judge is required to rule on the case. By law the period of pretrial detention counts as time served in fulfillment of a sentence of imprisonment.

The law states that all detainees have the right to a lawyer, either chosen by them or appointed by the government on a pro bono basis. The lack of lawyers in certain provinces at times impeded the right to a lawyer. There was an insufficient number to handle the volume of criminal cases, and the geographical distribution of lawyers was a problem, since most lawyers were concentrated in Luanda. Lawyers and NGOs noted that even in Luanda most poor defendants did not have access to lawyers during their first appearance before a judicial authority or during their trial. When a lawyer is unavailable, a judge may appoint a clerk of the court

to represent the defendant, but clerks of the court often lacked the necessary training to provide an adequate defense.

The law allows family members prompt access to detainees, but prison officials occasionally ignored this right or made it conditional upon payment of a bribe. The law requires detainees be held incommunicado for up to 48 hours until being presented to a public prosecutor, except they may communicate with their lawyer or a family member.

A functioning but ineffective bail system, widely used for minor crimes, existed. Prisoners and their families reported that prison officials demanded bribes to release prisoners.

Arbitrary Arrest: Unlawful arrest and detention remained serious problems. The PGR attributed allegations of government wrongdoing on arrest practices made by local and international NGOs to a lack of understanding of national laws. For example, on August 12, authorities detained Joaquim costa Zanguí “Lutambi,” a member of the political party Democratic Bloc, in the Viana suburb of Luanda by seizing him as he walked on the street. The Monitoring Group on Human Rights, an NGO, issued an alert several days after his disappearance, and police subsequently acknowledged they took Zanguí to Ndalatando prison on suspicion of criminal activity. On September 6, authorities released Zanguí.

Pretrial Detention: Excessively long pretrial detention continued to be a serious problem. An inadequate number of judges and poor communication among authorities contributed to the problem. In some cases authorities held inmates in prison for up to two years in pretrial detention. On March 18, the Ministry of Interior reported that approximately 45 percent of the total inmate population were pretrial detainees. The government often did not release detainees confined beyond the legal time limit, claiming previous releases of pretrial detainees had resulted in an increase in crime.

e. Denial of Fair Public Trial

The constitution and law provide for an independent and impartial judiciary. Institutional weaknesses in the judicial system, however, such as political influence in the decision-making process, were problems. The Ministry of Justice and Human Rights and the PGR worked to improve the independence of prosecutors and judges. The National Institute for Judicial Studies conducted capacity-building programs on the importance of an independent judicial system.

There were long trial delays at the Supreme Court. Criminal courts also had a large backlog of cases, which resulted in major delays in hearings.

Informal courts remained the principal institutions through which citizens resolved civil conflicts in rural areas, such as disputes over a bartering deal. Each community in which informal courts were located established local rules, creating disparities in how similar cases were resolved from one community to the next. Traditional leaders (known as “sobas”) also heard and decided local civil cases. Sobas do not have the authority to resolve criminal cases, which only courts may hear.

Both the national police and the FAA have internal court systems that generally remained closed to outside scrutiny. Although members of these organizations may be tried under their internal regulations, cases that include violations of criminal or civil laws may also fall under the jurisdiction of provincial courts. Both the PGR and the Ministry of Justice and Human Rights have civilian oversight responsibilities over military courts.

Trial Procedures

Although the law provides all citizens the right to a fair trial, authorities did not always respect this right. Defendants enjoy the right to a presumption of innocence until proven guilty. Authorities must inform defendants of the charges levied against them in detail within 48 hours of their detention. Defendants have the right to free language interpretation during all legal proceedings from the moment charged through all appeals. By law trials are usually public, although each court has the right to close proceedings. Defendants have the right to be present and consult with an attorney, either chosen by them or appointed by the state, in a timely manner. According to the Ministry of Justice and Human Rights, all public defenders are licensed lawyers. Defendants do not have the right to confront their accusers. They may question witnesses against them and present witnesses and evidence on their own behalf. Defendants have the right to sufficient time and facilities to prepare a defense. The law protects defendants from providing self-incriminating testimony. Individuals have the right to appeal their convictions. Authorities did not always respect these trial procedure rights.

A separate juvenile court is designated for children’s affairs. A juvenile court hears cases of minors between the ages of 12 and 16 accused of committing a criminal offense. Minors older than age 16 accused of committing a criminal

offense are tried in regular courts. In many rural municipalities, there is no provision for juvenile courts, so offenders as young as 12 may be tried as adults. In many cases traditional leaders have state authority to resolve disputes and determine punishments for civil offenses, including offenses committed by juveniles. The constitution defines traditional authorities as ad hoc units of the state.

The president appoints Supreme Court justices for life terms without confirmation by the National Assembly. The Supreme Court generally hears cases concerning alleged political and security crimes.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Damages for human rights violations may be sought in municipal or provincial courts and appealed to the Supreme Court.

Property Restitution

The constitution recognizes the right to housing and quality of life, and the law states that persons relocated should receive fair compensation. The constitution provides that all untitled land belongs to the state. In 2016 security forces demolished hundreds of allegedly illegal, privately built homes in Zango, a suburban Luanda zone that falls within the restrictive perimeter of the Luanda-Bengo Special Economic Zone. The demolitions displaced thousands of persons and resulted in several deaths. Some persons forced to move did not receive fair compensation, at times due to lack of clear title or permits for the destroyed property. Relocated persons who received housing units often complained their units were located far from their jobs or places of business, or were of substandard quality.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions, but the government did not always respect these prohibitions. Civil organizations and politically active individuals, including government critics, members of opposition parties, and journalists,

complained the government maintained surveillance of their activities and membership. These groups also frequently complained of threats and harassment based on their affiliations with groups that were purportedly or explicitly antigovernment.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution and law provide for freedom of expression, including for the press, but while the government loosened restrictions on these rights during the year, state media continued to be the country's primary source for news and reflected a progovernment view.

Freedom of Expression: Individuals reported practicing self-censorship but generally were able to criticize government policies without fear of direct reprisal. Social media was widely used in the larger cities and provided an open forum for discussion.

Press and Media Freedom: Private radio and print media criticized the government openly and harshly, but access to private media sources was limited outside of the capital. Journalists routinely complained of lack of transparency and communication from government press offices and other government officials.

The president appoints the leadership of all major state-owned media outlets and state control of these outlets often led to one-sided reporting. State news outlets, including Angolan Public Television (TPA), Radio Nacional, and the *Jornal de Angola* newspaper, favored the ruling party but increased their coverage of opposition political parties' perspectives and social problems reflecting poor governance during the year. On January 18, the TPA inaugurated live broadcasts of plenary sessions of the National Assembly. Also in January, the TPA began permitting opposition politicians to comment live on stories featured on the nightly news. Opposition parties, however, received far less overall coverage on state media than did the ruling party.

Violence and Harassment: Journalists reported fewer incidents of violence or harassment during the year. On October 19, the board of directors of TV Zimbo dismissed journalist Jorge Eurico allegedly for reporting on an attempted bribery scandal involving senior government officials. Media outlets Club-K and a foreign news organization reported that General Leopoldino Fragoso de Nascimento

“Dino,” a major shareholder in TV Zimbo, ordered Eurico’s dismissal. On October 24, Eurico published an opinion editorial denouncing his dismissal from TV Zimbo.

Censorship or Content Restrictions: In January 2017 the National Assembly passed a package of five regulatory media laws, one of which established the Regulatory Entity for Social Communication (ERCA), a body mandated to license and delicense journalists and determine what constitutes appropriate media content. At year’s end ERCA remained largely inactive.

Journalists reported practicing self-censorship.

The minister of social communication, the spokesperson of the presidency, and the national director of information maintained significant decision-making authority over media. It was commonly understood these individuals actively vetted news stories in the state-controlled print, television, and radio media and exercised considerable authority over some privately owned outlets. State-controlled media rarely published or broadcast stories critical of the ruling party, government officials, or government policies. Coverage critical of the previous government of Jose Eduardo dos Santos and of senior-level officials who had been dismissed on allegations of corruption increased significantly during the year.

On September 3, the minister of social communication announced that cable provider DStv would start broadcasting two Portuguese-owned television channels, SIC Noticias and SIC Internacional, which Angolan telecommunications operator ZAP, owned by Isabel dos Santos, the daughter of former president Jose Eduardo do Santos, stopped broadcasting in March 2017. *Expresso* newspaper correspondent in Luanda Gustavo Costa and the president of the Media Institute for Southern Africa-Angola, Alexandre Solombe, stated that ZAP’s decision to cease broadcasting the two channels was in response to their critical reporting on corruption and poverty in the country.

Libel/Slander Laws: Defamation is a crime for which conviction is punishable by imprisonment or a fine, and unlike in most cases in which defendants are presumed innocent until proven guilty, defendants in defamation cases have the burden of proving their innocence by providing evidence of the validity of the allegedly damaging material.

Several journalists in print media, radio, and political blogs faced libel and defamation lawsuits. Journalists complained the government used libel laws to

limit their ability to report on corruption and nepotistic practices, while the government assessed that some journalists abused their positions and published inaccurate stories regarding government officials without verifying the facts or providing the accused the right of reply. On July 6, the Provincial Tribunal of Luanda acquitted journalists Rafael Marques and Mariano Bras on charges of defamation and slander for alleging corrupt practices by former attorney general Joao Maria de Sousa. Judge Josina Ferreira Falcao ruled that Marques' reporting, which Bras had republished, fulfilled the duty of journalism to inform the public and expose suspected wrongdoings.

Internet Freedom

The law mandates ERCA to determine what constitutes appropriate media content, including online content. The government did not, however, restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal oversight. According to the International Telecommunication Union, in 2017 approximately 14 percent of residents had access to the internet.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedoms of Peaceful Assembly and Association

Freedom of Peaceful Assembly

The constitution and law provide for the right of peaceful assembly, and the government increasingly respected this right.

The law requires written notification to the local administrator and police three days before public assemblies are to be held. The law does not require government permission to hold public assemblies, but permits authorities to restrict or stop assemblies in public spaces within 109 yards of public, military, detention, diplomatic or consular buildings for security reasons. The law also requires public assemblies to start after 7 p.m. on weekdays and 1 p.m. on Saturdays. The government at times prohibited events based on perceived or claimed security considerations. Police and administrators did not interfere with progovernment gatherings. Nonpartisan groups intending to criticize the government or government leaders, however, often encountered the presence of police who

prevented them from holding the event. Usually authorities claimed the timing or venue requested was problematic or that the proper authorities had not received notification.

On May 26, in Luanda, police intervened to prevent a group of 20 activists from commemorating the 41st anniversary of a 1977 protest against the MPLA that resulted in the arrest and killings of thousands of individuals. Protesters stated police prevented their access to the protest site and attacked them with dogs and sticks. One protester was badly injured. Opposition parties, UNITA and the Broad Convergence for the Salvation of Angola-Electoral Coalition (CASA-CE), as well as Amnesty International, criticized the police intervention.

Members of LTPM held several protests during the year. On November 17, security forces allegedly fired shots in the direction of LTPM protesters in Cafunfo, Lund Norte province, to disperse them. LTPM and several media sources reported that security forces shot one protester in the leg and detained dozens.

The government at times arbitrarily restricted the activities of associations it considered subversive by refusing to grant permits for organized activities. Authorities generally permitted opposition parties to organize and hold meetings.

Freedom of Association

The constitution and law provide for the right of association, but the government did not always respect this right (see also section 7.a.). Extensive delays in the NGO registration process continued to be a problem; however, NGOs that had not yet received registration were allowed to operate.

In July 2017 the Constitutional Court declared unconstitutional a 2015 presidential decree regulating the operation of NGOs. Civil society had criticized the decree as potentially restrictive and intrusive for including requirements that NGOs obtain approval from the government before the implementation of any project, provide frequent financial reports to the government on NGO activities, and allow local authorities to supervise NGO projects within their municipalities. The government stated this regulation was part of its strategy to combat money laundering and terrorist financing. The court ruled that only the National Assembly had jurisdiction to legislate such requirements according to the clearly defined separation of powers in the constitution.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation. The government at times restricted these rights.

The government sometimes cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, or other persons of concern. As of November 16, UNHCR reported that security forces expelled or voluntarily repatriated an estimated 450,000 irregular migrants. The overwhelming majority of these individuals were Congolese whom authorities expelled or voluntarily repatriated to the Kasai region of the Democratic Republic of Congo (DRC). On October 25, the UN High Commissioner for Human Rights criticized the government for creating a humanitarian crisis due to the massive influx of people crossing into the unstable Kasai region of the DRC. UNHCR reported that security forces refouled 2,200 registered Congolese refugees as part of the expulsions or voluntarily repatriations. There were other reports throughout the year that Lunda Norte provincial authorities exerted pressure on irregular migrants and refugees to return to the DRC. The government failed to provide adequate protection for asylum seekers and urban refugees.

Abuse of Migrants, Refugees, and Stateless Persons: On September 25, security forces began Operation Transparency, a security campaign directed at irregular migrants working in the diamond-mining region in the northern part of the country. The operation resulted in the expulsion or voluntary repatriation of an estimated 450,000 Congolese irregular migrants and smaller numbers of primarily West African migrants from the country. Multiple sources report security forces committed abuses against these migrants during the campaign.

On November 6, security forces began the nationwide campaign Operation Rescue, a nationwide law enforcement campaign focused on addressing criminality and unlicensed commercial activity. Following a 2016 visit, the UN special rapporteur on the human rights of migrants, Francois Crepeau, issued a report criticizing the government for its lack of adequate protections for refugees, asylum seekers, and

migrants. Crepeau cited government failure to implement key elements of the 2015 asylum law, which had the effect of impeding refugee and asylum seekers' access to basic services and documents, such as birth certificates for children of foreign-born parents. NGOs working with refugee and asylum-seeker populations continued to cite security force harassment of and state discrimination against those communities. At year's end the asylum law remained unimplemented.

In-country Movement: Police maintained roadside checkpoints throughout the country. Reports by local NGOs suggested some police officers extorted money from civilians at checkpoints and during regular traffic stops. Reports from the diamond mining provinces of Lunda Norte and Lunda Sul indicated some government agents restricted the movements of local communities.

Protection of Refugees

In 2017 more than 32,000 Congolese, primarily women and children, fled the Kasai region of the DRC and sought refuge in Lunda Norte Province. During the early days of the refugee influx, the government was the sole provider of life-saving assistance, including food and medical care. The government generally cooperated with UNHCR, the World Food Program, and NGOs to protect and assist the community. At year's end, however, the government had not formally granted the Kasai refugees prima facie status, despite repeated requests from UNHCR.

Refoulement: On November 16, UNHCR reported the government had forcibly returned 2,200 registered Congolese refugees since the beginning of Operation Transparency on September 25. On February 25-27, the government forcibly returned 52 registered and 480 unregistered Congolese refugees, including 217 children, to the Kasai region of the DRC despite continued reports of violence and inadequate humanitarian conditions in that region. Congolese provincial government leaders made several visits to Lunda Norte during the year and reportedly pressured refugees to return to the DRC.

Access to Asylum: The law provides for the granting of asylum or refugee status, but the law did not function during the year. The 2015 asylum law provides specific procedures for the submission of an asylum application and guidance on the determination of asylum and refugee cases. UNHCR and several NGOs reported that asylum seekers and urban refugees did not have a mechanism to apply for or resolve their status. The 2015 law changed the role of the Committee for the Recognition of the Right to Asylum, the prior implementing mechanism to

identify, verify, and legalize asylum seekers, to that of an advisory board; however, at year's end the government had not put into practice an alternative mechanism to adjudicate asylum and refugee cases in the committee's place. The law also established the creation of reception centers for refugees and asylum seekers where they are to receive assistance until the government makes a decision on their cases.

Freedom of Movement: UNHCR, NGOs, and refugees themselves reported restrictions on freedom of movement in Lunda Norte Province. Police arbitrarily arrested or detained refugees and confiscated their registration documents during periodic round ups, particularly in Dundo, the provincial capital. Refugees also reported periodic restrictions on freedom of movement from their resettlement site in Lovua, Lunda Norte Province.

Employment: Formal restrictions on a refugee's ability to seek employment existed. Regulation 273/13 restricted refugees from obtaining the mandatory business license required to own and operate a business. Refugees often faced difficulty obtaining employment due inability to obtain legal documents required to work in the formal sector. A general lack of acceptance of the refugee card and lack of knowledge concerning the rights it was intended to safeguard compounded the difficulties.

Access to Basic Services: Persons with recognized refugee status could at times obtain public services. UNHCR, NGOs, and refugees, however, reported that urban refugees in particular were unable to obtain legal documents following passage of the asylum law and at times faced difficulty accessing public services such as health care and education. Corruption by officials compounded these difficulties.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: In August 2017 the government held presidential and legislative elections, which the ruling MPLA won with 61 percent of the vote. In September 2017 the country inaugurated MPLA party candidate Joao Lourenco as its third president since independence.

Domestic and international observers reported polling throughout the country was peaceful and generally credible, although the ruling party enjoyed advantages due to state control of major media and other resources. Opposition parties complained to the Constitutional Court aspects of the electoral process, including the National Electoral Commission's lack of transparent decision making on key election procedures and perceived irregularities during the provincial-level vote count. The court rejected opposition appeals, citing a lack of evidence. The court concluded that members of the two opposition parties, UNITA and the Social Renewal Party, forged election documents submitted in support of their appeals, a crime for which conviction carries a penalty of two to eight years' imprisonment and a monetary fine. The court referred the matter to the public prosecutor, but at year's end there were no additional details on the investigation.

The central government appoints the provincial governors, and the constitution does not specify a timeline for implementing municipal-level elections. On March 22, President Lourenco announced that municipal elections in select municipalities would occur in 2020.

Political Parties and Political Participation: The ruling MPLA party dominated all political institutions. Political power was concentrated in the presidency and the Council of Ministers, through which the president exercised executive power. The council may enact laws, decrees, and resolutions, assuming most functions normally associated with the legislative branch. The National Assembly consists of 220 deputies elected under a party list proportional representation system. The National Assembly has the authority to draft, debate, and pass legislation, but the executive branch often proposed and drafted legislation for the assembly's approval. The MPLA retained its supermajority in the National Assembly in the August 2017 elections; however, opposition parties increased their representation by winning 32 percent of parliamentary seats, up from 20 percent in the 2012 elections.

Political parties must be represented in all 18 provinces, but only the MPLA, UNITA, and CASA-CE, to a lesser extent, had truly national constituencies. By law no political party may limit party membership based on ethnicity, race, or gender.

Participation of Women and Minorities: No laws limit the participation of women and members of minorities in the political process, and they did participate. Of the 220 deputies in the national assembly, 60 were women. There were two female

provincial governors, and 12 of 32 cabinet ministers were women. Some observers believed traditional and cultural factors prevented women from participating in political life to the same extent as men. The country has multiple linguistic groups, many of which were represented in government.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government took concrete steps during the year to remove from office, investigate, and prosecute government officials for alleged corrupt practices. During the year President Lourenco dismissed cabinet ministers, provincial governors, senior military officers, and other high-level government officials due to alleged corrupt practices. The PGR launched investigations and brought criminal charges against several of these officials. Official impunity, however, remained a serious problem, and President Lourenco repeatedly stressed that ending impunity for corruption was among his administration's top priorities.

Corruption: Government corruption at all levels was widespread, and accountability was limited due to inadequate checks and balances, a lack of institutional capacity, and an entrenched culture of impunity. On June 26, the Law on the Repatriation of Capital Assets Domiciled Abroad entered into force, mandating that every Angolan who had in excess of \$100,000 undeclared abroad must return and invest the money in the country by year's end or face criminal penalties. On May 17, the National Assembly passed the law with the votes of 133 MPLA parliamentarians. Opposition parties voted as a block against the bill and, along with civil society, harshly criticized the law as sanctioning impunity by allowing individuals who stole state funds to keep their ill-gotten gains without facing an investigation or criminal penalties if they returned and invested the funds in the country by year's end.

Several investigations or prosecutions of government officials allegedly involved in corruption were in process at year's end. For example, on September 22, authorities charged Valter Filipe, the former governor of the National Bank of Angola (BNA), and Jose Filomeno dos Santos, the son of former president dos Santos, with criminal association, money laundering, and influence peddling for the alleged illicit transfer of \$500 million from the BNA to a bank in the United Kingdom. On September 21, authorities announced the pretrial detention of former minister of transportation, Augusto Tomas, whom the president fired on June 20, on charges of corruption and money laundering. Tomas remained in pretrial detention at year's end. On August 13, the Provincial Tribunal of Luanda

convicted Angolan General Tax Administration (AGT) administrator, Nicholas da Silva, and four AGT associates on charges of money laundering, tax fraud, and corruption for embezzling collected tax revenue designated for the national treasury. The former AGT officials, first detained in October 2017, received sentences ranging from 3.5 to five years' imprisonment and a monetary fine.

On July 13, the PGR acknowledged receiving from Portuguese authorities the case file of former Angolan vice president, Manuel Vicente. In January 2017 Portuguese authorities charged Vicente with corruption, money laundering, breach of judicial secrecy, and document forgery but on May 10 announced the transfer of the case to Angolan jurisdiction. The case extended back to 2012, when Vicente was under investigation in Portugal for alleged money laundering and corruption related to both the purchase of a luxury Lisbon apartment for 3.8 million euros (\$4.37 million) and the purchase of shares in the Angolan telecommunications company Movitel and bank BES Angola. Portuguese authorities stated Vicente bribed then Portuguese public prosecutor Orlando Figueira to close both investigations with payments amounting to 763,000 euros (\$877,000). Angolan authorities continued to review the case file at year's end.

Government ministers and other high-level officials commonly and openly owned interests in public and private companies regulated by, or doing business with, their respective ministries. Laws and regulations regarding conflict of interest exist, but they were not enforced. Petty corruption among police, teachers, and other government employees was widespread. Police extorted money from citizens and refugees, and prison officials extorted money from family members of inmates.

Financial Disclosure: The law on public probity requires senior government officials to declare their assets to the attorney general. Following his election in August 2017, President Lourenco ordered all presidential appointees to comply with the law, which the previous dos Santos government did not enforce.

According to the Ministry of Justice and Human Rights, the financial information of government officials was provided to the appropriate government office. The law treats these reports as confidential. The president, vice president, and president of the National Assembly are exempt from these public probity requirements. Nonexempt government officials are to make a declaration within 30 days of assuming a post and every two years thereafter. The law does not stipulate a declaration be made upon leaving office but states that officials must return all government property within 60 days.

Penalties for noncompliance with the law on public probity vary depending on which section of the law was violated, but they include removal from office, a bar from government employment for three to five years, a ban on contracting with the government for three years, repayment of the illicitly gained assets, and a fine of up to 100 times the value of the accepted bribe. The National Office of Economic Police is responsible for investigating violations of this law, as well as other financial and economic crimes, and then referring them to the Financial Court for prosecution. There were no known cases related to this law during the year.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups operated throughout the country. Some of those investigating government corruption and human rights abuses alleged government interference in their activities. Civil society organizations faced difficulties in contacting detainees, and prison authorities undermined civil society work in the prisons.

The Law of Associations requires NGOs to specify their mandate and areas of activity. The government used this provision to prevent or discourage established NGOs from engaging in certain activities, especially those that the government deemed politically sensitive. In July 2017 the Constitutional Court ruled that a 2015 presidential decree to regulate NGO operations was unconstitutional (see section 2.b.).

The government allowed local NGOs to carry out human rights-related work, but many NGOs reported they were forced to limit the scope of their work because they faced problems registering, were subject to subtle forms of intimidation, and risked more serious forms of harassment and closure.

Government Human Rights Bodies: The state-funded Interministerial Commission for the Writing of Human Rights Reports includes only representatives from various government ministries. Leading civil society members decided not to participate on the commission because they did not believe it was independent or effective.

The 10th Commission on Human Rights of the National Assembly is charged with investigating citizen complaints of alleged human rights violations and makes recommendations to the National Assembly.

An Office of the Ombudsman existed to mediate between an aggrieved public, including prisoners, and an offending public office or institution. The office did not cover the entire country and had neither decision-making nor adjudicative powers, but it helped citizens obtain access to justice, advised government entities on citizen rights, and published reports. In December 2017 the National Assembly elected Carlos Alberto Ferreira Pinto as ombudsman. Opposition parliamentarians either abstained or voted against Pinto due to his position as an elected member of the National Assembly representing the ruling MPLA party and his membership in the MPLA Central Committee.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: Rape, including spousal rape, is illegal and punishable by up to eight years' imprisonment if convicted. Limited investigative resources, poor forensic capabilities, and an ineffective judicial system prevented prosecution of most cases. The Ministry of Justice and Human Rights worked with the Ministry of Interior to increase the number of female police officers and to improve police response to rape allegations.

The law criminalizes domestic violence and penalizes offenders with prison sentences of up to eight years and monetary fines, depending on the severity of their crime. The Ministry of Justice and Human Rights maintained a program with the Angolan Bar Association to give free legal assistance to abused women and established counseling centers to help families cope with domestic abuse. According to a survey conducted by the country's National Statistics Institute, one in every five women suffered domestic physical violence "frequently or from time to time" during the year and 31 percent of women ages 15-49 reported experiencing domestic violence at some point in their lives.

Other Harmful Traditional Practices: There were anecdotal reports that some communities abused women and children due to accusations they practiced witchcraft. The Ministry of Culture and the National Institute for Children (INAC) had educational initiatives and emergency programs to assist children accused of witchcraft.

Sexual Harassment: Sexual harassment was common and not illegal. It may be prosecuted, however, under assault and battery and defamation statutes.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: Under the constitution and law, women enjoy the same rights and legal status as men. The government, however, did not enforce the law effectively as societal discrimination against women remained a problem, particularly in rural areas. Customary law prevailed over civil law, particularly in rural areas, and at times had a negative impact on a woman's legal right to inherit property.

The law provides for equal pay for equal work, although women generally held low-level positions.

The Ministry of Social Assistance, Family, and Promotion of Women led an interministerial government information campaign on women's rights and domestic abuse, and hosted national, provincial, and municipal workshops and training sessions.

Children

Birth Registration: Citizenship is derived by birth within the country or from one's parents. The government does not register all births immediately, and activists reported many urban and rural children remained undocumented. During the year the government continued programs to improve the rate of birth registration through on-site registries collocated in maternity hospitals in five provinces and the training of midwives in rural areas to complete temporary registration documents for subsequent government conversion into official birth certificates.

Education: Education is tuition-free and compulsory for documented children through the sixth grade, but students often faced significant additional expenses such as books or fees paid to education officials. When parents were unable to pay the fees, their children were often unable to attend school.

There were reports that parents, especially in more rural areas, were more likely to send boys to school rather than girls. According to UNESCO, enrollment rates were higher for boys than for girls, especially at the secondary level.

Child Abuse: Child abuse was widespread. Reports of physical abuse within the family were commonplace, and local officials largely tolerated abuse. A 2012 law

significantly improved the legal framework protecting children, but problems remained in its implementation and enforcement.

Early and Forced Marriage: The legal age for marriage with parental consent is 15 for girls and 16 for boys. The government did not enforce this restriction effectively, and the traditional age of marriage in lower income groups coincided with the onset of puberty.

Sexual Exploitation of Children: All forms of prostitution, including child prostitution, are illegal. Police did not actively enforce laws against prostitution, and local NGOs expressed concern regarding child prostitution. The law does not prohibit the use, procurement, offering, and financial benefit of a child for the production of pornography and pornographic performances. The law does not criminally prohibit either the distribution or the possession of child pornography. On September 19, the Internet Watch Foundation (IWF), the Association for the Reintegration of Children and Youth in Social Life (SCARJoV), a local NGO, and INAC launched a digital public platform to allow anonymous reporting of images and videos of child pornography and sexual abuse. SCARJoV and IWF explained that experts based in the United Kingdom would scrutinize the video and images, remove them from the internet, and refer suspected cases of abuse to local law enforcement.

Sexual relations between an adult and a child younger than 12 are considered rape, and conviction carries a potential penalty of eight to 12 years' imprisonment. Sexual relations with a child between the ages of 12 and 17 are considered sexual abuse, and convicted offenders may receive sentences from two to eight years in prison. The legal age for consensual sex is 18. Limited investigative resources and an inadequate judicial system prevented prosecution of most cases. There were reports of prosecutions during the year.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/travel/en/International-Parental-Child-Abduction/providers/legal-reports-and-data.html.

Anti-Semitism

There is a Jewish community of approximately 500 persons, primarily resident Israelis. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, but the government did not effectively enforce these prohibitions. The constitution grants persons with disabilities full rights without restriction and calls on the government to adopt national policies to prevent, treat, rehabilitate, and integrate persons with disabilities to support their families; remove obstacles to their mobility; educate society regarding disability; and encourage learning and training opportunities for persons with disabilities. In 2016 the Law of Accessibilities entered into force, requiring changes to public buildings, transportation, and communications to increase accessibility for persons with disabilities, but civil society organizations and persons with disabilities reported the government failed to enforce the law and significant barriers to access remained.

On April 22, the Platform for Inclusion, an activist group for persons with disabilities, held a protest in Luanda to raise awareness of discrimination against persons with disabilities. Police, however, intercepted and forbade demonstrators in wheelchairs from using placards and continuing on the planned route. According to Amnesty International, police subjected the protesters to violence. A member of the Platform for Inclusion, Adao Ramos, criticized the government for failing to implement the Law of Accessibilities and provide adequate protection for persons with disabilities. According to police, they halted the protest because the Platform for Inclusion did not comply with the legal requirement to inform authorities 72 hours in advance of a protest.

Persons with disabilities included more than 80,000 survivors of land mines and other explosive remnants of war. The NGO Handicap International estimated that as many as 500,000 persons had disabilities. Because of limited government resources and uneven availability, only 30 percent of such persons were able to take advantage of state-provided services such as physical rehabilitation, schooling, training, or counseling.

Persons with disabilities found it difficult to access public or private facilities, and it was difficult for such persons to find employment or participate in the education system. Women with disabilities were reported to be vulnerable to sexual abuse and abandonment when pregnant. The Ministry of Social Assistance, Families, and Women's Promotion sought to address problems facing persons with disabilities, including veterans with disabilities, and several government entities supported programs to assist individuals disabled by landmine incidents.

On August 23, the National Association of University Students with Disabilities (ANEUD) filed a complaint with the PGR alleging discrimination against students with disabilities in violation of the law. Micael Daniel, the president of ANEUD, stated the Ministry of Education failed to reserve the required 4 percent of university public education slots for persons with special needs during an open competition for university slots. At year's end the PGR continued to investigate the case.

Indigenous People

The constitution does not specifically refer to the rights of indigenous persons, and no specific law protects their rights and ecosystems. The estimated 14,000 San lacked adequate access to basic government services, including medical care, education, and identification cards, according to a credible NGO. The government permitted businesses and well-connected elites to take traditional land from the San.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The constitution prohibits all forms of discrimination but does not specifically address sexual orientation or gender identity. Local NGOs reported that lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals faced violence, discrimination, and harassment. The government, through its health agencies, instituted a series of initiatives to decrease discrimination against LGBTI individuals. During the year the government formally registered Association Iris Angola, the country's first LGBTI rights NGO. Also during the year, one of the former president's children announced publicly that he was gay.

Discrimination against LGBTI individuals was rarely reported, and when reported, LGBTI individuals asserted that sometimes police refused to register their grievances. The association continued to collaborate with the Ministry of Health

and the National Institute to Fight HIV/AIDS to improve access to health services and sexual education for the LGBTI community.

HIV and AIDS Social Stigma

Discrimination against those with HIV/AIDS is illegal, but lack of enforcement allowed employers to discriminate against persons with the condition or disease. There were no news reports of violence against persons with HIV/AIDS. Reports from local and international health NGOs suggested discrimination against individuals with HIV/AIDS was common. The government's National Institute to Fight HIV/AIDS includes sensitivity and antidiscrimination training for its employees when they are testing and counseling HIV patients.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers, except members of the armed forces and police, to form and join independent unions. To establish a trade union, at least 30 percent of workers in an economic sector in a province must follow a registration process and obtain authorization from government officials. The law provides for the right to collective bargaining except in the civil service. The law prohibits strikes by members of the armed forces, police, prosecutors and magistrates of the PGR, prison staff, fire fighters, public-sector employees providing "essential services," and oil workers.

While the law allows unions to conduct their activities without government interference, it also places some restrictions on their ability to strike. Before engaging in a strike, workers must make a good-faith effort to negotiate their grievances with their employer. Should they fail to negotiate, the government may deny the right to strike. The government may intervene in labor disputes that affect national security and energy sectors. Essential services are broadly defined, including the transport sector, communications, waste management and treatment, and fuel distribution. In exceptional circumstances involving national interests, authorities have the power to requisition workers in the essential services sector. Collective labor disputes are to be settled through compulsory arbitration by the Ministry of Public Administration, Employment, and Social Security. The law does not prohibit employer retribution against strikers, and it permits the government to force workers back to work for "breaches of worker discipline" or participation in unauthorized strikes. Nonetheless, the law prohibits antiunion

discrimination and stipulates that worker complaints should be adjudicated in the labor court. The Ministry of Public Administration, Employment, and Social Security had a hotline for workers who believed their rights had been violated. By law employers are required to reinstate workers who have been dismissed for union activities. There were no known cases of retribution against strikers during the year.

The government generally did not effectively enforce applicable labor laws. Labor courts functioned but were overburdened by a backlog of cases and inadequate resources. The law provides for penalties for violations of the labor code and labor contracts, but the penalties were not an effective deterrent due to the inefficient functioning of the courts.

Freedom of association and the right to collective bargaining were not generally respected. Government approval is required to form and join unions, which were hampered by membership and legalization issues. In September 2017 the president of the National Union of the Workers in Angola, Manuel Viage, stated that many foreign companies, primarily Chinese-owned, prohibited their workers from joining labor unions under threat of dismissal. Labor unions, independent of those run by the government, worked to increase their influence, but the ruling MPLA continued to dominate the labor movement due to historical connections between the party and labor, and also the superior financial base of the country's largest labor union (which also constitutes the labor wing of the MPLA). The government is the country's largest employer, and the Ministry of Public Administration, Employment, and Social Security mandated government worker wages with no negotiation with the unions.

In April the National Teachers' Union began a six-day strike to demand higher salaries, step increases, and fewer work hours for primary and secondary schools. There were reports that some government administrators threatened teachers with disciplinary measures, including salary cuts, if they participated in the strike.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor.

The government did not effectively enforce the law due in part to an insufficient number of inspectors. Penalties for violations are the same as those for trafficking in persons, ranging from eight to 12 years in prison, and were insufficient to deter violations, primarily due to lack of enforcement.

Forced labor of men and women occurred in fisheries, agriculture, construction, domestic service, and artisanal diamond mining sectors, particularly in Lunda Norte and Lunda Sul Provinces. Migrant workers were subject to seizure of passports, threats, denial of food, and confinement. The government continued to make use of a training video for law enforcement and immigration officials that included a short segment on how to identify victims of trafficking, although this was not the sole objective of the film. INAC continued working to reduce the number of children traveling to agricultural areas in the country's southern regions to work on farms, mostly through community outreach concerning the importance of an education. Forced child labor also occurred.

On July 24, the Union of Fisheries and Derivatives denounced the unfair labor practices of Guanda Pesca, a Chinese and Angolan-administered fishing company. Joaquim de Sousa, the secretary general of the union, harshly criticized the company's poor operating condition and seven-day work week as akin to modern slavery and threatened to file a criminal complaint. Following the public allegations, Guanda Pesca representatives met with employees and agreed to improve working conditions and decrease working hours.

See also the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits children younger than age 14 from working. To obtain an employment contract, the law requires youth to submit evidence they are 14 years of age or older. Children could work from age 14 to 16 with parental permission or without parental consent if they are married and the work did not interfere with schooling or harm the physical, mental, and moral development of the minor. The law also allows orphan children who want to work to get official permission in the form of a letter from "an appropriate institution," but it does not specify the type of institution. The Ministry of Public Administration, Employment, and Social Security; the Ministry of Social Assistance, Families, and Women's Promotion; the Ministry of Interior; the Ministry of Labor; INAC; and the national police are the entities responsible for enforcement of child labor laws. On June 12, the Ministry of Labor launched the *National Action Plan for the Eradication of Child Labor* for 2018-2022, which aimed to map the most prevalent zones and types of child labor in the country to strengthen coordination of child labor investigations, prosecutions, and the imposition of criminal penalties. An interministerial

commission to combat trafficking in persons was created in 2014 to coordinate enforcement actions. The government had difficulty monitoring the large informal sector, where most children worked.

Inspectors are authorized to conduct surprise inspections whenever they see fit. Penalties were generally sufficient to deter violations. Penalties for not signing a written contract for children age 14 and older is a fine of two to five times the median monthly salary offered by the company. Children older than age 14 who are employed as part of an apprenticeship are also required to have a written contract. The penalty on employers for not having this contract is three to six times the average monthly salary of the company. For children found to be working in jobs categorized as hazardous (which is illegal), the fines are five to 10 times the average monthly salary of the company. Nonpayment of any of these fines results in the accrual of additional fines.

The government did not consistently enforce the law. Child labor, especially in the informal sector, remained a problem. On June 19, INAC filed two complaints against four Chinese companies for violating labor laws and child protection statutes. The first complaint stated that a Chinese cement brick manufacturing company in the northwestern city of Saurimo hired underage children to manufacture bricks and load trucks and paid them very little compensation. At year's end the case was before the Provincial Tribunal of Lunda Sul. The second INAC complaint was against three Chinese fishing companies--Famao-Lda, Fuhau Atlantico, and Guanda Pesca-Benguela Province. INAC stated the companies recruited children between the ages of 14 and 17 without parental consent as required by law and employed them in poor conditions for little compensation. The investigation into the complaint was ongoing at year's end. The Ministry of Public Administration, Employment, and Social Security had oversight of formal work sites in all 18 provinces, but it was unknown whether inspectors checked on the age of workers or conditions of work sites. If the ministry determined a business was using child labor, it transferred the case to the Ministry of Interior to investigate and possibly press charges. It was not known whether the government fined any businesses for using child labor. The Ministry of Public Administration, Employment, and Social Security, other government agencies, and labor unions implemented a national plan to limit child labor.

Children engaged in economic activities such as agricultural labor on family farms and commercial plantations--particularly in orchards--as well as in fishing, brick making, artisanal mining, charcoal production, domestic labor, and street vending. Exploitive labor practices included involvement in the sale, transport, and

offloading of goods in ports and across border posts. Children were forced to act as couriers in the illegal cross-border trade with Namibia. Adult criminals sometimes used children for forced criminal activity, since the justice system prohibits youths younger than 12 from being tried in court.

Street work by children was common, especially in the provinces of Luanda, Benguela, Huambo, Huila, and Kwanza Sul. Investigators found children working in the streets of Luanda, but many returned during the weekends to some form of dwelling in Luanda or outlying cities. Most of these children shined shoes, washed cars, carried water and other goods, or engaged in other informal labor, but some resorted to petty crime and begging. Commercial sexual exploitation of children occurred as well.

The government, through INAC, worked to create, train, and strengthen child protection networks at the provincial and municipal levels in all 18 provinces. No central mechanism existed to track cases or provide statistics. The government also dedicated resources to the expansion of educational and livelihood opportunities for children and their families.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

The labor law prohibits discrimination in employment and occupation based on race, sex, religion, disability, or language, and the government in general effectively enforced the law in the formal sector. The constitution prohibits all forms of discrimination, although it does not specifically address political opinion, national origin, sexual orientation, or gender identity (see section 6). The law provides for equal pay for equal work, and many women held high-level positions in state-run industries and in the private sector or worked in the informal sector. There were no known prosecutions of official or private sector gender-based discrimination in employment or occupation. Women held ministerial posts.

The government did not effectively implement the law. Persons with disabilities found it difficult to gain access to public or private facilities, and it was difficult for such persons to participate in the education system and thus find employment. Reports during the year indicated that persons with albinism also experienced discrimination in employment and access to public services. There were no known

prosecutions for discrimination in employment. Penalties were not sufficient to deter violations.

Discrimination against migrant workers also occurred.

e. Acceptable Conditions of Work

A minimum wage for the formal sector exists, and varies by sector. The minimum wage for the formal sector may be updated annually or when the government assesses economic conditions warrant. The minimum wage law does not cover workers in informal sectors, such as street vendors and subsistence farmers.

The standard workweek in the private sector is 44 hours, while in the public sector it is 37 hours. In both sectors the law mandates at least one unbroken period of 24 hours of rest per week. In the private sector, when employees engage in shift work or a variable weekly schedule, they may work up to 54 hours per week before the employer must pay overtime. In the formal sector, there is a prohibition on excessive compulsory overtime, defined as more than two hours a day, 40 hours a month, or 200 hours a year. The law also provides for paid annual holidays. By law employers must provide, at a minimum, a 50 percent of monthly salary bonus to employees each year in December and an annual vacation. Workweek standards were not enforced unless employees filed a formal complaint with the Ministry of Public Administration, Employment, and Social Security. Labor law protected foreign workers with permanent legal status or a temporary work visa.

The government effectively enforced the minimum wage law within the formal labor sector. An employer who violates the minimum wage law faces a penalty of between five and 10 times the applicable sector-specific minimum wage payable to the affected employee. Most workers in the informal sector were not covered by wage or occupational safety standards. An estimated 60 percent of the economy derived from the informal sector, and most wage earners held second jobs or depended on the agricultural or other informal sectors to augment their incomes.

A 2016 presidential decree established minimum employment standards for domestic workers, including national minimum wage protection, an eight-hour work day for domestic workers living outside of their employer's home, a 10-hour work day for domestic workers living inside their employer's home, compulsory employer contributions to a domestic worker's social security protection, and maternity and holiday allowances. The Ministry of Public Administration, Employment, and Social Security is charged with implementing and enforcing the

law. An insufficient number of adequately trained labor inspectors hampered enforcement efforts. Some companies received advance warning of impending labor inspections.

The labor law requires a safe work environment in all sectors of the economy. Employees have the right to remove themselves from hazardous working conditions and may file a formal complaint with the Ministry of Public Administration, Employment, and Social Security if employers insist they perform hazardous tasks. The government enforced occupational safety and health standards and investigated private company operations based on complaints made by NGOs and labor unions.