



Angola

Country Reports on Human Rights Practices - [2007](#)

Released by the Bureau of Democracy, Human Rights, and Labor
March 11, 2008

Angola is a constitutional republic in transition since its 27-year civil war ended in 2002. Legislation provides for decentralization; however, the government remained highly centralized and dominated by the presidency and ruling Popular Movement for the Liberation of Angola (MPLA) party. UN observers considered the 1992 presidential and legislative elections to have been generally free and fair. Civilian authorities generally maintained effective control of the security forces.

The government's human rights record remained poor, and there were numerous, serious problems. Human rights abuses included: the abridgement of citizens' right to elect officials at all levels; unlawful killings by police, military, and private security forces; security force torture, beatings, and rape; harsh prison conditions; official corruption and impunity; arbitrary arrest and detention; judicial inefficiency and lack of independence; lengthy pretrial detention; lack of due process; restrictions on freedom of speech, press, and assembly; forced evictions without compensation; and discrimination, violence, and abuse against women and children.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit politically motivated killings; however, human rights activists and domestic media sources reported that security forces arbitrarily killed numerous persons during the year. Impunity remained a problem, although the government prosecuted some human rights violators. Results of investigations into security force abuses were seldom released. Police reportedly viewed extrajudicial killings as an alternative to relying on the country's ineffective judicial system.

Domestic media and local human rights activists reported that police use of excessive force resulted in killings.

On December 17, police shot and killed two actors as they filmed a movie in a high-crime area of Luanda. Police reportedly mistook the actors for armed robbers, fired without warning until stopped by the frantic movie director, then left the scene without rendering medical aid. An investigation was pending at year's end.

On December 18, police shot and killed two vendors in an open-air market during a raid of pirated DVD vendors. The minister of interior and national police commander immediately suspended the officers in question and promised a swift investigation. The government was still considering civil criminal charges against the accused police officers at year's end.

In February local human rights nongovernmental organization (NGO) Maos Livres reported that a man arrested in Luanda for stealing three cases of cod died in police custody. Maos Livres claimed the man was severely beaten and denied medical care; police said the officers were acting in self defense. During the year there were media reports in Luanda that police deliberately targeted and killed persons suspected of gang and other criminal activity; the National Police neither confirmed nor denied the reports.

There were no further developments into the following 2006 incidents of alleged unlawful killings by security forces: the February killing of a youth in Luanda suspected of gang activity and May death of a pregnant woman after her arrest by police in Luanda Norte.

The Memorandum of Understanding for Peace and Reconciliation for Cabinda Province, signed in August 2006, largely brought an end to the insurgency in the province, though international and domestic media sources reported sporadic attacks by dissident factions of the Front for the Liberation of the Enclave of Cabinda (FLEC), and counter-insurgency operations by the Armed Forces of Angola (FAA) continued during the year. There was one report of an unlawful killing in

Cabinda that could be linked to FAA soldiers. The incident remained under investigation. There were no updates during the year on the 2006 unlawful killing in Cabinda linked to FAA soldiers.

Reports of killings by private security companies in diamond concession areas continued, but declined significantly during the year, according to Partnership Canada Africa's Diamond Industry Annual Review. While local or Luanda-based authorities investigated some of the cases, no arrests were reported.

There were no further developments in the numerous alleged 2006 or 2005 unlawful killings by police.

There were reports of vigilante violence during the year. In November violent riots broke out in Huambo after a policeman shot and killed a taxi driver, reportedly for his refusing to pay a bribe. Angry witnesses attacked and severely beat the police officer. Later a group of taxi drivers and other citizens fired shots at a local police station. No charges were filed, although local residents reported that police arrested several taxi drivers in the weeks following the incident.

Landmines placed during the long civil war were a continuing threat. According to the May national Landmine Impact Survey, landmine and other explosive remnants of war (ERW) accidents increased during the year; 31 accidents killed 64 persons and injured 48 persons during the year, compared to 15 accidents which killed 11 and injured 22 persons in 2006. This increase was largely due to increased movement of persons around the country, especially returnees who were not familiar with existing mine risks in resettlement areas. The government continued to strengthen and expand national demining capacity during the year, and partnered extensively with international NGOs on demining operations and mine risk education.

b. Disappearance

There were no reports of politically motivated disappearances. However, there were media reports that persons taken into police or military custody disappeared, as some prisoners could not be located or accounted for following the September prison riots in Luanda's Central Prison.

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

The constitution and law prohibit such practices; however, government security forces tortured, beat, and otherwise abused persons. Reports of beatings and other abuses in police stations during interrogations were common. The UN Working Group on Arbitrary Detentions (UNWGAD) reported a number of detainees with visible signs of torture. Police and other security forces were rarely held accountable. Although the government punished some violators administratively, no prosecutions occurred during the year.

Abuses by the army continued. There were NGO and media reports of violence by FAA troops in Cabinda and Lunda Norte. In Cabinda FAA troops illegally detained, beat, or threatened citizens suspected of FLEC collaboration during anti-insurgency operations, according to human rights NGOs. The International Committee of the Red Cross (ICRC) noted in 2006 that the attention paid by senior FAA officials to human rights issues had substantially improved since 2004; however, the FAA did not take action against officials who committed abuses during the year.

The government conducted multiple operations throughout the country to identify, detain, and expel illegal immigrants, particularly in the diamond-rich provinces of Lunda Norte and Lunda Sul. The Office of the UN High Commissioner for Refugees (UNHCR) estimates that over 50,000 illegal immigrants were expelled during the year. There were reports of violence and degrading treatment associated with some of these operations.

The NGO Doctors Without Borders (MSF) reported that illegal Congolese immigrants detained in Lunda Norte were subjected to the systematic rape of women, beatings, forced labor, withholding of food and water, and repeated cavity searches without the use of gloves as they were moved to the Democratic Republic of Congo (DRC) border for expulsion. Several children reportedly died from malnourishment and dehydration. Although the women stated they were abused by "soldiers," it is unclear if the abusers were FAA, national or border police, or other armed and uniformed private security forces. The UN Children's fund (UNICEF) also reported allegations of excessive use of force by government security forces during expulsions, including the burning of houses, arbitrary arrests, sexual violence, extortion, and forced labor. Three Congolese workers reportedly died while in custody. The FAA pledged to investigate these allegations; the investigation was pending at year's end.

Reports of abuses by private security companies continued, especially in Lunda Norte and Lunda Sul. According to reports from human rights activists, private security contractors hired by diamond companies to protect their concessions from illegal exploitation were reportedly responsible for most of the violence. For example, private security forces allegedly allowed a security dog to attack a man, who suffered severe stomach and pelvic injuries as a result. The government provided financial assistance for the victim's medical treatment, but no charges were filed.

Police and immigration officials at border checkpoints and provincial airports reportedly extorted money from travelers and

harassed returnees and refugees.

There were no developments in 2006 and 2005 cases of police torture and other cruel, inhuman, or degrading treatment by security forces.

Landmine and ERW-related deaths increased during the year as returnees and infrastructure improvements served to increase the movement of persons and goods in rural, war-affected areas.

Prison and Detention Center Conditions

Prison conditions were harsh and life threatening. Human rights activists reported that prison officials routinely beat and tortured detainees. In a September visit, UNWGAD interviewed prisoners who showed visible signs of torture, starvation, and abuse. The national prison system continued to hold more than five times the number of prisoners for which it was designed. The Central Prison, located on the outskirts of Luanda, was built to house 600 prisoners, but before violent riots in October the prison population held 3,300 prisoners. At year's end the prison still held more than 1,000 prisoners. In some provinces warehouses and other industrial buildings were used as prison facilities.

Many prisons did not supply prisoners with basic sanitary facilities, adequate food, or health care. Prisoners depended on families or other outside assistance for basic support. Chronically underpaid prison officials reportedly supported themselves by stealing from prisoners and extorting money from family members. Prison guards reportedly continued to demand that prisoners pay for weekend passes to which they were entitled. There were reports of prison officials operating an informal bail system, releasing prisoners until their trial dates for a fee.

Female inmates informed the UNWGAD that they were regularly raped by prison guards.

Violent prison riots in October occurred in two of the prisons visited by the UNWGAD and resulted in prisoner deaths. The three-day riot in Luanda's overcrowded Central Prison was reportedly sparked by an argument between a guard and an inmate, although human rights activists blamed the riots on prison conditions. Government spokesmen stated that two persons were killed during the rioting, but nongovernment media sources reported a higher number of deaths. Some families of inmates stated that their family members were detained in the prison, but not listed on inmate lists released after the riots. The government asserted that lists were complete and offered no assistance in locating missing persons. The government also transferred some detainees to the Viana Prison or to prisons in other provinces after the riots to ease overcrowding.

There were reports that prisoners died of disease, especially in provincial prisons. Many serious illnesses were improperly diagnosed, delaying proper treatment. Prison conditions varied widely between provinces and municipalities.

Juveniles, often incarcerated for petty theft, were regularly housed with adults and subject to abuse by guards and inmates in provincial prisons, but were increasingly separated from the main population in larger urban prisons. Juvenile detention centers were present in Luanda but were severely overcrowded.

Pretrial detainees were frequently housed with sentenced inmates, and short-term detainees were often held with those serving long-term sentences for violent crimes, especially in provincial prisons.

The government permitted foreign diplomatic personnel and local and international human rights observers to visit prisons during the year. The UNWGAD noted the government's support of and cooperation with its visit, but stated they were denied access to two of the prisons they asked to visit, including a military prison in Cabinda. The ICRC was also denied access to some prisons during the year. The human rights ombudsman and Parliamentary Human Rights Commission made several independent prison visits during the year. The Association for Justice, Peace and Democracy (AJPD), a local human rights NGO, was allowed to visit prisons during the year, but was denied access immediately following October's prison riots.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, security forces--particularly the National Police--often did not respect these prohibitions in practice. There were unconfirmed, anecdotal reports that national police held family members of wanted individuals.

Role of the Police and Security Apparatus

The National Police, under the Interior Ministry, are responsible for internal security and law enforcement. The Internal Intelligence Service reports to the Office of the Presidency and investigates sensitive state security matters. The FAA is responsible for external security but also has domestic responsibilities, including border security, expulsion of illegal

immigrants, presidential security, and small-scale actions against the dissident FLEC faction in Cabinda.

Other than personnel assigned to elite units, police were poorly paid, and the practice of supplementing income through extortion of civilians was widespread. Corruption and impunity remained serious problems. Most complaints were handled within the National Police by internal disciplinary procedures, which sometimes led to formal punishment, including dismissal. However, the government did not have a mechanism to investigate transparently and punish alleged offenders, and in most cases failed to provide any additional information on investigations or legal proceedings.

There were no updates on the 2006 reports that a government investigation had targeted senior National Police officials for racketeering.

During the year various government ministries, AJPD, the UN Human Rights Office (UNHRO), and other local and international NGOs expanded programs to provide human rights and professional training to the police and the military. The Joint Training Team, made up of the Central Police Command, NGO representatives, and the UNHRO, also worked to expand police training on human rights from provincial capitals to municipalities. The Prosecutor's Office expanded collaboration with the UNHRO to train human rights monitors at the provincial and municipal level. Police participated in professional training with foreign law enforcement officials from several countries in the region.

Arrest and Detention

The law requires a judge or magistrate to issue a warrant prior to an arrest, although a person caught committing a crime may be immediately arrested without a warrant, but security forces did not always procure arrest warrants before detaining persons. Arrest warrants may be signed by the judicial police and confirmed within five days by a magistrate. The constitution provides for the right to prompt judicial determination of the detention's legality, but authorities did not always respect this right in practice. In many cases detainees were never brought before a judge or prosecutor. A person generally may not be held for more than 135 days without trial; however, he may be detained for up to 180 days if caught committing a crime punishable by a prison sentence. In practice these limits were regularly exceeded. There was a functioning but ineffective bail system that was widely used for minor crimes. The law permits detainees access to legal counsel and states that indigent detainees should be provided a lawyer by the state; however, these rights often were not respected. The law also allows family members prompt access to detainees; however, this was also sometimes ignored or made conditional upon payment of a bribe.

Security officials arbitrarily arrested NGO employees and members of the opposition (see section 4).

For example, on August 9, security forces arrested three members of the Front for Democracy Party in Cabinda on charges of enticing public disobedience for distributing party literature a day prior to a presidential visit to the province. Two of the members were released for lack of evidence, and the third was sentenced to six months' imprisonment, which was later reduced to two years' probation.

On February 19, security forces arrested members of the Angolan Party for Democratic Support and Progress on charges of enticing public disobedience while distributing pamphlets critical of the government delivery of social services. On March 2, courts dismissed the case because the prosecutor did not find the distribution of pamphlets to be criminal.

Unlawful arrest and detention continued to be a serious problem. Police did not obtain warrants before conducting searches for illegal vendors and making sweeps of public markets. Human rights organizations, such as AJPD, continued efforts to secure the release of illegally detained persons. During the year citizens reported to AJPD more than 700 cases of illegal detention. In mining regions, such as Lunda North and South, MSF, UNICEF, and the International Organization for Migration (IOM) reported that expelled illegal immigrants and their families were unlawfully detained by government security forces in transit centers, where they were subjected to systematic rape, body cavity searches, and deprived of food and water.

Local residents reported that security forces detained persons in Cabinda suspected of FLEC activity or collaboration. Civilians reportedly were held incommunicado in a military prison in Cabinda, where UNWGAD and ICRC were denied permission to visit.

Excessively long pretrial detention also continued to be a serious problem. An inadequate number of judges and poor communication among authorities led to prolonged pretrial detention. In November 2006 the Justice Ministry estimated that approximately 60 percent of Luanda's prison population consisted of pretrial detainees, the number of which increased during the year due to police-run crime and delinquency reductions campaigns. Police often beat and then released detainees rather than prepare a formal court case. In some cases, inmates were held in the prison system for up to two years before their trials began. Unlike in the previous year, the government did not release detainees who had been held beyond the legal time limit, claiming the 2006 release of approximately 2,000 pretrial detainees resulted in an increase in crime.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary; however, the judiciary was inefficient, corrupt, and subject to executive influence. Judicial corruption and inefficiency, especially at the administrative level, remained a problem; the Justice Ministry worked to counter this through the continued implementation of a court case filing system and random assignment of judges. During the year the government continued to rebuild courts and train new magistrates and prosecutors, but the judiciary was still short approximately 350 judges, according to the Supreme Court president. The Justice Ministry also continued efforts to update case management systems, train law clerks, increase the number of municipal courts, and develop a mediation system for civil complaints.

The court system consists of the Supreme Court as well as municipal and provincial courts of first instance under the authority of the Supreme Court. Trials for political and security crimes are handled exclusively by the Supreme Court, which serves as the appellate court for questions of law and fact. The Supreme Court also provides judicial review of constitutional issues. The president has the power to appoint Supreme Court justices without confirmation by the parliament.

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

Due to the lack of judicial infrastructure and the continuing authority of traditional leaders, informal or traditional courts remained the principal institutions through which citizens resolved conflicts in many rural areas. As most municipalities did not have prosecutors or judges, local police often served as investigator, prosecutor, and judge. Traditional leaders (sobas) also heard and decided local cases. These informal systems did not provide citizens with the same rights to a fair trial as the formal legal system; instead, each community in which they were located established local rules.

Both the National Police and the FAA have internal court systems that generally remained closed to outside scrutiny. While members of these organizations can be tried under their internal regulations, cases that include violations of criminal or civil laws can also fall under the jurisdiction of provincial courts.

Trial Procedures

By law trials are usually public, but each court has the right to close proceedings. Juries are not used. Defendants have the right to be present and to consult with an attorney in a timely manner; the government did not always respect these rights in practice. The law requires that an attorney be provided at public expense if an indigent defendant faces serious criminal charges, but outside of Luanda the public defender was generally not a trained attorney due to shortages in qualified personnel. Defendants do not have the right to confront their accusers; however, they may question witnesses against them and present witnesses and evidence on their own behalf. This right was not always respected in practice. Defendants and their attorneys have the right to access to government-held evidence relevant to their cases; however, the government did not always respect these rights in practice. Defendants are presumed innocent and have the right to appeal; this right was not always respected in practice.

A court for children's affairs is under the Justice Ministry and functions as part of Luanda's provincial court system. Minors are considered adults at 18 but leave the juvenile court system at 16; between 16 and 18 they are tried and imprisoned with adults but subject to lighter sentencing. Minors bear the responsibility of proving their age; in many rural provinces minors without identification papers were tried as adults.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

A relatively independent and impartial judiciary existed for civil matters in some areas. Civil courts functioned in some provinces, but faced severe backlogs. In 2006 Luanda's civil courts had 4,400 pending civil suits; only 830 were tried. The Justice Ministry worked with national and international partners to improve court clerk training and technical capacity in provincial and municipal civil courts. Damages for human rights violations could be sought in court, but no cases were tried during the year.

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

The constitution and law prohibit such actions, but the government did not always respect these prohibitions in practice.

Citizens widely believed that the government maintained surveillance of certain groups, including government critics,

opposition parties, and journalists.

In early July incidents of unlawful search and seizure in Cabinda were reported by local residents and media, as well as a search for illegal immigrants and FLEC collaborators later that month in connection with a presidential visit.

The government continued to demolish informal squatter housing in Luanda and forcibly relocate residents in large provincial cities such as Lobito. On June 19, a private security company evicted 70 families from the Gika neighborhood of Luanda. Human rights groups Maos Livres and SOS Habitat protested the excessive use of force by the private security company conducting the evictions and demolitions, and the presence of FAA soldiers during the evictions. The government stated that soldiers were present because the evictions took place on military-owned land that had been leased to a private development company.

In June 71 homeless persons were forcibly relocated from Lobito to Kulango, a rural village 34 kilometers from Lobito. Residents informed the NGO OMUNGA that they were detained and relocated without warning and had not been given an opportunity to collect their belongings in Lobito or given resettlement assistance in Kulango. Some reported beatings and other forms of intimidation by police officers as they were rounded up. Police denied accusations of unlawful force.

There were no developments in numerous allegations of improper use of force, improper notification, or lack of restitution during forced evictions in 2006 and 2005. In 2006 government and private security personnel forcibly removed an estimated 600 families--mainly women, children, and the elderly—from Luanda neighborhoods and destroyed their homes. During the expulsions security forces beat and kicked residents and discharged firearms into the air and ground to force the retreat of families and allow bulldozers to advance.

The government claimed that legitimate residents of the neighborhoods had been compensated and relocated long before. Authorities claimed they had repeatedly warned of impending evictions and that the final eviction notice was issued two days before residents were evicted. However, Amnesty International claimed the evictions were carried out without procedural protection, due process, or prior consultation, and evictees were given only one day's notice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and of the press; however, government regulations and the lack of independent media outside of Luanda limited this right in practice. Human rights activists and journalists practiced self-censorship.

Opposition parties and civil society groups that criticized the government were accused of being "unpatriotic enemies of peace," or "friends of war and chaos." Individual citizens also reported practicing self-censorship but were generally able to criticize the government without fear of direct reprisals. The government reportedly engaged in subtle repression and economic coercion, often in the form of lost business or job opportunities, to discourage and reduce criticism.

There were six privately-owned weekly newspapers and four Luanda-based commercial radio stations. The government permits the National Radio station to broadcast nationally, but all other radio stations can only broadcast within the province where they are located. Independent stations were not allowed to use repeaters to expand their signal reach; they were required by law to open radio stations in every province they wished to reach.

Independent radio and print media criticized the government openly and at times harshly; however, local journalists were reluctant to criticize government officials, particularly the president, for fear of arrest or harassment.

The government continued to give preferential treatment and access to state media organizations, including Angola Public Television, government owned and operated National Radio, and the only national daily newspaper, the Jornal de Angola (JA). Government-owned press often criticized independent journalists, opposition leaders, and civil society organizations without seeking their comments or allowing space for a response. The UNWGAD reported that it tried to buy space in JA for a press release criticizing prison conditions and arbitrary detention; the request was approved but then revoked without explanation.

The May 2006 press law ended the state monopoly on television, partially opened the FM bandwidth to independent broadcasters, and rescinded travel restrictions on journalists; however, implementing legislation had not been passed by year's end. During the year Human Rights Watch and the Media Institute of Southern Africa publicly called for further amendments to the press law to remove statutes that expose journalists to criminal liability and prevent independent radio from broadcasting nationwide.

During the year journalists were arrested, harassed, and intimidated.

For example, on October 3, security forces imprisoned Graca Campos, director of a private weekly newspaper that frequently criticized the government. Campos, who was charged with defamation, was sentenced to eight months in prison--two months more than the maximum legal sentence—and fined an unprecedented \$250,000 (18,750,000 kwanzas). Campos was tried in absentia, after repeated unheeded summons to court, which he stated were never received, and convicted on a case dating back to 2001. Media and civil society groups strongly criticized the government's legal irregularities in the case; the case was declared a mistrial in November. Campos was freed on bail and was awaiting a new trial at year's end.

On December 28, the provincial court of Namibe found Radio Ecclesia reporter Armando Chikoca guilty of "inciting violence and disobedience" and sentenced him to one month in prison. During a December 26 interview on state-run radio, Namibe Governor Boavida Neto denied accusations he had ordered Chikoca's arrest, stating the detention was a result of police action to restore order during a marketplace inauguration. Human rights activists condemned the arrest and his lawyer stated that the prosecutor refused to allow into evidence a police video of the incident that would have exonerated the journalist.

There were multiple reports that security forces interfered with journalists' attempts to take pictures or video during the year.

Defamation is a crime punishable by imprisonment or fine. Factuality is not an acceptable defense against defamation charges; the accused must provide evidence proving the validity of the allegedly damaging material.

Depending on the issue, the minister of social communication, the spokesman of the presidency, the national director of information, and the directors of state-run media organizations had policy and censorship authority.

Internet Freedom

Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail; however, there were reports that the government monitored Internet chat rooms and Web sites and at times pressed for the removal of defamatory material from Web sites. Availability of Internet service and Internet cafes increased during the year, but the high cost of Internet service put it beyond the reach of most citizens.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for the right of assembly; however, the government at times restricted this right.

The law requires written notification to the local administrator three days before public or private assemblies are held; however, the government at times prohibited events based on perceived security considerations. Participants were potentially liable for "offenses against the honor and consideration due to persons and to organs of sovereignty." Applications for progovernment gatherings routinely were granted without delay; however, applications for demonstrations, protests, or opposition party assemblies were sometimes denied, usually based on government claims that the timing or venue requested was problematic. Other times the government did not respond to the applicants, which then allowed local authorities to threaten demonstrators with arrest for holding an event without authorization.

In March the municipal administrator denied the Forum of Political Women, a nonpartisan group with membership from 13 political parties, permission to distribute literature on women's political rights in a Luanda market. Following media pressure, the local government granted permission at another market and the group rescheduled the event. However, on the day of the scheduled event, the market administrator denied permission, stating municipal authorities had not notified him.

There were no developments in 2006 or 2005 cases in which government authorities used excessive force to disperse demonstrations in Luanda.

Freedom of Association

The constitution and law provide for the right of association; and the government generally respected this right in practice. The government may legally deny registration to private associations on security grounds. Extensive and unexplained delays in the NGO registration process continued to be a problem.

The government sometimes arbitrarily restricted associations that it considered subversive by refusing to grant permits for organized activities, or through unofficial harassment. During the year opposition parties were permitted to organize and hold meetings; however, they reported occasional event-specific harassment by local officials.

c. Freedom of Religion

The constitution and law provide for freedom of religion, and the government generally respected this right in practice.

Religious groups must register with the Justice Ministry and the Ministry of Culture and have at least 100,000 adherents (who must be legal residents) to qualify for registration. During a November visit, the UN Special Rapporteur on Freedom of Religion and Belief noted that this provision discriminates against religious minorities. The Muslim community and many Christian groups were not recognized due to this provision, and were therefore limited in their rights and activities. The government legally recognized 85 denominations; 800 other religious denominations had pending registration applications.

Colonial-era statutes ban non-Christian religious groups; however, during the year they were not enforced. Islam was freely practiced, although public attitudes toward Islam were generally negative. Government officials echoed such sentiments with statements opposing Muslim proselytizing and linking Muslims to sensitive national issues of illegal immigration, rising crime and international terrorism.

A total of 17 religious groups remained banned in Cabinda on charges of practicing harmful exorcism rituals on adults and children accused of witchcraft, illegally holding religious services in residences, and not being registered.

Societal Abuses and Discrimination

The Jewish community was estimated at 350 persons, primarily Israelis. There were no reports of anti-Semitic acts.

For a more detailed discussion, see the 2007 *International Religious Freedom Report*.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation; however, the government at times restricted them in practice. The government cooperated with UNHCR, IOM, and other humanitarian organizations in providing protection and assistance to IDPs, returning refugees, asylum seekers, and other persons of concern.

Extortion and harassment at government checkpoints in rural areas and at provincial and foreign border checkpoints interfered with the right to travel. Extortion by police was routine in Luanda and other urban areas, and pervasive on major commercial routes. The government and private security companies restricted access to areas designated as diamond concessions. Citizens living near concession areas were regularly denied access for any purpose, including obtaining water.

NGOs reported that security forces harassed and expelled miners and their families as they crossed the border into the DRC. Landmines remaining from the civil war continued to be an impediment to freedom of movement, especially in rural areas.

The constitution prohibits forced exile, and the government did not employ it.

Internally Displaced Persons (IDPs)

A 2006 joint assessment by the government, UN, and foreign governments estimated that 100,000 IDPs remained unsettled. The majority did not intend to return to their area or province of origin, as many considered their new location home. Some of those yet to return to their homes stated that a lack of physical infrastructure, the presence of landmines, and the absence of government services such as medical care were major deterrents to their return.

The Ministry of Assistance and Social Reinsertion (MINARS) has primary responsibility for returnees and remaining IDPs, as well as housing and resettlement programs; however, its efforts remained inadequate. Provincial governments have primary responsibility for ensuring safe, voluntary resettlement in areas cleared of mines and with access to water, arable land, markets, and adequate state administration. The government did not restrict aid efforts by international humanitarian

groups.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN convention relating to the Status of Refugees and its 1967 protocol, but the government did not effectively implement or fund a system for refugee protection.

The government provided some protection against refoulement, the return of persons to a country where there is reason to believe they feared persecution; it also granted refugee status or asylum.

In March the government and UNHCR closed the official repatriation program for refugees from the civil war, but the government continued to recognize the right of return for more than 200,000 refugees remaining outside the country.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens with the right to change their government peacefully; however, in practice citizens could not elect officials at any level of government.

Elections and Political Participation

In 1992 the first multiparty presidential and legislative elections were held. MPLA President Jose Eduardo dos Santos won a plurality of votes cast, and the MPLA also won a majority of seats in the parliament. Local and international observers declared the election to be generally free and fair, but civil war resumed after opposition party the National Union for the Total Independence of Angola (UNITA) leader Jonas Savimbi rejected the results. The first post-civil war elections were expected in 2006, but the government postponed them, noting complications in the registration process and a lack of infrastructure development. On December 26, President dos Santos announced that elections will be held on September 5 and 6, 2008; however, he must still formally call elections before they can take place. On September 15, the voter registration campaign begun in November 2006 concluded with more than eight million persons registered; although largely successful, some opposition parties and NGOs noted that voter registration was still incomplete in some areas.

The ruling MPLA dominated all political institutions. Political power is concentrated in the president and the Council of Ministers, through which the president exercises executive power. The council can enact laws, decrees, and resolutions, assuming most functions normally associated with the legislative branch. The National Assembly comprises 220 deputies elected by proportional vote in the 1992 elections. This body has the authority to draft, debate, and pass legislation, but in practice laws were generally drafted and proposed by the executive branch for the assembly's approval. While opposition deputies held 43 percent of parliamentary seats and substantive debates sometimes took place, few mechanisms existed to check the power of the MPLA majority or defeat MPLA-supported legislation.

There were 109 registered opposition parties, 11 of which received government subsidies based on their representation in parliament. All registered parties received subsidies during the year to support their supervision of the voter registration process. During the year the Supreme Court banned 19 political parties, ruling that they were not lawfully registered.

Opposition parties stated that their members were subject to harassment, intimidation, and assault by supporters of the ruling party. On March 1, unknown persons fired shots into UNITA headquarters in Camabatela, Kwanza Norte Province, during a visit by UNITA President Isaias Samakuva. In July a member of the Social Renovation Party was distributing party literature when he was kidnapped and held overnight by unknown assailants; he was assaulted and injected with an unknown substance during his detention. Opposition party members and civil society leaders cited examples of growing political intolerance during the year.

There were 30 women in the 220-seat parliament, and 13 women in the 41-member cabinet, including two ministers and eight vice-ministers.

The country has three dominant ethno-linguistic groups: the Ovimbundu, the Mbundu, and the Bakongo, who together comprised approximately 77 percent of the population. However, other groups were also represented in government. There were six members of smaller ethnic groups in the parliament and one minority member in the cabinet, representing the Chokwe people. The majority of political parties had limited national constituencies but all parties were prohibited by law from limiting party membership based on ethnicity, race, or gender.

Government Corruption and Transparency

The law provides criminal penalties for corruption; however, the government did not implement these laws effectively and local and international NGOs and media sources reported that officials engaged in corrupt practices with impunity. The World Bank's Worldwide Governance Indicators reflected that corruption was a severe problem.

Government corruption was widespread and accountability was limited, although the government continued its efforts to reduce discrepancies between reported and actually received oil revenues. To better monitor and control expenditures, the finance ministry continued implementation of the Integrated Financial System, a monitoring system that was designed to record all central government expenditures. State-owned companies were required to conduct internal audits and submit the results to the government for review.

Parastatals, most notably the state oil parastatal SONANGOL, were required to report revenues to the central bank and the finance ministry, but did not consistently do so; inconsistent accounting practices also remained problematic. SONANGOL's dual role as governmental regulator and national oil company hindered transparency in the petroleum sector. Audits of ENDIAMA, the state diamond parastatal, were likewise not made public. Serious transparency problems remained in the diamond industry, particularly regarding allocation of exploration, production, and purchasing rights.

The business climate favored those connected to the government; government ministers and other high-level officials commonly and openly owned interests in companies regulated by their respective ministries. There were no laws or regulations regarding conflict of interest. Petty corruption among police, teachers, and other government employees was widespread. There were credible reports of high-level officials demanding substantial kickbacks from private companies awarded government contracts.

For example, in February the government charged the former director general of immigration with extortion; the charges stemmed from a 2006 investigation that resulted in the conviction of other immigration officials. The cases were pending trial at year's end.

The law provides for public access to government information; however, the government was selective in providing it. Access to these resources improved during the year. The government opened ministry Web sites, but the information posted on these sites remained limited. The government's limited technical capabilities also restricted its ability to provide information. The finance ministry published the national budget online as well as a summary in the state newspaper.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Several domestic and international human rights groups operated throughout the country, but some, especially those investigating government corruption and human rights abuses, alleged increased government interference in their activities throughout the year.

There were more than 100 international and 350 domestic NGOs operating in the country. An estimated 100 NGOs worked on human rights issues, although only a few were considered effective. Local NGOs actively promoted and defended human rights during the year by documenting prison conditions, protesting forced evictions, providing free legal counsel, lobbying government officials, and publishing investigative reports.

The Law of Association requires NGOs to specify their mandate and areas of activity. During the year the government increasingly used this provision to prevent or discourage established NGOs from engaging in certain activities, especially those that were politically sensitive or related to election issues. Government officials threatened to ban those NGOs that the government determined to be operating outside their mandate or not effectively working with the specific issues they were created to address; no NGOs were banned during the year.

The government arrested and harassed NGO workers during the year.

For example, on February 18, security forces arrested Sarah Wykes, a well-known anticorruption researcher and specialist on extractive industry transparency. Wykes was charged with unspecified crimes against state security during her visit to Cabinda to research transparency in the oil sector for Global Witness, an international NGO. Wykes was released on bail three days later and allowed to return to her native Britain while the investigation progressed. The case remained pending at year's end.

In October David Mendes, a human rights lawyer and the founder of local human rights NGO Maos Livres, complained of targeted political persecution after he was charged by the government with possession of illegal documents. The documents were evidence in his legal appeal to the Supreme Court's proscription of political parties. The charges against Mendes were pending at year's end.

The government also criticized domestic and international NGOs during the year. On July 11, the director of the Humanitarian Assistance Technical Coordination Unit, the government agency that oversees NGOs, alleged that local NGOs AJPD, Maos Livres, and SOS Habitat, as well as international NGOs Search for Common Ground, the National Democratic Institute, and the International Republican Institute, had instigated public discontent and disobedience, operated outside of legal parameters, and illegally involved themselves in political activities. The director also accused the organizations of not being legally registered. There were unconfirmed reports that criminal investigations were pending against some NGOs at year's end.

There were reports of police or military presence at community meetings with international NGOs, especially in Cabinda.

Problems with governmental delays in processing registration applications for NGOs continued during the year. AJPD, which continues to operate under a clause in the registration law that automatically grants legal operating status if authorities do not reject a group's application within 80 days, remained without registration status, and its request to obtain an official registration certificate remained with the Supreme Court at year's end. Despite the lack of certification, AJPD continued to work closely with some government ministries, including the expansion of its human rights training program with the National Police.

Mpalabanda, a civil society organization formerly based in Cabinda, remained banned; it was rescinded in July 2006 after joining the Cabindan Forum for Dialogue, the NGO that negotiated peace with the government. The government determined that Mpalabanda was acting as a political entity outside of its legal mandate as a civil society organization. Mpalabanda supporters continued to distribute statements through the Internet and to attend public forums during the year. Former leaders reported low-level harassment and intimidation throughout the reporting period.

Several international human rights organizations maintained a permanent presence in the country, including the ICRC and UNHRO. The UNHRO continued joint efforts with the Justice Ministry to strengthen provincial human rights offices and to train monitors; it also partnered with the Angolan Bar Association to recruit and place trained lawyers in remote provinces. The UNHRO conducted programs with the ombudsman and worked with the Ministry of External Relations to collect information to fulfill the government's international treaty obligations.

The government cooperated with international governmental organizations and permitted visits by UN representatives. On May 17, the country was elected to a three-year term on the UN Human Rights Council, cooperated with the UNHRO in visits from UNWGAD, and extended an invitation to the Special Rapporteur on Freedom of Expression.

The ombudsman's office conducted prison visits during the year but issued no reports. In May the ombudsman discounted reports of human rights abuses from organizations such as SOS Habitat, Amnesty International, and Human Rights Watch, stating they contained generic and unwarranted criticisms. He admitted the reports had "indicative value," but said his office did not have the staff necessary to follow up or issue reports.

The parliament's committee on human rights visited prisons and held hearings on human rights issues during the year, but did not issue any reports.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, religion, disability, language, or social status; however, the government did not effectively enforce these prohibitions. Violence and discrimination against women, child abuse, child prostitution, trafficking in persons, and discrimination against persons with disabilities and indigenous people were problems.

Women

Rape, including spousal rape, is illegal and punishable by up to eight years' imprisonment; however, limited investigative resources, poor forensic capabilities, and an ineffective judicial system prevented prosecution of most cases. The Organization of Angolan Women operated a shelter that offered special services for rape victims. The Justice Ministry worked with the Interior Ministry to increase the number of female police officers and to improve police response to rape allegations.

Violence against women was common and pervasive, particularly in urban areas. Domestic violence is not specifically illegal; however, the government occasionally prosecuted it under rape, assault, and battery laws. A preliminary study on domestic violence in Luanda indicated that 78 percent of women had experienced some form of violence since the age of 15. While 27 percent of the total reported abuse in the 12 months preceding the study, 62 percent of women living in the improvised outskirts of Luanda reported abuse. The majority of violence was perpetrated by common-law husbands or boyfriends. The Ministry of Family and the Promotion of Women (MINFAMU) operated a program with the Angolan Bar

Association to give free legal assistance to abused women; the ministry also opened counseling centers to help families cope with domestic abuse. Statistics on prosecutions for violence against women under these laws during the year were not publicly available.

Religious leaders in Lunda Norte reported that elderly people, particularly rural and impoverished women, were sometimes vulnerable to accusations of witchcraft and subsequent abuse. Women were sometimes killed, beaten, expelled from their families, or died from mistreatment and malnourishment. The religious leaders, who offered church-run shelter to the victims, reported that police did not taken action due to fears that the women may practice witchcraft on them.

Prostitution is illegal, but the prohibition was not consistently enforced. Many women engaged in prostitution due to poverty, but there were no public estimates on its prevalence. The MINFAMU maintained a women's shelter that was open to former prostitutes.

Sexual harassment was common. Sexual harassment is not specifically illegal; however, such cases may be prosecuted under assault and battery and defamation statutes.

Under the constitution and law women enjoy the same rights as men; however, societal discrimination against women remained a serious problem, particularly in rural areas. There were no effective mechanisms to enforce child support laws, and women generally bore the major responsibility for raising children.

The law provides for equal pay for equal work; however, women generally held low-level positions in state-run industries and in the private sector, or worked in the informal sector. However, a few ministries, political parties, and businesses were led by women. The government, in an interministerial effort spearheaded by MINFAMU, undertook multiple information campaigns on women's rights and domestic abuse and hosted national, provincial, and municipal workshops and trainings during the year.

Children

The government was committed to the protection of children's rights and welfare, but lacked the human and logistical resources required to provide necessary programs. The National Institute for Children (INAC) had primary responsibility for coordinating government action concerning children's affairs.

Activists reported that many urban and rural children remain undocumented. Undocumented children were not permitted access to the educational system, and fees for birth certificates and identification cards remained prohibitive for impoverished families. Although the official registration drive ended in 2004, the government continued to partner with UNICEF to identify and assist undocumented children, and provided limited subsidies to cover fees for families with proven financial need. During the year the government also announced a plan to provide birth certificates in health clinics and maternity wards, but the program was not implemented nationwide by year's end.

Education is free and compulsory until the sixth grade, but students often had significant additional expenses, including books and supplies. The Ministry of Education had insufficient resources and during the war most of the educational infrastructure was damaged. There were not enough schools to provide universal primary education. The Ministry of Education estimated approximately 85-90 percent primary enrollment rate during the year. An estimated 30 percent of all eligible children were enrolled at the secondary level; rural areas generally lacked access to secondary education, and seats were often limited even in provincial capitals. There were also reports of families paying bribes to education officials to ensure their child had a seat. According to the UN Educational, Social, and Cultural Organization, there was a gender gap in enrollment rates favoring boys over girls, especially at the secondary level.

The government provided free medical care for children with identity documents at pediatric hospitals and health posts throughout the country; however, in many areas, health care was limited or nonexistent. Where medical care was available, boys and girls were provided equal access.

Child abuse was widespread. Reports of physical abuse within the family were commonplace and largely tolerated by local officials. In July the government created the National Children's Council, an interministerial commission designed to define priorities and coordinate the government's policies to combat all forms of violence against children, including unlawful child labor, trafficking, and sexual exploitation. On August 8, INAC inaugurated a Child Protection Network for Luanda Province.

The legal age for marriage, with parental consent, is 15. This law was not effectively enforced, and the traditional age of marriage in lower income groups coincided with the onset of puberty. Common-law marriage was widespread.

During the year abuse of children accused of witchcraft continued to be a problem. Children accused of witchcraft were subject to abuses such as isolation from their families, denial food and water, or ritualistic cuttings and the placing of various caustic oils or peppers on their eyes or ears. Children sometimes were killed during "exorcism" rituals.

On December 12, a teacher in Uige province kidnapped and beat two children he suspected of witchcraft; one died from his injuries and one remained hospitalized in critical condition at year's end. The teacher was imprisoned and awaiting trial on manslaughter charges at year's end.

In 2006 INAC, MINARS, and UNICEF held a workshop and released a report that noted that most cases occurred in Luanda, Uige, and Zaire provinces. Vulnerable children, such as orphans or those without access to health care or education, were more likely to be victims of practices involving witchcraft. Government and religious leaders called for an end to these practices, but the influence of these traditional beliefs remained strong.

Child prostitution is illegal; however, there were unconfirmed cases of child prostitution in Luanda and in Santa Clara, in Cunene province on the border with Namibia. Children reportedly were crossing into Namibia to engage in prostitution for survival with local truck drivers, without third party involvement.

Sexual relations with a child under 12 are considered rape. Sexual relations with a child between the ages of 12 and 15 may be considered sexual abuse, with convicted offenders liable for sentences of up to eight years in prison; however, limited investigative resources and an inadequate judicial system prevented prosecution of most cases. There were no known prosecutions during the year.

Approximately 10,000 children worked in the streets of Luanda but returned to some form of dwelling during the evening; 1,500 were registered as homeless. Most of these children shined shoes, washed cars, carried water, or engaged in other informal labor, but some resorted to petty crime, begging, and prostitution.

Trafficking in Persons

The constitution and law prohibit slavery; however, there are no specific laws against trafficking in persons. There were unconfirmed reports that persons were trafficked from and within the country.

The country is a place of origin for trafficking in women and children. The number of women and children trafficked outside the country's borders was unknown, but believed to be small. Anecdotal reports list South Africa, the DRC, and parts of western Europe as destination points for most individuals trafficked from the country. Economically vulnerable children and adults were most vulnerable to trafficking.

Methods used by traffickers to obtain and transport victims were unknown. The small number of traffickers working in the country was not thought to be organized.

Laws criminalizing forced or bonded labor, prostitution, pornography, rape, kidnapping, and illegal entry were used to prosecute trafficking cases. The minimum sentence for rape is eight years' imprisonment, and sentences for related offenses carry a maximum of life imprisonment. There were no known trafficking-related prosecutions during the year.

Immigration services and INAC played significant roles in antitrafficking efforts, including training to strengthen provincial and municipal child protection networks. Immigration officials operated border control checkpoints that verified travel documents for children, but lacked the resources to effectively control all border areas. No single ministry has direct responsibility for combating trafficking. Police and border control officers received antitrafficking training during the year, and representatives of several ministries participated in quarterly antitrafficking roundtables run by IOM.

The government operated facilities throughout the country for abandoned and abducted children; however, in many cases the facilities were underfunded, understaffed, and overcrowded. A Catholic-affiliated center in Namacumbe, near the Namibian border, assisted victims of trafficking to find and reintegrate with their families.

The government provided basic assistance to trafficking victims on an ad hoc basis. Local social welfare agencies provided basic necessities. This type of program did not exist outside of Luanda, nor did the government operate shelters specifically for trafficking victims.

The government attempted to monitor its borders but lacked resources to do so effectively. Efforts by UNICEF, supported by the government, strengthened immigration controls at airports and border checkpoints. Border control posts have a computerized tracking system to monitor the movement of children in and out of the country, which allows the Immigration Services to monitor immigration trends and scan for irregularities. Immigration services at the international airport in Luanda and at provincial border posts require proof of proper documentation and parental permission to travel for children seeking to travel internationally.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or other

state services, but the government did not effectively enforce these prohibitions. The number of persons with disabilities included more than 80,000 landmine victims. Albinos were commonly discriminated against, although church groups worked to eliminate the abuse. The NGO Handicap International estimated that persons with disabilities constituted 10 percent of the population. There is no legislation mandating accessibility for persons with disabilities to public or private facilities, and it was difficult for such persons to find employment or participate in the education system. The MINARS had an office to address problems facing persons, including veterans with disabilities, and several government entities supported programs to assist individuals disabled by mine accidents.

Indigenous People

An estimated 3,500 San people lived in small, dispersed communities in Huila, Cunene, and Kuando Kubango provinces. The San are traditional hunter-gatherers who are linguistically and ethnically distinct from their Bantu fellow citizens. Their very limited participation in political life has increased, and Ocadec, a local NGO advocate for the San people, has worked with provincial governments to increase services to San communities and to improve communication between these communities and the government. In April the government supported the first San conference, which Ocadec and international NGOs organized to bring San communities together to discuss their needs. During the conference, a group of San, near Quipungo, Huila Province, received a provisional land title from the government.

Other Societal Abuses and Discrimination

Reports of discrimination against homosexuals and those with HIV/AIDS occurred. The law criminalizes sodomy. Discrimination against those with HIV/AIDS is illegal, but lack of enforcement allowed employers to discriminate against persons with the disease. There were no reports of violence against persons with HIV/AIDS. The government's National Institute for HIV/AIDS conducted HIV/AIDS awareness and prevention campaigns. Local NGOs worked to combat stigmatization and discrimination against people living with HIV/AIDS. The FAA conducted educational programs to discourage discrimination against HIV-positive military personnel and prevent the spread of the disease.

Section 6 Worker Rights

a. The Right of Association

The constitution and law provide for the right of workers to form and join unions and workers exercised this right in practice; however, government approval is required. Domestic workers and casual laborers are excluded from the labor act. Labor unions independent of the government-run unions worked to increase their influence, but the ruling MPLA still dominated the labor movement due to historical connections between the party and labor.

The law prohibits antiunion discrimination and stipulates that worker complaints be adjudicated in regular civil courts. Under the law, employers are required to reinstate workers who have been dismissed for union activities; however, the judicial system did not enforce these provisions.

b. The Right to Organize and Bargain Collectively

The constitution and law provide for the right of unions to conduct their activities without interference, but the government did not always protect this right. The law provides for collective bargaining and the right to strike, but strict bureaucratic procedures must be followed for the strike to be considered legal and the government can deny the right to strike or obligate workers to return to work under a variety of circumstances. Some unions exercised the right to strike during the year, but the government declared some strikes, including teachers in Luanda and nurses in Benguela, illegal because the unions did not notify the government of their intent 30 days in advance. Teachers in Luanda were ordered back to work and threatened with termination if they did not comply.

There are no legal restrictions on collective bargaining, but bargaining is restricted in practice. The government is the country's largest employer, and wages are centrally mandated by the Ministry of Public Administration, Employment, and Social Security (MAPESS).

The constitution grants the right to engage in union activities, but the government may intervene in labor disputes that affect national security, particularly strikes in the oil sector. The law prohibits lockouts and worker occupation of places of employment and provides protection for nonstriking workers. It prohibits strikes by armed forces personnel, police, prison workers, and fire fighters. The Ministry of Labor has a hot line for workers who feel their rights are being violated. The law does not effectively prohibit employer retribution against strikers, and it also permits the government to force workers back to work for "breaches of worker discipline" and participation in unauthorized strikes.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, but there were unconfirmed reports by international NGOs that such practices occurred. The Justice Ministry has effective enforcement mechanisms for the formal economic sector; however, most labor law violations occurred outside the official labor market and were not subject to legal enforcement.

d. Prohibition of Child Labor and Minimum Age for Employment

Child labor in the formal sector was restricted under the law; however, child labor, especially in the informal sector, remained a problem. The legal minimum age for apprenticeship is 14 years, and 18 for full employment. Children between the ages of 14 and 18 may not work at night, in dangerous conditions, or in occupations requiring great physical effort, and children younger than 16 are prohibited from doing factory work; however, these provisions were rarely enforced. In Kwanza Sul Province, independent newspaper journalists found children as young as 10 years old working full-time on a large plantation; they did not attend school and stated they were often paid with food. When the nonresident plantation owner, a FAA general, was confronted, he blamed the plantation's local manager and local traditional leaders (sobas), who should have reported the violation to government authorities. The local manager was fired, and no charges were filed against the general or local manager.

Most work done by children was in the informal sector. UNICEF estimated that at least 10,000 children work in the streets of Luanda, but most return to some form of dwelling during the evening. Street children were also common in the provinces of Benguela, Huambo, and Kwanza Sul. Children engage in wage-earning activities such as agricultural labor on family farms and commercial plantations, charcoal production, domestic labor and street vending. Exploitive labor practices include forced prostitution, involvement in the sale or transport of illegal drugs, and the offloading and transport of goods in ports and across border posts. Children were also reportedly used as couriers in the cross-border trade between Namibia and the country.

The MAPESS Inspector General is ultimately responsible for enforcing all labor laws; however, the Ministry of Family and Women's Affairs (MFWA) also plays a significant role in investigating complaints of child labor.

The Children's Affairs Court under the Justice Ministry has jurisdiction over general child protection in Luanda and was expected to assume jurisdiction in the other provinces once provincial courts became operational. In the meantime child labor cases continued to be adjudicated by the provincial criminal courts for minors aged 16 to 18 or the MFWA's Family Courts for children under age 16. Child labor violations are punishable by fines.

In practice neither the Labor Code nor the judicial system was capable of ensuring labor rights. Mechanisms were in place to investigate and prosecute, but the court system was overextended and resources for family or children affairs courts were limited. The government lacked the capacity to oversee the much larger informal sector. There was no formal procedure for inspections and investigations of child labor abuses outside of the family law system, although private persons can file accusations of violations of child labor laws.

The government, through the National Children's Assistance Institute, worked to create, train, and strengthen child protection networks at the provincial and municipal level in all 18 provinces. The network reported cases in which they have successfully identified and removed children from exploitative work situations, but no mechanism existed to track cases or provide statistics. The government also dedicated resources to the expansion of educational opportunities for children.

e. Acceptable Conditions of Work

During the year MAPESS raised the minimum wage in the formal sector to approximately \$87 (6,500 kwanza) per month, which did not provide a decent standard of living for a worker and family. As a result, most wage earners held second jobs or depended on the informal sector, including subsistence agriculture, or support from abroad to augment their incomes. The majority of citizens derived their income from the informal sector or subsistence agriculture, and therefore fell outside of government protection of working conditions.

The standard workweek is 40 hours with at least one unbroken period of 26 hours of rest per week. There is a limit on work of 80 hours per week. Required premium pay for overtime is time and a half for up to 30 hours of overtime, and time and three quarters from 30 to 40 hours. 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. These standards were not effectively enforced, unless employees requested it.

The government has set occupational health and safety standards; however, the Ministry of Labor's Office of the Inspector General did not enforce these standards effectively. Nonetheless, the inspector general greatly increased the number of workplace inspections; 2,038 employers were inspected in the first half of 2006, compared with 2,776 inspections in all of

2005. Workers have the right to remove themselves from situations that endangered health or safety without jeopardy to their employment, but it was not exercised in practice.

