



## 2008 Human Rights Report: Angola

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### 2008 Country Reports on Human Rights Practices

February 25, 2009

Angola is a constitutional republic with an estimated population of 16 million. The ruling Popular Movement for the Liberation of Angola (MPLA), led by President Jose Eduardo dos Santos since 1979, has been in power since independence in 1975 and exercised tight, centralized control over government planning, policymaking, and media outlets. On September 5 and 6, the government held the first post-war legislative elections since 1992. Domestic and international observers reported that polling throughout the country was peaceful and generally credible, despite a ruling party advantage due to state control of media and other resources, and serious logistical failures that marred polling in the capital of Luanda. 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; arbitrary arrest and detention; official corruption and impunity; judicial inefficiency and lack of independence; lengthy pretrial detention; lack of due process; restrictions on freedom of speech, press, assembly, and association; forced evictions without compensation; and discrimination, violence, and abuse perpetrated 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

There were no reports that the government or its agents committed politically motivated killings; however, human rights activists and domestic media sources reported that security forces arbitrarily killed 23 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.

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

During the year there were multiple media reports in Luanda that police deliberately targeted and killed persons suspected of gang and other criminal activity.

On July 23, five policemen shot and killed eight teenagers. While the policemen claimed to be part of a special gang task force tasked with ridding neighborhoods of gang members, the national police denied the existence of the task force and relieved the policemen of duty. Prosecutors charged the policemen with murder, and they remained in

police custody awaiting trial at year's end.

An investigation was still pending regarding a 2007 police killing of two actors while they filmed a movie in a high-crime area of Luanda. The police declined to prosecute the alleged perpetrators, stating they could not be positively identified.

In December 2007 police shot and killed two vendors in an open-air market during a raid on vendors of pirated DVDs. 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.

The Memorandum of Understanding for Peace and Reconciliation for Cabinda Province, signed in 2006, largely brought an end to the insurgency in the province, although 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. In 2007 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 regarding the 2006 unlawful killing in Cabinda linked to FAA soldiers.

Reports of killings by private security companies in diamond concession areas continued. While local or Luanda-based authorities investigated some cases, no arrests were reported.

There were reports of vigilante violence during the year. Between April and July, residents of the Luanda suburb Rocha-Pinto lynched thieves who killed a pregnant woman while stealing her cell phone.

Some media reported that police accepted payments from families of murder victims to execute alleged perpetrators.

There were no further developments in the numerous alleged 2007 or 2006 unlawful killings by police.

Landmines placed during the long civil war continued to be a threat. According to the National Commission for Demining and Humanitarian Assistance, landmine and other explosive remnants of war (ERW) accidents killed 18 and injured 43 during the year. The government continued to strengthen and expand national demining capacity during the year, and it partnered extensively with international nongovernmental organizations (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.

#### 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. In a September 2007 visit to the country, the UN Working Group on Arbitrary Detentions (UNWGAD) reported a number of detainees with visible signs of torture. Police and other security forces rarely were 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 security forces 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 government continued to conduct operations throughout the country to identify, detain, and expel illegal immigrants, particularly in the diamond-rich provinces of Lunda Norte and Lunda Sul, and mainly during the months leading up to September's legislative election. The Office of the UN High Commissioner for Refugees (UNHCR) estimated that more than 200,000 illegal immigrants were expelled during the year. There were reports of violence and degrading treatment associated with these operations. In June international observers based in Democratic Republic of Congo (DRC) reported cases of extortion, theft, and physical and sexual violence against the Congolese committed by Angolan security forces.

In December 2007 the NGO Doctors Without Borders (MSF) reported that illegal Congolese immigrants detained in Lunda Norte were systematically raped. MSF also reported beatings, forced labor, withholding of food and water, and repeated body cavity searches without the use of gloves as the authorities moved immigrants to the DRC border for expulsion. Several children died from malnourishment and dehydration. Although the women stated that they were abused by "soldiers," it remained unclear if the abusers were FAA, national or border police, or 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 had not commented publicly on the findings of its investigation by 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 responsible for most of the violence. For example, in 2007 private security forces 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 authorities filed no charges.

Police and immigration officials at border checkpoints and provincial airports extorted money from travelers and harassed returnees and refugees.

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

Landmine and ERW-related deaths continued during the year as infrastructure improvements served to increase the movement of persons and goods in rural, war-affected areas. In September three youths were killed in Moxico while playing with unexploded ordnances. NGOs also reported that landmines killed construction workers, mostly Chinese, while rebuilding roads and railroads.

#### Prison and Detention Center Conditions

Prison conditions were harsh and life threatening. NGOs reported that prison officials routinely beat and tortured detainees. In a September 2007 visit, UNWGAD interviewed prisoners who showed visible signs of torture, starvation, and abuse. A local Human Rights NGO reported similar conditions while visiting prisons during the year.

Overcrowding and lack of medical care, sanitation, potable water, and food led to some prison deaths. It was customary for families to bring food to prisoners, but guards demanded bribes as a precondition for food delivery. Some prisoners died of disease, especially in provincial prisons. Prison conditions varied widely between urban and rural areas.

On March 29, the National Criminal Investigation Department (DNIC) building collapsed, killing 31 inmates. All police escaped from the building prior to its collapse; however, prisoners were not freed from their holding cells. Investigations revealed that the underlying water table compromised the building's foundation. News reports stated that three years prior to the collapse, DNIC officials reported structural damage and other serious problems to high-ranking government officials. Former inmates also reported constant flooding in basement cells but prisoners were not moved from their cells when flooding occurred or when the building's collapse was imminent.

Due to violent prison riots in October 2007 that resulted in at least two prisoner deaths, the government worked to reduce overcrowding. The national prison system continued to hold more than five times the number of prisoners for which it was designed. Luanda's Central Prison, built to house 600 prisoners, held 3,300 prisoners before the riots. By the end of 2007 the prison population was reduced to approximately 1,000 prisoners. However, in a prison visit, a local human rights NGO noted the transfer of prisoners from Luanda to the provinces worsened overcrowding in the provincial prisons. During the year the government opened new or rehabilitated prisons in eight provinces.

Chronically underpaid prison officials supported themselves by stealing from prisoners and extorting money from family members. Prison guards continued to demand that prisoners pay for weekend passes to which they were entitled. There were continued reports of prison officials operating an informal bail system, releasing prisoners until their trial dates for a fee.

Female inmates informed the UNWGAD that prison guards regularly raped them.

Authorities regularly housed juveniles, often incarcerated for petty theft, with adults and subjected the children to abuse by guards and inmates in provincial prisons; however, juveniles were more likely to be separated from the main prison population in urban prisons. Juvenile detention centers were present in Luanda but were severely overcrowded.

Pretrial detainees were housed frequently 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. However, the government limited access to politically sensitive inmates. For example, the government did not permit NGOs to visit the former secret service chief, who was serving a four-year sentence in a civilian penitentiary for a military charge.

#### d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, security forces often did not respect these prohibitions in practice.

Local Human Rights NGOs reported that authorities held family members of individuals wanted by the police.

#### 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 security responsibilities, including border security, expulsion of illegal immigrants, and small-scale actions against dissident FLEC factions 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 establish mechanisms to expedite investigations and punish alleged offenders, and it rarely disclosed publicly the results of internal investigations.

There were no updates on the 2006 report that the government had investigated senior National Police officials for involvement in racketeering.

The government's closure of the UN Human Rights Office (UNHRO) in May hampered the Ministry of Interior's efforts to train police and army recruits. However, 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 arrested immediately without a warrant; however, security forces did not always procure arrest warrants before detaining persons. The constitution provides the right to prompt judicial determination of the detention's legality, but authorities often did not respect this right in practice. The law mandates that detainees be informed of their charges, and this generally occurred in practice. Detainees may be held for 135 days without trial or up to 180 days if caught committing a crime punishable by a prison sentence. In practice authorities regularly exceeded these limits.

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

Police often extorted bribes. Police did not obtain warrants before conducting searches for illegal vendors and making sweeps of public markets.

Unlawful arrest and detention continued to be serious problems. NGOs continued efforts to secure the release of illegally detained persons. During the year citizens reported to NGOs 700 cases of illegal detention; NGOs reported receiving daily petitions from relatives of illegally detained persons seeking pro bono legal assistance. NGOs also reported that police often detained citizens without charge or denied them access to a judge for extended periods and then released them.

In mining regions such as Lunda Norte, Lunda Sul, and Bie, international organizations reported government security forces detained illegal immigrants and their families in transit centers, where the security forces subjected them to systematic rape, body cavity searches, and deprivation of food and water.

Security officials arbitrarily arrested members of the opposition. For example, on August 11, security forces arrested 13 members of the Party for Democratic Support and Progress of Angola opposition party for distributing pamphlets on behalf of another opposition party. The Luanda Provincial Court dismissed the case as the prosecutor found the charges erroneous.

Cabinda residents continued to report that security forces detained persons suspected of FLEC activity or collaboration. NGOs reported that public security forces held civilians incommunicado in military and police prisons in Cabinda and Luanda, where the UNWGAD and International Committee of the Red Cross (ICRC) were denied permission to visit.

The law permits detainees access to legal counsel and states that indigent detainees should be provided a lawyer by the state. These rights often were not respected in part due to the shortage of legal professionals. The law also allows family members prompt access to detainees; however, this occasionally was ignored or made conditional upon payment of a bribe.

Excessively long pretrial detention continued to be a serious problem. An inadequate number of judges and poor communication among authorities contributed to it. Police often beat and then released detainees rather than prepare a formal court case. In some cases, authorities held inmates in the prison system for up to two years before their trials began. An NGO estimated that more than 50 percent of inmates were pretrial detainees, most of whom had not been formally charged. 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 remained understaffed, inefficient, corrupt, and subject to executive and political influence.

The Supreme Court heads the formal justice system and administers the 18 provincial courts as well as a limited number of municipal courts. The president appoints Supreme Court justices for life terms without confirmation by the parliament. The Supreme Court generally handled trials for political and security crimes, although the Ministry of Defense tried civilians in military courts.

On September 16, a closed military tribunal sentenced Jose Fernando Lelo to 12 years in prison for crimes against state security and instigating a rebellion. In November 2007 security forces arrested Lelo, a former reporter in Cabinda, and held him in a closed military facility in Luanda. In March authorities returned Lelo to Cabinda for trial by a military court, despite the fact that Lelo had never served in the armed forces. Witnesses testifying against him in court showed signs of abuse. The court did not permit evidence from Lelo's employer that discredited the charges of bribing soldiers to join the FLEC.

On June 10, the government created a seven-member constitutional court to provide judicial review of constitutional issues and supervise the electoral process. The president nominated three judges, parliament nominated three, and the Supreme Court nominated one, all to serve seven-year terms.

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.

Informal courts remained the principal institutions through which citizens resolved conflicts in rural areas. 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.

As most municipalities did not have prosecutors or judges, local police often served as investigator, prosecutor, and judge. Both the National Police and the FAA have internal court systems that generally remained closed to outside scrutiny. While members of these organizations could 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; however, 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. 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. They may question witnesses against them and present witnesses and evidence on their own behalf. However, courts did not always respect this right in practice. Defendants and their attorneys have the right to access government-held evidence relevant to their cases; however, the government did not always respect these rights. Defendants are presumed innocent and have the right to appeal; however, this right was not always respected.

A court for children's affairs is under the Ministry of Justice 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; however, in many rural provinces courts tried as adults those minors without identification papers.

#### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

#### Civil Judicial Procedures and Remedies

Although the law provides for an independent and impartial judiciary in civil matters, the judiciary was subject to political interference. Civil courts functioned in some provinces, but faced severe backlogs. During the year Luanda's civil courts had 1,800 pending civil suits. The Ministry of Justice continued work 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 July Cabinda residents and media reported security forces searched and conducted raids for illegal immigrants and FLEC collaborators.

The government continued to demolish informal squatter housing in Luanda and forcibly relocate residents in large provincial cities such as Lobito.

There were no developments in numerous allegations of improper use of force, improper notification, or lack of restitution during forced evictions in 2006. 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 had been compensated and relocated earlier; they had

repeatedly warned of impending evictions; and that the final eviction notice was issued two days before eviction. However, Amnesty International claimed evictions were carried out without procedural protection, due process, or prior consultation, and authorities gave 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 minimal independent media outside of Luanda limited these rights in practice. Human rights activists and journalists practiced self-censorship. For example, authorities cancelled live radio call-in shows in the weeks leading up to the September legislative elections.

Local leaders accused opposition parties and civil society groups that criticized the government 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 engaged in subtle repression and economic coercion, often in the form of lost business or job opportunities, to discourage criticism. The state-run National Television of Angola (TPA) suspended a leading anchorman of a prime news program without pay for four months for publicly declaring that censorship occurred at TPA.

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. Authorities did not allow independent stations 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, *Jornal de Angola*. Government-owned press often criticized independent journalists, opposition leaders, and civil society organizations without seeking their comments or allowing space for a response.

The 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 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 authorities arrested, harassed and intimidated journalists.

During the year the government accused former reporter Fernando Lelo of inciting treason and sentenced him to eight years' imprisonment for encouraging five FAA soldiers to desert the FAA and join the FLEC guerrilla movement.

In October 2007 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 18,750,000 kwanzas (\$250,000). Campos was tried in absentia, after repeated unheeded summonses 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, and it was declared a mistrial in November 2007. Campos was freed on bail and awaited a new trial at year's end.

In December 2007 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 2007 interview on state-run radio, Namibe Governor Boavida Neto denied accusations that he 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 that would have exonerated the journalist. However, on January 3, Catholic Archbishop of Lubango Dom Zacarias apologized to the governor and disassociated the Church and its radio from Chicoka. Armando served the sentence and was dismissed from his job.

There were reports that security forces interfered with journalists' attempts to take pictures or video during the year. The government refused to issue visas to a number of Portuguese journalists seeking to cover the electoral process. In addition, authorities prevented a foreign news crew from filming railroad construction during the year.

Defamation is a crime punishable by imprisonment or fine. Accuracy 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 potentially were 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 frequently were 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 enabled local authorities to threaten demonstrators with arrest for holding an

event without authorization.

During the electoral period, numerous opposition parties reported that local authorities denied requests to use buildings and public spaces for political party rallies. They also reported that the ruling MPLA reserved public spaces for the entire campaign period, which permitted party supporters to interrupt and disperse opposition party rallies in the space they had reserved. On August 6, in Namibe, authorities denied space reserved and paid for by the opposition party National Union for the Total Independence of Angola (UNITA), telling members that the MPLA had reserved the same space months prior. However, the ledger indicated that the space was available when UNITA reserved it.

In March 2007 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. While municipal authorities apologized for what they called a bureaucratic delay, the group decided not to reschedule for a third time.

#### Freedom of Association

The constitution and law provide for the right of association; and the government generally respected this right in practice. The government legally may 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. During the year opposition parties generally 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 Ministry of Justice and the Ministry of Culture; they must have at least 100,000 adherents (who must be legal residents) to qualify for registration. During a November 2007 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; the latter do not meet the membership requirement to receive legal status, but the government did not bar their activities.

Government officials issued statements opposing Muslim proselytizing and linking Muslims to sensitive national issues of illegal immigration, rising crime, and international terrorism.

The government continued its ban on 17 religious groups 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

Islam was practiced freely, although public attitudes toward Islam were generally negative.

There was a Jewish community of approximately 350 persons, primarily Israelis. There were no reports of anti-Semitic acts.

For a more detailed discussion, see the *2008 International Religious Freedom Report* at [www.state.gov/drl/irf/rpt](http://www.state.gov/drl/irf/rpt).

#### 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 these rights in practice. The government cooperated with UNHCR, the International Organization for Migration (IOM), and other humanitarian organizations in providing protection and assistance to internally displaced persons (IDPs), returning refugees, asylum seekers, and other persons of concern.

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

NGOs reported that security forces often used excessive force in expelling illegal artisanal miners and their families. Landmines remaining from the civil war continued to impede freedom of movement 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 from the civil war. 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 and government services, such as medical care and landmines, 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.

The government provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened; it also granted refugee status or asylum. In March 2007 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. Citizens were able to exercise the right to elect parliamentary representatives; however, the right to elect a head of state and local leaders remained restricted.

#### Elections and Political Participation

After having postponed parliamentary elections for two years, the government held the first post-war elections on September 5-6. The ruling MPLA won 81.6 percent of the vote. Domestic and international observers reported that polling throughout the country was peaceful and generally credible, despite the ruling party's advantages due to state control of media and other resources, and serious logistical failures that marred polling in the capital city of Luanda. Opposition parties criticized many aspects of the electoral process, including state control of the media, late disbursement of public campaign funds, the National Electoral Commission's (CNE) failure to accredit some opposition and civil society electoral observers, as well as the CNE's last-minute decision to discard the legal requirement that a voter registry be used to verify voters at polling stations. Despite these and other irregularities, election day was peaceful and more than 87 percent of registered voters participated. Opposition parties generally accepted the electoral results.

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 under a party-list proportional representation system. This body has the authority to draft, debate, and pass legislation, but in practice laws generally were drafted and proposed by the executive branch for the assembly's approval. After the September 5-6 legislative elections, opposition deputies held less than 20 percent of the parliamentary seats.

There were 96 registered opposition parties, 11 of which received government subsidies based on their representation in parliament. Of the 96, only 10 parties and four coalitions fulfilled the legal requirements to participate in legislative elections. The DNIC informed all parties that it would investigate and prosecute political parties that used forged documents for its members during the electoral period.

Opposition parties stated that their members were subject to harassment, intimidation, and assault by supporters of the ruling party. For example, prior to the September elections, the UNITA municipal secretary in Benguela Province reported that a member of his party was beaten for wearing a UNITA T-shirt in the town of Ganda during election campaign period. On August 10, MPLA members harassed UNITA members in Namibe town center when they tried to hang UNITA party flags on lamp posts in the town square. UNITA campaign materials also regularly were torn down in Huambo Province.

Opposition party members and civil society leaders cited examples of political intolerance during the election process.

There are 62 women in the 220-seat parliament and 19 women in the 91-member cabinet, including 10 ministers and nine vice-ministers. There are two female governors.

The country has three dominant ethno-linguistic groups: the Ovimbundu, the Mbundu, and the Bakongo, which together comprised approximately 77 percent of the population. However, other groups also were 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 due to a lack of checks and balances, lack of institutional capacity, and a culture of impunity. Despite the widespread perception that government corruption at all levels was endemic, there were no public investigations or prosecutions of government officials during the year.

In February 2007 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 case remained pending at year's end.

The government continued its efforts to reduce discrepancies between reported and actual oil revenues. To monitor and control expenditures more effectively, the Ministry of Finance continued implementation of the Integrated Financial System, a system 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 oil entity SONANGOL, were required to report revenues to the central bank and the Ministry of Finance but did not consistently do so; inconsistent accounting practices also hampered transparency. SONANGOL's dual role as governmental regulator and national oil company hindered transparency in the petroleum sector. Audits of ENDIAMA, the state diamond parastatal, likewise were not made public. Serious transparency problems remained in the diamond industry, particularly regarding allocation of exploration, production, and purchasing rights.

The business climate continued to favor those connected to the government; government ministers and other high-level officials commonly and openly owned interests in companies regulated by or doing business with 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 receiving substantial kickbacks from private companies awarded government contracts.

The law provides for public access to government information; however, while the government was slow in providing it to the public, the Ministry of Finance improved its Web site reporting on the national budget. Information posted on most government Web sites remained limited. The government's limited technical capabilities also restricted its ability to provide information.

### 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 it determined to be operating outside their mandate or not effectively working on the specific issues they were created to address; no NGOs were banned during the year.

On May 31, the government closed the UNHRO following its decision not to grant a full mandate to the office. The government had requested a UNHRO presence in Luanda to contend with war-related human rights abuses, but after six years of peace, the government felt it had sufficient institutional capacity to address the issues independently. The decision to close the office directly contradicted government commitments to work more closely with the UNHRO, which were made when it ran for a seat on the UN Human Rights Council in 2007.

The government arrested and harassed NGO workers.

In February 2007 security forces arrested Sarah Wykes, a well-known anticorruption researcher and specialist on extractive industry transparency. Authorities charged Wykes with unspecified crimes against state security during her visit to Cabinda to research transparency in the oil sector for Global Witness, an international NGO. Authorities released Wykes on bail three days later and allowed her to return to Britain while the investigation progressed. The case remained pending at year's end.

In October 2007 David Mendes, a human rights lawyer and the founder of a local human rights NGO, complained of 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. In July 2007 the director of the Humanitarian Assistance Technical Coordination Unit, the government agency that oversees NGOs, alleged that certain local NGOs, 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 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. The Association for Justice, Peace, and Democracy (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 unregistered, and its request to register remained with the Supreme Court at year's end. Despite the lack of certification, AJPD continued to work closely with some ministries, including in the expansion of its human rights training program with the National Police.

Mpalabanda, a civil society organization formerly based in Cabinda, remained banned; its registration was rescinded in July 2006 after joining the Cabindan Forum for Dialogue, a mechanism 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.

The government cooperated with international governmental organizations and permitted visits by UN representatives. In May 2007 the country was elected to a three-year term on the UN Human Rights Council. In 2007 the government 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 2007 the ombudsman discounted reports of human rights abuses from 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.

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 persons 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 in Luanda that offered special services for rape victims. Unlike in the previous year when there were reports that 350 rapes occurred in the capital, no updated information was available. The Ministry of Justice worked with the Ministry of Interior to increase the number of female police officers and to improve police response to rape allegations. The government also instituted mass public campaigns against gender violence.

Violence against women was common and pervasive, particularly in urban areas. Domestic violence is not illegal; however, the government occasionally prosecuted it under rape, assault, and battery laws. A 2007 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 poor outskirts of Luanda reported abuse during the preceding year. Common-law husbands or boyfriends perpetrated the majority of violence. 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 available.

Religious leaders in Lunda Norte and Uige reported that elderly persons, particularly rural and impoverished women and children, occasionally were vulnerable to accusations of witchcraft and subsequent abuse. Women sometimes were 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 take 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 estimates on its prevalence. The MINFAMU

maintained a women's shelter in Luanda that was open to former prostitutes.

Sexual harassment was common and is not 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. 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 remained undocumented. The government did not permit undocumented children 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. The government implemented a previous plan to provide birth certificates in health clinics and maternity wards during the year.

Education is free and compulsory for documented children until the sixth grade, but students often had significant additional expenses. The government began distributing free schoolbooks during the year but the books had not reached schools nationwide by year's end due to a shortage of supply. The Ministry of Education had insufficient resources and during the war most of the educational infrastructure was damaged. There were not enough schools or teachers to provide universal primary education. The Ministry of Education estimated an 85-90 percent primary enrollment rate during the year. An estimated 30 percent of 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, enrollment rates favored 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 had equal access.

Child abuse was widespread. Reports of physical abuse within the family were commonplace and largely tolerated by local officials. In July 2007 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. In August 2007 INAC inaugurated a Child Protection Network for Luanda Province.

The legal age for marriage, with parental consent, is 15. The government did not enforce this effectively, 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. In October the government shut down three Luandan churches when neighbors reported abuse of children accused of witchcraft. Children accused of witchcraft were subject to abuses such as isolation from their families, denial of food and water, or ritualistic cuttings and the placing of various caustic oils or peppers on their eyes or ears. Persons sometimes killed children during "exorcism" rituals.

In December 2007 a teacher in Uige Province kidnapped and beat two children he suspected of witchcraft; one died from his injuries while the other one recovered. Authorities imprisoned and sentenced the teacher to eight years' hard labor.

In 2006 INAC, MINARS, and UNICEF held a workshop and released a report that noted most cases of abuse related to traditional beliefs 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, local NGOs expressed concern over child prostitution in the country, especially in Luanda and Cunene provinces.

Sexual relations with a child under 12 is 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.

Investigators found children working in the streets of Luanda but many returned to some form of dwelling during the evening. 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. Persons were trafficked from and within the country.

The country is a source for a small but significant number of women and children trafficked for the purposes of forced labor and sexual exploitation. Women and girls were trafficked within the country for domestic servitude and commercial sexual exploitation, while young men were trafficked internally for agricultural or unskilled labor. Reports indicate that South Africa, the DRC, Namibia, and Portugal are the primary destinations for citizens who were trafficked internationally. Officials reported an increase in trafficking due to more open border posts. Small numbers of young men were trafficked through Zambia into bonded agricultural work in Namibia. Congolese children were trafficked to the country during the year. 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 function as a tightly organized unit; rather, they worked more through a series of informal or loosely associated contacts.

Authorities used laws criminalizing forced or bonded labor, prostitution, pornography, rape, kidnapping, and illegal entry to prosecute trafficking cases. The minimum sentence for rape is eight years' imprisonment, and sentences for related offenses carry a maximum of life imprisonment.

In 2007 immigration officials and the INAC in Zaire Province found 15 children trafficked from Luanda to the DRC; police arrested two suspected traffickers. However, in other cases, police were unable to identify the traffickers. While the government began investigating one trafficking case in 2007, case records were destroyed with the April collapse of the Department of Criminal Investigation's building. 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 control all border areas effectively. 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. To prevent child trafficking, the Immigration Service operated checkpoints at the international airport, border posts, and selected internal locations, such as the trafficking hotspot of Santa Clara in Cunene Province, which screened minors for proper travel documentation. INAC's six mobile provincial teams also conducted spot checks of suspected child trafficking routes by stopping vehicles transporting children to check for identity cards, proof of relationship to the children, and parental permission for the child's travel.

The State Department's annual *Trafficking in Persons Report* can be found at [www.state.gov/g/tip](http://www.state.gov/g/tip).

#### 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. Persons with disabilities included more than 80,000 landmine victims. Persons with albinism 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 with disabilities, including veterans with disabilities, and several government entities supported programs to assist individuals disabled by landmine incidents. During the September 5-6 election, the government provided voting assistance to persons with disabilities.

#### 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, worked with provincial governments to increase services to San communities and to improve communication between these communities and the government.

#### Other Societal Abuses and Discrimination

Discrimination against homosexuals 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 persons 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.

Strict bureaucratic procedures must be followed for a strike to be considered legal, and the government can deny the right to strike or obligate workers to return to work. Some workers exercised the right to strike during the year. However, in 2007 the government declared some strikes, including those by teachers in Luanda and nurses in Benguela, illegal. Teachers in Luanda were ordered back to work and threatened with termination if they did not comply.

##### 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.

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.

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 violated. The law does not effectively prohibit employer retribution against strikers, and it 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 reports by international NGOs that such practices occurred. The Ministry of Justice has effective enforcement mechanisms for the formal economic sector; however, most labor law violations occurred outside the formal economy and were not subject to legal sanctions.

#### 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 rarely were enforced. In 2007 in Kwanza Sul Province, independent newspaper journalists found children as young as 10-years-old working full-time on a plantation; they did not attend school and stated that they were often paid with food. When the nonresident plantation owner, a 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. Street children were also common in the provinces of Benguela, Huambo, and Kwanza Sul. Children engaged in wage-earning activities such as agricultural labor on family farms and commercial plantations, charcoal production, domestic labor and street vending. Exploitive labor practices included 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 reportedly were used as couriers in the cross-border trade between Namibia and the country.

The Inspector General of the Ministry of Public Administration, Employment, and Social Security (MAPESS) is ultimately responsible for enforcing all labor laws; however, the Ministry of Family and the Promotion of Women also plays a significant role in investigating complaints of child labor.

The Children's Affairs Court, under the Ministry of Justice, has jurisdiction over general child protection in Luanda. During the year five provincial courts became operational. Child labor cases continued to be adjudicated by the provincial criminal courts for minors aged 16 to 18 or the Ministry of Family and Women's Affairs'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 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 8,600 kwanzas (\$130) 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 agricultural or other informal sectors to augment their incomes. However, 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 24 hours of rest per week. There is a limit on work of 54 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 enforced effectively 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. Workers have the right to remove themselves from situations that endangered health or safety without jeopardy to their employment, but the right was not exercised in practice.