

# ANGOLA 2021 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

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

The national police, controlled by the Ministry of Interior, are responsible for internal security and law enforcement. The Criminal Investigation Services, also under the Ministry of Interior, are responsible for preventing and investigating domestic crimes. The Expatriate and Migration Services and the Border Guard Police within the Ministry of Interior are responsible for law enforcement relating to migration. The state intelligence and security service reports to the presidency and investigates state security matters. The Angolan Armed Forces are responsible for external security but also have domestic security responsibilities, including border security, expulsion of irregular migrants, and small-scale actions against groups such as the Front for the Liberation of the Enclave of Cabinda separatists in Cabinda. Civilian authorities maintained effective control over the security forces. There were credible reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings by government security forces; forced disappearance; cases of cruel, inhuman, or degrading treatment or punishment by government security forces; harsh and life-threatening prison conditions; arbitrary detention; political prisoners or detainees; serious restrictions on free expression and the press, including violence, threats of violence or unjustified arrests against

journalists and criminal libel laws; interference with the freedom of peaceful assembly; serious acts of corruption; lack of investigation of and accountability for gender-based violence; and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, and intersex persons.

The government took significant steps to identify, investigate, prosecute, and punish officials who committed abuses as well as those who were involved in corruption. Nevertheless, accountability for human rights abuses was limited due to a lack of checks and balances, lack of institutional capacity, a culture of impunity, and government corruption.

## **Section 1. Respect for the Integrity of the Person**

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

The government or its agents committed arbitrary or unlawful killings and sometimes used excessive force in maintaining stability. The national police and Angolan Armed Forces have internal mechanisms to investigate security force abuses.

On January 30, the National Police reported that in the village of Cafunfo, a rich diamond area in Lunda Norte Province, 300 individuals armed with sticks, machetes, and firearms tried to forcibly enter a police station. This provoked local police to use deadly force resulting in six deaths, 20 injured, and more than two dozen arrests. Some nongovernmental organizations (NGOs) and media sources framed the attack as a peaceful demonstration protesting the lack of access to water, education, and social services and reported much higher (unsubstantiated) death tolls. The group was organized by the Lunda Tchokwe Protectorate Movement, which seeks independence for the region. The government viewed the clash as an armed insurrection and justified the use of force in self-defense.

### **b. Disappearance**

There were reports of disappearances by or on behalf of government authorities.

On January 30, following clashes between protesters and security forces in

Cafunfo, there were varying reports of missing persons. The opposition parties National Union for the Total Independence of Angola (UNITA), Broad Convergence for the Salvation of Angola Electoral Coalition (CASA-CE), and Partido de Renovacao Social (Social Renewal Party) reported 10 persons missing. Amnesty International released unconfirmed reports alleging many missing activists were killed and their bodies thrown into the Cuango River. A respected journalist who visited Cafunfo between March and June reported that six persons involved in the clash were missing.

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

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

Periodic reports continued of beatings and other abuses both on the way to and inside police stations during interrogations. The government acknowledged that at times members of the security forces used excessive force when apprehending individuals. Police authorities openly condemned some acts of violence or excessive force against individuals and asked that victims report abuses to the national police or the Office of the Public Defender.

On April 17, the Movement of Angolan Students (MEA) organized a protest against increased public university fees. According to the students, police dispersed demonstrators with tear gas and beatings. In a press note, MEA's national secretary Laurindo Mande accused the police of violence against the students that resulted in 20 injuries and several detentions.

On July 1, a group of teachers in the city of Uige staged a protest demanding paid leave and back pay for examination subsidies they alleged had not been paid since 2019. Protest organizers reported that police used tear gas and violence to disperse the crowd, resulting in several injuries, three of which were serious; 12 teachers and one journalist were detained by police, and several demonstrators had their property seized or destroyed.

Security forces sometimes used excessive force when enforcing restrictions to address the COVID-19 pandemic. The government has held security forces accountable for these abuses in several cases and provided some training to reform the security forces.

## **Prison and Detention Center Conditions**

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

**Physical Conditions:** Prisons had a total capacity for 21,000 inmates but held approximately 25,000 inmates, with approximately 10,000 of those inmates held in pretrial detention. The prison system held an excessive number of prisoners in pretrial detention due to a backlog of criminal cases in the court system.

Authorities frequently held pretrial detainees with sentenced inmates. Authorities also held short-term detainees with those serving long-term sentences for violent crimes, especially in provincial prisons. Inmates who were unable to pay court-ordered fines remained in prison after completing their sentence or while awaiting release warrants issued by higher courts. Many prisoners were held in pretrial detention longer than permitted under law, which ranges from four to 14 months depending on the severity and complexity of the alleged crime. Some offenders, including violent offenders, reported paying fines and bribes to secure their freedom, but it was unclear how prevalent this practice was.

On April 26, the director of the Nkiende penitentiary in Mbanza Congo, Zaire Province, said that the facility was overcrowded with more than double its capacity of 250 inmates and was housing 511 persons at the time.

Prison conditions varied widely between urban and rural areas. Prisons in rural areas were less crowded and had better rehabilitation, training, and reintegration services. There were no reports of deaths in prisons, but there were reports of inmates getting sick due to the poor conditions of the prisons, including with COVID-19. Prisons did not always provide adequate medical care, sanitation, potable water, or food, and it was customary for families to bring food to prisoners. Local NGOs stated prison services were insufficient.

In Caboxa jail, Bengo Province, there were reports from inmates and their relatives of episodes of violence against inmates that included beatings. There were also reports that jail officials forbade family members from bringing food and toiletries, relegating inmates to purchase provisions from a small shop inside the jail. Those without money faced illness and malnutrition. Bengo provincial officials disputed these claims, noting the jail had its own poultry and livestock farm.

On May 12, the Multisectorial Commission for Prevention and Combat of COVID-19 in Cuando Cubango Province reported that there were 284 positive cases in the jail in Menongue, the provincial capital. The jail was built to accommodate 500 inmates but held more than 800. The authorities isolated the site for institutional quarantine and released those who had already served their sentences.

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

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

Members of opposition parties visited prisons around the country on a regular basis and reported uneven improvements in living conditions and rehabilitation programs. According to the Ministry of Justice and Human Rights, ministry representatives made monthly visits to detention centers with representatives of the Office of the Public Defender, the Attorney General's Office, and members of the National Assembly to assess prisoners' living conditions. Members of the National Assembly conducted independent visits to prisons. On May 13, parliamentarians visited Luzia jail in Lunda Sul Province, where inmates complained about several cases of excessively long pretrial detention.

**Improvements:** The COVID-19 vaccination campaign covered facilities in Bengo, Lunda-Sul, and Huambo provinces. On August 24, approximately 900 inmates were vaccinated in Caboxa jail.

During the year seven videoconference rooms, called Virtual Parlors, were

installed in three jails in Luanda and in one in Bengo allowing inmates to have virtual contact with their relatives and lawyers. The UN Development Program financed the project, implemented by the Human Rights Center of the Catholic University and the Penitentiary Services.

#### **d. Arbitrary Arrest or Detention**

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

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

#### **Arrest Procedures and Treatment of Detainees**

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

By law prosecutors must inform detainees of the legal basis for their detention within 48 hours. NGO sources reported authorities often did not respect the law. If prosecutors are unable to determine whether there is a legal basis for the detention within 48 hours, prosecutors have the authority to release the person from detention. Depending on the seriousness of the case, prosecutors may require the detained person to submit to one or more pretrial procedures prescribed by law, such as posting bail, periodic appearance before authorities, or house arrest.

If prosecutors determine a legal basis exists for the detention, a detained person may be held in pretrial detention for up to four months without charge and up to 12 months before a judge is required to rule on the matter. Cases of special complexity regarding crimes for which conviction is punishable by eight or more years allow for pretrial detention without charge for up to six months, and up to 14

months before a judge is required to rule on the case. By law the period of pretrial detention counts as time served in fulfillment of a sentence of imprisonment.

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

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

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

In March 2020 prison authorities suspended all visits to detainees and inmates due to the “state of emergency” for COVID-19. Prison officials allowed lawyers to visit clients and allowed relatives to receive information about family members in custody. The suspension of visits continued through May 2020 when the subsequent “state of calamity” entered into force. A presidential decree published in May 2020 provided that visits to inmates were allowed on three occasions over the following two months for separate classes of inmates. Subsequent updates to the “state of calamity” did not mention visits to prisons. During the year there were no additional provisions that allowed families to visit their relatives in prison.

**Arbitrary Arrest:** During the year there were instances in which security forces reacted violently to public demonstrations against the government and detained

protesters. The visible presence of security forces was enough to deter significantly what the government deemed unlawful demonstrations.

On August 21, 17 protesters were detained in Luena, the capital of Moxico Province, during a protest against the high cost of living and lack of adequate schools in the region. They were released the same day.

On August 30, a group of approximately 20 activists were prevented from demonstrating in front of parliament against a bill under discussion regarding the electoral rules for the upcoming electoral processes. Several protesters were detained, including the youth leader of the Democratic Block party, Adilson Manuel.

**Pretrial Detention:** Excessively long pretrial detention continued to be a serious problem. An inadequate number of judges and poor communication among authorities contributed to the problem. In some cases authorities held inmates in prison for up to five years in pretrial detention. The government often did not release detainees confined beyond the legal time limit, claiming previous releases of pretrial detainees had resulted in an increase in crime.

The director general of the penitentiary service, Bernardo Gurgel, recognized during a visit to Malanje jails that there were several irregularities. Among them were excessive pretrial detentions; delays in release warrants; and delays in decisions for parole due to administrative difficulties faced by the Malanje court.

A deputy attorney general said the Caboxa jail, in Bengo Province, held 18 inmates beyond the period of pretrial detention. The jail also held several prisoners who had served their sentences and awaited a release warrant.

On April 26, the deputy attorney general in Zaire Province said the Nkiende jail in Mbanza Congo held more than 20 detainees beyond the pretrial detention period.

#### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent and impartial judiciary. The judicial system was affected by institutional weaknesses, including political influence in the decision-making process. The Ministry of Justice and Human

Rights and the Attorney General's Office worked to improve the independence of prosecutors and judges. The National Institute for Judicial Studies conducted capacity-building programs to foster the independence of the judicial system.

There were long trial delays at the Supreme Court, in part because the court remained the only appellate court in the country. A 2015 law established another level of appellate courts to reduce delays. Three of these courts were inaugurated in Luanda, Benguela, and Lubango, and judges and personnel were recruited but were not operating at year's end. Criminal courts also had a large backlog of cases that resulted in major delays in hearings. In July a bill was approved to add 10 more judges to the Supreme Court, bringing the total to 31, to help address the backlog of more than 4,300 cases before the criminal, civil, and labor chambers of the court.

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

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

## **Trial Procedures**

Although the law provides all citizens the right to a fair trial, authorities did not always respect this right. Defendants enjoy the right to a presumption of innocence until proven guilty. Authorities must inform defendants of the charges levied against them in detail within 48 hours of their detention. Defendants have the right to free language interpretation during all legal proceedings, from the

moment of being charged through the close of all appeals.

In February the procedural penal code approved by the National Assembly in the previous year came into force. It clarifies the roles of each party in the judicial process, introduces rules to hasten judicial processes, and provides new procedural rules for both claimants and defendants.

By law trials are usually public, although each court has the right to close proceedings. Defendants have the right to be present and consult with an attorney, either chosen by them or appointed by the state, in a timely manner. According to the Ministry of Justice and Human Rights, all public defenders are licensed lawyers. Defendants do not have the right to confront their accusers. They may question witnesses against them and present witnesses and evidence on their own behalf. Defendants have the right to sufficient time and facilities to prepare a defense. The law protects defendants from providing self-incriminating testimony. Individuals have the right to appeal their convictions. Authorities did not always respect these trial procedure rights.

A separate juvenile court hears cases of minors between the ages of 12 and 16 accused of committing a criminal offense. Minors older than 16 accused of committing a criminal offense are tried in regular courts. In many rural municipalities, there is no provision for juvenile courts, so offenders as young as 12 may be tried as adults. In many cases traditional leaders have state authority to resolve disputes and determine punishments for civil offenses, including offenses committed by juveniles. The constitution defines traditional authorities as ad hoc units of the state.

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

### **Political Prisoners and Detainees**

On February 9, the Criminal Investigation Services arrested Jose Mateus Zecamutchima, leader of the Lunda Tchokwe Protectorate Movement, after being summoned in the aftermath of the January 30 protest in Cafunfo that led to clashes between members of the movement and security forces. The charges against

Zecamutchima included instigating the events that led to the January 30 clash. He was held for seven months before being formally indicted for the crimes of outrage to national symbols and criminal association. Media reports viewed his detention as politically motivated, while the government claimed his separatist speeches led to the gathering and resulting violent clash on January 30.

### **Civil Judicial Procedures and Remedies**

Damages for human rights abuses may be sought in provincial courts and appealed to the Supreme Court. The new procedural penal code that entered into force in February allows victims of human rights abuses to seek compensation from the state. The rules provide that the state must compensate victims who are illegally detained or arrested, are under excessively long pretrial detention, are not released in due time against a legal provision or a court decision, or are victims of a gross judicial error. Public agents responsible for actions that abuse human rights should in turn compensate the state.

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

The constitution and law prohibit the arbitrary or unlawful interference of privacy, family, home, or correspondence, but the government did not always respect these prohibitions. Civil organizations and politically active individuals, including government critics, members of opposition parties, and journalists, complained that the government monitored their activities and membership. These groups also frequently complained of threats and harassment based on their affiliations with groups that were purportedly or explicitly antigovernment.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution and law provide for freedom of expression, including for members of the press and other media, but the government did not always respect this right. State media continued to be the primary source for news and generally

reflected a progovernment view. Individuals were increasingly able to use private media and social media platforms to openly criticize government policies and practices. Reporting on corruption was the primary reason for attacks against journalists, which occurred with impunity.

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

**Freedom of Expression for Members of the Press and Other Media, Including Online Media:** In May the government ordered three television stations to cease broadcasting all content and accused the stations of failing to register properly. This further solidified government control of the country's television stations, as several other private media outlets returned to state control in 2020 following a state corruption investigation conclusion that the outlets had been illegally funded with public funds through individuals with ties to former president Jose Eduardo dos Santos. Journalists and opposition parties said the seizure of the media outlets would limit independent journalism leading up to national elections in 2022. The government argued that the seized companies were in poor economic shape and needed to be restructured before offering them for sale to investors under the government's privatization program.

Transmission licenses are granted by the minister of telecommunication, technology, and media. Journalists criticized the cost of licenses and said high costs impeded media pluralism and the emergence of new players. The base license to operate a television station was \$1.4 million, while a radio license cost \$136,000. Journalists also criticized the opacity of the process used by the government to grant transmission licenses.

Journalists routinely complained of lack of transparency and communication from government press offices and other government officials.

The president appoints the leadership of all major state-owned media outlets, and state control of these outlets often led to one-sided reporting. State news outlets, including Angolan Public Television (TPA), Radio Nacional, and the *Jornal de*

*Angola* newspaper, favored the ruling party but increased their coverage of opposition political parties' perspectives, as well as of social problems reflecting poor governance. TPA broadcast plenary sessions of the National Assembly live, including interventions by opposition parties. TPA also invited opposition politicians and civil society members to comment live on stories featured on nightly newscasts, but private stations were prohibited from filming parliament. Opposition parties received less overall coverage on state media than the ruling Popular Movement for the Liberation of Angola (MPLA) party, and it was often difficult to distinguish between communications of the government and those of the ruling party.

**Violence and Harassment:** Journalists reported more incidents of violence or harassment compared with the previous year.

In March an editor of a weekly newspaper was held for questioning and a criminal case was opened against him after he published an article critical of President Lourenco. In April a reporter for Radio Despertar, an opposition-run media outlet, was arrested for covering anti-eviction protests. He was held for five days, and his equipment was retained by authorities.

**Censorship or Content Restrictions:** The Regulatory Entity for Social Communication (ERCA) is a body composed of 11 counselors designated by political parties represented in the parliament, the government, and journalists. ERCA's responsibility is to safeguard press freedom and lawful media activity and to issue regulations and decisions on those issues. Journalists and opposition political parties criticized ERCA for being controlled by the ruling MPLA and for issuing regulations that favored the government.

The Ethics and Credentialing Commission (ECC) is a body exclusively composed of journalists that is authorized to license and delicense journalists. In July the Ministry of Telecommunications, Technology, and Social Communication opened an office to support ECC operations. As of October any media outlets allowing a journalist to work without the credential faced a fine of approximately 23,100 kwanza (\$42 dollars), which was approximately a journalist's monthly salary. Journalists reported practicing self-censorship for political and financial reasons.

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

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

Several journalists in print media, radio, and political blogs faced libel and defamation lawsuits. Journalists complained the government used libel laws to limit their ability to report on corruption and nepotistic practices, while the government assessed that some journalists abused their positions and published inaccurate stories regarding government officials without verifying the facts or providing the accused with the right of reply.

In April defamation charges were brought against an editor and founder of a privately owned newspaper in Benguela. During the year criminal defamation charges were also brought against editors of several news outlets that had published articles on government corruption. In July government officials filed charges of defamation against two journalists after they reported on government corruption. An editor of an online news outlet was convicted of criminal defamation after he published articles on land appropriation and government corruption.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content. There were no credible reports that the government monitored private online communications without appropriate legal oversight.

## **Academic Freedom and Cultural Events**

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

### **b. Freedoms of Peaceful Assembly and Association**

The constitution and law provide for the right of peaceful assembly and association, and the government sometimes respected these rights.

#### **Freedom of Peaceful Assembly**

The law requires written notification to the local administrator and police three days before public assemblies are to be held. The law does not require government permission to hold public assemblies, but it permits authorities to restrict or stop assemblies in public spaces within 109 yards of public, military, detention, diplomatic, or consular buildings for security reasons. The law also requires public assemblies to start after 7 p.m. on weekdays and 1 p.m. on Saturdays.

Several civil rights groups challenged the 1991 law on freedom of assembly by holding unannounced protests. The groups said the law restricts the fundamental right to assembly granted by the 2010 constitution and refused to inform the authorities in advance about the time and location of protests and public assemblies.

The government permitted demonstrations, including antigovernment protests, but at times prohibited events based on perceived or claimed security considerations. Police and administrators did not interfere with progovernment gatherings. Politically unaffiliated groups intending to criticize the government or government leaders often encountered the presence of police who prevented them from holding their event or limited their march route. In such cases authorities claimed the timing or venue requested was problematic, that proper authorities had not been notified, or that COVID-19 protocols could not accommodate the request.

#### **Freedom of Association**

Extensive delays in the NGO registration process continued to be a problem. NGOs that had not yet received registration were allowed to operate. At times the government arbitrarily restricted the activities of associations it considered

subversive by refusing to grant permits for projects and other activities. Authorities generally permitted opposition parties to organize and hold meetings.

A 2012 law and a 2002 presidential decree regulate NGOs. Despite civil society complaints that requirements were vague, the Ministry of Justice and Human Rights actively provided information on registration requirements.

### **c. Freedom of Religion**

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

### **d. Freedom of Movement and the Right to Leave the Country**

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

**In-country Movement:** Document checkpoints in domestic airports and on roads throughout the country were common. Reports by local NGOs suggested that, despite an incremental drop in cases, some police officers continued to extort money from civilians at checkpoints and during regular traffic stops. Reports from the diamond-mining provinces of Lunda Norte and Lunda Sul indicated some government agents restricted the movements of local communities.

### **e. Status and Treatment of Internally Displaced Persons**

During the year, due to a severe, prolonged drought in the southern provinces, approximately 15,000 internally displaced persons (IDPs) congregated around feeding centers in Cunene, Huila, and Namibe Provinces. As of late September the centers and camps were not organized or managed but consisted of organic congregations of persons numbering up to 2,000 in one location.

### **f. Protection of Refugees**

The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, or other persons of concern.

**Access to Asylum:** The law provides for the granting of asylum or refugee status, but the government had not fully implemented the law. The law provides specific procedures for the submission of an asylum application and guidance on the determination of refugee status. UNHCR and several NGOs, however, reported that asylum seekers did not have a mechanism to apply for or resolve their status. A 2015 law changed the role of the Committee for the Recognition of the Right to Asylum, the prior implementing mechanism to identify, verify, and legalize asylum seekers, to that of an advisory board. The government had not put into practice a mechanism to adjudicate asylum cases in the committee's place. The law also authorized the creation of reception centers for refugees and asylum seekers where they were to receive assistance until the government decides on their cases, but the government had not yet established these centers.

**Abuse of Migrants and Refugees:** There were reports throughout the year that Lunda Norte provincial authorities exerted pressure on irregular migrants to return to the Democratic Republic of the Congo (DRC). The International Organization for Migration recorded more than 8,000 irregular migrants returning from Angola to the DRC in August and September. Departing irregular migrants often did not have access to water or shelter during their journey on foot to the border and were at risk of human rights abuses, including gender-based violence. The government permitted two female refugees within the irregular migrant group to remain in Angola. The government failed to provide adequate protection for asylum seekers and urban refugees in this area.

In 2018 security forces launched Operation Rescue, a nationwide law enforcement campaign to address violent crime, illegal migration, unlicensed commercial and religious activity, and road accidents. The campaign affected both legal and undocumented migrants, refugees, and stateless persons who relied on the informal markets to make a living, as job opportunities were limited and the law prohibits refugees from operating businesses. One NGO said Operation Rescue had not ended and the problems associated with the operation continued.

Under the law authorities should issue refugee cards with a five-year validity. According to UNHCR the government had not issued or renewed refugee cards since 2015, and no refugee possessed an unexpired, government-issued refugee card during the year. The minister of interior told UN officials that the government

would begin to fully implement the law when COVID-19 restrictions were lifted. Refugees reported a general lack of acceptance of the refugee card and lack of knowledge concerning the rights it was intended to safeguard.

**Freedom of Movement:** UNHCR, NGOs, and refugees reported restrictions on freedom of movement in Lunda Norte Province. Police arbitrarily arrested or detained refugees and confiscated or destroyed their registration documents during periodic roundups, particularly in Dundo, the provincial capital. Refugees also reported periodic restrictions on freedom of movement from their resettlement site in Lovua, Lunda Norte Province, and cited such restrictions as a factor motivating them to return to the DRC.

**Employment:** The law does not allow refugees to work and restricted refugees from obtaining business licenses. A regulation restricted refugees from obtaining the business license required to own and operate a business. Refugees often faced difficulty obtaining employment due to their inability to obtain legal documents required to work in the formal sector. Authorities continued to harass asylum seekers and refugees working in the informal market.

**Access to Basic Services:** Persons with recognized refugee status could at times obtain public services. The government had not implemented key elements of the 2015 asylum law, such as refugee and asylum seekers' access to basic services and issuance of documents, including new or renewed refugee cards and birth certificates for refugees' children born in the country. UNHCR, NGOs, and refugees, however, reported that urban refugees were unable to obtain legal documents and at times faced difficulty accessing public services such as health care and education. Corruption by officials compounded these difficulties. Lack of documentation or expired documentation prevented refugees from owning land or vehicles in their name, purchasing cellular SIM cards, obtaining business licenses, and accessing education beyond primary school.

**Durable Solutions:** In 2020 the government cooperated with UNHCR and supported an organized voluntary repatriation of 2,912 refugees from Lunda Norte to the DRC. As of August 31, according to UNHCR, 6,801 refugees remained at its Lovua, Lunda Norte, resettlement camp. The government through the Migration and Foreigners Service and the Ministry of Social Action, Family, and

Women's Promotion (Ministry of Social Assistance) participated in the screening phase to ensure that those to be repatriated were refugees, processed the related repatriation documentation, facilitated family reunification for the purpose of returning, verified that those returning were on the Voluntary Repatriation (VolRep) manifest, and signed the VolRep manifest at the borders for handover to counterparts on the DRC side. The COVID-19 pandemic delayed further repatriation convoys.

### **g. Stateless Persons**

The government estimated there were more than 12 million unregistered citizens in the country. Children of undocumented foreign parents born in the country may fall into a stateless status if the parents are unable to register them.

## **Section 3. Freedom to Participate in the Political Process**

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

### **Elections and Political Participation**

**Recent Elections:** In 2017 the government held presidential and legislative elections, which the ruling MPLA won with 61 percent of the vote, and the country inaugurated MPLA party candidate Joao Lourenco as its third president since independence. The MPLA retained its 68 percent supermajority in the National Assembly in the 2017 elections; however, opposition parties increased their representation by winning 32 percent of parliamentary seats, up from 20 percent in the 2012 elections.

Domestic and international observers reported polling throughout the country was peaceful and generally credible, although the ruling party enjoyed advantages due to state control of major media and other resources. Opposition parties complained to the Constitutional Court regarding aspects of the electoral process, including the National Electoral Commission's lack of transparent decision making on key election procedures and perceived irregularities during the provincial-level vote count.

The central government appoints provincial governors. Local government elections, originally planned to take place in 2020, faced a series of delays from legislative processes, procedural debates, and the COVID-19 pandemic. During the year President Lourenco proposed a constitutional amendment providing for local government elections to be implemented across the nation. In September the National Assembly passed the law, but no date was set for the elections. Opposition parties and civil society criticized the government for failing to provide a prospective date for the municipal elections.

**Political Parties and Political Participation:** The ruling MPLA party dominated all political institutions. Political power was concentrated in the presidency and the Council of Ministers, through which the president exercised executive power. The Council of Ministers largely determines which legislative proposals are submitted to the National Assembly for approval. The National Assembly consists of 220 deputies elected under a party list proportional representation system. The National Assembly has the authority to draft, debate, and pass legislation, but the executive branch often proposed and drafted legislation for the assembly's approval.

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

**Participation of Women and Members of Minority Groups:** No laws limit the participation of women and members of minority groups, including persons with disabilities; lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons; and indigenous persons, in the political process, and they did participate. Of the 220 deputies in the national assembly, 65, or 30 percent, were women, up from 27 percent for the last three years. Four of 18, or 22 percent, of provincial governors were women, which was double the number from both 2018 and 2019, and seven of 21, or 33 percent, of cabinet ministers were women, down from 38 percent in 2018 and 2019. The country has multiple linguistic groups, many of which were represented in government.

## **Section 4. Corruption and Lack of Transparency in**

## Government

The law provides criminal penalties for corruption by officials, and the government implemented the law effectively. The government dismissed and prosecuted cabinet ministers, provincial governors, senior military officers, and other officials for corruption and financial crimes. There were numerous reports of government corruption during the year. The Attorney General's Office continued corruption investigations and brought criminal charges against several officials. Nonetheless, official impunity and the uniform application of anticorruption legislation remained a serious problem.

**Corruption:** In April authorities sentenced the minister of social communications under former president Jose Eduardo dos Santos, Manuel Rabelais, to 14 years and six months in prison for embezzlement and money laundering committed in a foreign exchange scheme between 2016 and 2017.

In late May President Lourenco dismissed his minister of state and seven other high-level military officials following the arrest of a military major attempting to leave the country with two suitcases full of money. In June 2020 other provincial government and military officials in Cuando Cubango were also detained as part of the same investigation.

In July Attorney General Helder Pitta Gros announced in a press conference that the government had been able to freeze more than 550 billion kwanza (one billion dollars) that had been stolen and deposited in foreign banks. He noted that the funds would be repatriated following legal proceedings.

Carlos Manuel de Sao Vicente, former head of the insurance company AAA Seguros, remained in custody after a September 2020 arrest for alleged money laundering.

On September 21, the former chairman of the board of directors of the Luanda Collective and Urban Transport Company, Abel Antonio Cosme, was extradited by Portugal to the country. Although he was released from custody on September 29 after paying more than nine million kwanza (\$16,500) in bail, his extradition was the first of its type to the country for corruption charges.

Laws and regulations regarding conflict of interest exist, but they were not enforced. Petty corruption among police, teachers, and other government employees was widespread. Police extorted money from citizens and refugees, and prison officials extorted money from family members of inmates.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A variety of domestic and international human rights groups operated throughout the country. Some groups investigating government corruption and human rights abuses alleged government interference in their activities, particularly in provinces outside of Luanda. Civil society organizations faced fewer difficulties in contacting detainees than in previous years, and prison authorities permitted civil society work in the prisons, but COVID-19 preventive measures forced limited access by some civil society groups.

The law requires NGOs to specify their mandate and areas of activity. The government used this provision to prevent or discourage established NGOs from engaging in certain activities, especially those that the government deemed politically sensitive.

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

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

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

An Office of the Ombudsman, with a national jurisdiction, existed to mediate between an aggrieved public, including prisoners, and an offending public office or institution. The office had representative offices open in the provinces of Cabinda, Kwanza-Sul, Cunene, Huambo, and Luanda. It had neither decision-making nor adjudicative powers but helped citizens obtain access to justice, advised government entities on citizen rights, and published reports. These reports are presented annually to the National Assembly. The ombudsman is elected by the National Assembly.

During the year the government began the implementation and training of local human rights committees at the provincial, municipal, and communal levels. These committees were composed of government representatives, civil society members, journalists, religious representatives, and traditional authorities. The committees are tasked with gathering information and reporting monthly on human rights issues within their area.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** Rape, including spousal rape and intimate partner rape, is illegal and punishable by up to 12 years' imprisonment if convicted, depending on aggravating situations. Limited investigative resources, poor forensic capabilities, and an ineffective judicial system prevented prosecution of most cases. The Ministry of Justice and Human Rights worked with the Ministry of Interior to increase the number of female police officers and to improve police response to rape allegations.

The law criminalizes domestic violence and penalizes offenders with prison sentences of up to eight years and monetary fines, depending on the severity of their crime. The Ministry of Justice and Human Rights maintained a program with the Angolan Bar Association to give free legal assistance to abused women and established counseling centers to help families cope with domestic abuse.

According to the Ministry of Social Assistance, from January to August there were 639 reports of family-based violence, of which 588 victims were women. Reports

decreased significantly from 2020, which reported more than 1,000 cases through May. Prosecutions were reportedly rare. In October the ministry joined an education campaign started by musician Sarissari called “*Silencio Mata*” (Silence Kills), which aimed to raise the awareness of domestic violence in the country.

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

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

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Persons living in rural areas faced more barriers to access of sexual and reproductive health services and postabortion emergency services than urban dwellers due to a lack of resources and health programs in those areas. According to 2015-16 World Health Organization (WHO) data, 62 percent of women between the ages of 15 and 49 made their own informed decisions regarding reproductive health care, contraceptive use, and sexual relations. Some cultural views, such as that women have a responsibility to bear children, and religious objections to using contraception limited access to reproductive health services. The WHO reported there were four nursing and midwifery personnel per 10,000 inhabitants in the country (2010-18 data). For survivors of sexual violence, the law on domestic violence provides for legal and medical assistance, access to shelter spaces, and priority care assistance to obtain legal evidence of the crime. Emergency contraception was available as clinical management of rape.

According to a 2017 WHO report, the country’s maternal mortality rate was 241 deaths per 100,000 live births, which was a significant reduction from 431 deaths in 2007 and 827 deaths in 2000. High maternal mortality was due to inadequate access to health facilities before, during, and after giving birth, a lack of skilled obstetric care, and early pregnancy. The WHO data reported a high adolescent

birth rate of 163 births per 1,000 women between the ages of 15 and 19. A UN Population Fund report found that six of 10 teenage girls who abandoned school did so due to pregnancy. According to 2010-19 data, 30 percent of women of reproductive age had their need for family planning satisfied with modern methods. UNICEF reported in 2016 that 50 percent of births in the country were attended by skilled health personnel.

According to an official in the Ministry of Public Administration, Labor, and Social Security, lack of running water and sanitary facilities at some schools disproportionately affected teenage girls, causing them to not attend school for several days each month while they are having their period. The cumulative effect of lost class time was detrimental to their success in school, leading struggling students to drop out and enter the work force.

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

The law provides for equal pay for equal work, although women generally held low-level positions. There were legal restrictions on women's employment in occupations and industries compared to men, including in jobs deemed hazardous, factory jobs, and those in the mining, agriculture, and energy sectors. The Ministry of Social Assistance led an interministerial information campaign on women's rights and domestic abuse and hosted national, provincial, and municipal workshops and training sessions.

## **Systemic Racial or Ethnic Violence and Discrimination**

The penal code revision that took effect in February has several provisions that criminalize discrimination based on skin color, race, and ethnicity. *The Human Rights National Plan 2020-2022* contains policies to mitigate racial discrimination. Reports of racial or ethnic violence were rare.

## Indigenous Peoples

The constitution does not specifically refer to the rights of indigenous persons, and no specific law protects their rights and ecosystems. One NGO estimated that 14,000 members of the San indigenous group scattered among the southern provinces of Huila, Cunene, Cuando Cubango, and Moxico suffered discrimination and lacked adequate access to basic government services, including medical care, education, and identification cards.

## Children

**Birth Registration:** Citizenship is derived by birth within the country or from one's parents. The government does not register all births immediately. According to the 2014 census, approximately 13.7 million citizens (46 percent of the population) lacked birth registration documents. Since 2019 the government's birth registration and identity document campaign provided 1.9 million persons with their first identity documents. During the year the government continued programs to improve the rate of birth registration through on-site registries located in maternity hospitals in all 18 provinces with a campaign called "Born with Registration." The government also trained midwives in rural areas to complete temporary registration documents for subsequent conversion into official birth certificates. The government permitted children to attend school without birth registration, but only through the sixth grade.

**Education:** Education is tuition-free and compulsory for documented children through the ninth grade. Students in public schools often faced significant additional expenses such as books or irregular fees paid directly to education officials to guarantee a place. When parents were unable to pay the fees, their children were often unable to attend school. The Ministry of Education estimated that one to two million children did not attend school because of a shortage of teachers and schools.

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

**Child Abuse:** Child abuse was widespread. Reports of physical abuse within the family were commonplace, and local officials largely tolerated abuse due to lack of capacity within institutions to provide appropriate care. The Ministry of Social Assistance offers programs for child abuse victims and other vulnerable children. Nevertheless, nationwide implementation of such programs remained a problem.

In 2020 INAC launched a hotline called “SOS Child” to report violence against children. INAC reported that between June 2020 and June, the hotline received 4,274 reports of sexual violence against children.

According to the local UNICEF office, there were reports that more than 50,000 children suffered from some form of child abuse.

**Child, Early, and Forced Marriage:** The legal age for marriage with parental consent is 15 for girls and 16 for boys. The government did not enforce this restriction effectively, and the traditional age of marriage among lower income groups coincided with the onset of puberty. According to UNICEF, 6 percent of men between the ages of 20 and 24 were married or in union before the age of 18, 30 percent of women between the ages of 20 and 24 were married or in union by the age of 18, and 7 percent of women between the age of 20 and 24 were married or in union by the age of 15.

**Sexual Exploitation of Children:** Human trafficking and commercial sexual exploitation of children is illegal. Police did not actively enforce laws against commercial sexual exploitation, and local NGOs expressed concern regarding the sexual exploitation of children. The law prohibits the use of children to produce pornography; however, it does not prohibit the procuring or offering of a child for the production of pornography, or the use, procuring, or offering of a child for pornographic performances.

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

were reports of prosecutions during the year.

**Displaced Children:** Extreme poverty and the economic decline during recent years led to an increase in the number of children living on the street, especially in urban areas of the capital. These children, estimated to number from the hundreds to several thousand, did not have access to health care or education, often resorted to begging or trash picking for survival, and lived in conditions placing them at great risk for exploitation. During the year INAC met with former street children to better understand the problem and to formulate a plan to address the growing issue.

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

## **Anti-Semitism**

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

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, but the government did not effectively enforce these prohibitions. The constitution grants persons with disabilities full rights without restriction and calls on the government to adopt national policies to prevent disability; treat, rehabilitate, and integrate persons with disabilities; to support their families; remove obstacles to their mobility; educate society regarding disability; and encourage learning and training opportunities for persons with disabilities.

The law requires changes to public buildings, transportation, and communications to increase accessibility for persons with disabilities. The law also institutes a quota system to encourage the public and private sectors to employ more persons with disabilities, with the public-sector quota at 4 percent of total employees and the private-sector quota set at 2 percent. Civil society organizations and persons with disabilities, however, reported the government failed to enforce the law, and significant barriers to access remained.

The government official responsible for overseeing programs to promote inclusion for persons with disabilities acknowledged that both the private and public sectors failed to meet the quota system established by law. The Angolan Disabled Persons National Association, an NGO that promotes the rights of persons with disabilities, said in a March interview that discrimination, physical, and psychological barriers impeded persons with disabilities from having access to work, education, and public transportation.

Persons with disabilities included more than 80,000 survivors of land mines and other explosive remnants of war. According to the 2014 census, there were 656,258 persons with disabilities in the country. Because of limited government resources and uneven availability, only 30 percent of such persons were able to take advantage of state-provided services such as physical rehabilitation, schooling, training, or counseling.

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

## **HIV and AIDS Social Stigma**

Discrimination against those with HIV or AIDS is illegal, but lack of enforcement allowed employers to discriminate against persons with HIV. There were no media reports of violence against persons with HIV. Reports from local and

international health NGOs suggested discrimination against persons with HIV was common. The government's National Institute to Fight HIV/AIDS included sensitivity and antidiscrimination training for its employees when they test and counsel HIV patients.

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity**

The constitution prohibits all forms of discrimination but does not specifically address sexual orientation or gender identity. On February 11, changes to the penal code took effect that decriminalize same-sex sexual relations and criminalize acts of violence or discrimination based on a person's sexual orientation.

Transgender and intersex persons are not specifically covered in the new legislation, nor does it recognize same-sex marriage, leading to problems in adoption and family planning, accompanying family into health-care facilities, and obtaining appropriate identity documents.

Local NGOs reported that LGBTQI+ persons faced violence, discrimination, and harassment. The government, through its health agencies, instituted a series of initiatives to decrease discrimination against LGBTQI+ persons.

Discrimination against LGBTQI+ persons was rarely reported, and when reported, LGBTQI+ persons asserted that sometimes police refused to register their grievances. The Ministry of Health continued to collaborate with the National Institute to Fight HIV/AIDS to improve access to health services and sexual education for the LGBTQI+ community.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of workers, except members of the armed forces, police, firefighters, members of sovereign bodies, and public prosecutors to form and join independent unions. To establish a trade union, at least 30 percent of workers in an economic sector in a province must follow a registration process and obtain authorization from government officials. The law provides for the right to

collective bargaining except in the civil service. The law prohibits strikes by members of the armed forces, police, prosecutors and magistrates of the Attorney General's Office, prison staff, fire fighters, public-sector employees providing "essential services," and oil workers. Essential services are broadly defined, including the transport sector, communications, waste management and treatment, and fuel distribution. In exceptional circumstances involving national interests, authorities have the power to requisition workers in the essential services sector. The law does not explicitly prohibit employer interference with union activity.

While the law allows unions to conduct their activities without government interference, it also places some restrictions on their ability to strike. Before engaging in a strike, workers must negotiate with their employer for at least 20 days prior to a work stoppage. Should they fail to negotiate, the government may deny the right to strike. The government may intervene in labor disputes that affect national security and energy sectors. Collective labor disputes are to be settled through compulsory arbitration by the Ministry of Public Administration, Labor, and Social Security (Ministry of Labor). The law prohibits employer retribution against strikers, but it does not contain effective measures to deter such retribution. The law permits the government to force workers back to work for "breaches of worker discipline" or participation in unauthorized strikes. Nonetheless, the law prohibits antiunion discrimination and stipulates that worker complaints should be adjudicated in the labor court. The Ministry of Labor had a hotline and two service centers in Luanda for workers who believed their rights had been violated. By law employers are required to reinstate workers who have been dismissed for union activities.

During the year there were several strikes in the public and private sector over disputes between employers and workers. There were also allegations of retribution against strikers during the year. On August 9, workers of the National Company of Electricity Distribution (ENDE) went on strike to demand better working conditions and for an increase in salary and benefits. Union delegates reported that ENDE threatened to fire workers if they joined the strike, in particular workers hired within the last two years.

The government generally did not effectively enforce labor laws. Labor courts functioned but were overburdened by a backlog of cases and inadequate resources.

The law provides for penalties for violations of the law and labor contracts, which are commensurate with those for other laws involving denials of civil rights, but the penalties were not an effective deterrent due to the inefficient functioning of the courts.

Freedom of association and the right to collective bargaining were not generally respected. Government approval is required to form and join unions, which were hampered by membership and legalization issues. Labor unions, independent of those run by the government, worked to increase their influence, but the ruling MPLA party dominated the labor movement because of its historical close relationship with labor unions and from the strong financial base of the nation's largest union, of which the MPLA is a part.

The government was the country's largest employer, and the Ministry of Labor mandated government worker wages with no negotiation with the unions. In September 2020 President Joao Lourenco created an advisory body, the Economic and Social Council, with 45 members representing large sectors of the country's society but did not include labor representatives. Public-sector labor unions used strikes and protests to advance labor rights. For example, in May a group of public-sector labor unions began a strike in four provinces to protest salaries that the unions said had remained too low for 10 years. In September the Angola Union of Justice Clerks announced a general strike over staff shortages, salary stagnation, and working conditions. After the government agreed to start negotiations with these groups, the unions called off the strikes.

On July 30, municipal and provincial judges and public prosecutors protested in Luanda and Malanje Provinces against the deterioration of working conditions and benefit cuts, including health insurance. The president of the National Union of Public Prosecutors said that although the law did not allow them to strike, they would use protests and other means to pressure the government to solve their problems.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor and sets penalties commensurate with those for analogous serious crimes. The government did not

effectively enforce the law due in part to an insufficient number of inspectors and to systemic corruption.

Forced labor of men and women occurred in fisheries, agriculture, construction, domestic service, and artisanal diamond-mining sectors, particularly in Lunda Norte and Lunda Sul Provinces. Migrant workers were subject to seizure of passports, threats, denial of food, and confinement. Forced child labor occurred (see section 7.c.).

See also the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits the worst forms of child labor and provides for a minimum age of employment (age 14), which applies to all sectors. To obtain an employment contract, the law requires youth to submit evidence they are 14 or older. Children may work from age 14 to age 18 with parental permission, or without parental consent if they are married, and the work does not interfere with schooling or harm the physical, mental, and moral development of the minor. Children ages 14 to 16 may work no more than six hours per day or 34 hours per week; children ages 16 to 18 may work up to seven hours per day or 39 hours per week. Children are also prohibited from working between 8 p.m. and 7 a.m. and are prohibited from performing shift work. The law also allows orphan children who want to work to get official permission in the form of a letter from "an appropriate institution," but it does not specify the type of institution. The Ministry of Labor, Ministry of Social Assistance, Ministry of Interior, INAC, and the national police are responsible for enforcement of child labor laws.

In August the Council of Ministers approved a redesigned *National Action Plan for the Eradication of Child Labor for 2021-2025* with the goal of combatting and preventing child labor through social assistance, education, victim advocacy, and finance the enforcement and prosecution of child labor.

The government did not effectively monitor the large informal sector, where most child labor occurred. Penalties were commensurate with those for analogous serious crimes. The government did not consistently enforce the law, and child

labor remained a problem, especially in the informal sector. Between January and March, INAC registered more than 3,000 cases of hazardous child labor on farms involving the handling of chemicals, stones, and bricks, as well as working as street vendors and beggars, and reported the cases to law enforcement but acknowledged that the real number was likely much higher. The Ministry of Labor has oversight of formal work sites in all 18 provinces, but it was unknown whether inspectors examined the age of workers or conditions of work sites. If the ministry determined a business was using child labor, it transferred the case to the Ministry of Interior to investigate and possibly press charges. It was not known whether the government fined any businesses for using child labor.

Child labor occurred in agriculture on family and commercial farms as well as in fishing, brick making, artisanal diamond mining, charcoal production, domestic labor, construction, and street vending. Exploitive labor practices included involvement in the sale, transport, and offloading of goods in ports and across border posts. Children were forced to work as couriers in the illegal cross-border trade with Namibia. Adult criminals sometimes used children for forced criminal activity, since the justice system prohibits minors younger than 12 from being tried in court.

Street work by children was common, especially in the provinces of Luanda, Benguela, Huambo, Huila, and Kwanza Sul. Investigators found children working in the streets of Luanda. Most of these children shined shoes, washed cars, carried water and other goods, or engaged in other informal labor, but some resorted to petty crime and begging. Commercial sexual exploitation of children occurred as well (see section 6).

The incidence of child labor increased in the southern provinces due to a severe drought. In Cunene Province, children were forced to leave school and work as herders or dig wells and fetch water. The drought and the accompanying economic devastation increased the risk of exploitation of vulnerable persons in the province; one NGO in Cunene said the drought led many boys to seek work in urban areas and led girls to engage in commercial sexual exploitation.

The government, through INAC, worked to create, train, and strengthen child protection networks at the provincial and municipal levels in all 18 provinces. No

central mechanism existed to track cases or provide statistics. The government also dedicated resources to the expansion of educational and livelihood opportunities for children and their families.

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

#### **d. Discrimination with Respect to Employment and Occupation**

The labor law prohibits discrimination in employment and occupation based on race, color, sex, ethnic origin, country origin and social condition, religion, political opinion, union membership, disability, or language, and the government in general effectively enforced the law in the formal sector. The International Labor Organization, however, noted the law did not clearly define discrimination. The constitution prohibits all forms of discrimination, although it does not specifically address HIV or AIDS status, sexual orientation, or gender identity (see section 6). The law provides for equal pay for equal work, but gender pay disparities in the country existed. The law provides that both employers and workers are treated with respect, but there were no provisions prohibiting harassment in the workplace. There were legal restrictions on women's employment in occupations considered dangerous, in factories, and in industries such as mining, agriculture, and energy.

The law provides working mothers nine weeks of maternity leave and four weeks of prematernity leave before childbirth and one day of leave each month in the next 15 weeks after the birth, while working fathers receive leave on the day of the child's birth.

The government did not effectively enforce the law, although penalties, when applied, were commensurate with those for other laws related to civil rights. There were no known prosecutions of official or private-sector gender-based discrimination in employment or occupation. Persons with disabilities found it difficult to gain access to public or private facilities, and it was difficult for such persons to participate in the education system and thus find employment. In 2020 there were reports that persons with albinism experienced discrimination in employment and access to public services. In the past there were also complaints

of discrimination against foreign workers. There were no known prosecutions for discrimination in employment. Penalties were not sufficient to deter violations.

## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** A minimum wage for the formal sector exists and varies by sector. The UN Committee on Economic, Social and Cultural Rights raised concerns regarding the wide disparities of minimum wage by sector and the possibility this may undervalue work in female-dominated sectors. The lowest minimum wage was for agricultural work and was set below the UN Development Program's official line of poverty. The minimum wage for the formal sector may be updated annually or when the government assesses economic conditions warrant. The minimum wage had not been updated since 2019. The minimum wage law does not cover workers in informal sectors, such as street vendors and subsistence farmers.

The standard workweek in the private sector is 44 hours, while in the public sector it is 37 hours. In both sectors the law mandates at least one unbroken period of 24 hours of rest per week. In the private sector, when employees engage in shift work or a variable weekly schedule, they may work up to 54 hours per week before the employer must pay overtime. In the formal sector, there is a prohibition on excessive compulsory overtime, defined as more than two hours a day, 40 hours a month, or 200 hours a year. The law also provides for paid annual holidays. By law employers must provide, at a minimum, a bonus amounting to 50 percent of monthly salary to employees each year in December and an annual vacation. The law does not cover domestic workers, but a 2016 presidential decree extended some protections and enforcement standards to domestic workers. Workweek standards were not enforced unless employees filed a formal complaint with the Ministry of Labor. The law protects foreign workers with permanent legal status or a temporary work visa.

The government effectively enforced the minimum wage law within the formal labor sector, and penalties were commensurate with those for similar infractions. The Ministry of Labor is charged with implementing and enforcing the law. An insufficient number of adequately trained labor inspectors hampered enforcement efforts. Inspectors have the authority to conduct unannounced inspections and

initiate sanctions, but some companies received advance warning of impending labor inspections.

**Occupational Safety and Health:** Occupational safety and health standards are required for all sectors of the economy. Employees have the right to remove themselves from hazardous working conditions without jeopardy to their employment. The government did not always proactively enforce occupational safety and health standards nor investigate private company operations unless complaints were made by NGOs and labor unions. Inspections were reduced due to the COVID-19 pandemic. In 2020 there were 1,151 labor accidents that caused the death or serious injury of workers.

**Informal Sector:** As much as 80 percent of the workforce was employed in the informal economy. The rate was higher in rural areas than urban areas (93 and 67 percent, respectively). Even in the country's rapidly growing urban areas, self-employed informal workers provided essential services such as water, food, and transportation. Other common types of informal work included agriculture, commerce and trading, domestic work, security guards, and raising cattle. The government began job skills training programs to reduce informal employment, as well as efforts to reduce barriers to formalization and promote greater awareness of the advantages and protection that come with the formalization.

Government regulation and closure of market stalls during COVID-19 forced many informal workers to set up shop in the streets, apartment building entrances, or their own doorsteps to sell food, handcrafts such as leather sandals, furniture, and imported goods. Informal markets were the main source of food goods for most of the population. Informal money changers operated a parallel financial system to exchange weak local currency for dollars. This practice was not as widespread as years past due to the devaluation of the kwanza, which reduced the gap between the official and unofficial exchange rates. Some informal-sector workers joined unions, such as the National Federation of Unions of Food Industry, Commerce, and Hotels. Most workers in the informal sector were not covered by wage or occupational safety standards or social protections.