

ANGOLA 2017 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Angola is a constitutional republic. On February 4, President Jose Eduardo dos Santos announced he would not seek re-election after 37 years in power. The government held presidential and legislative elections on August 23, which the ruling Popular Movement for the Liberation of Angola (MPLA) won with 61 percent of the vote. On September 26, Joao Lourenco was inaugurated president for a five-year term.

Civilian authorities generally maintained effective control over the security forces.

The most significant human rights issues included arbitrary or unlawful deprivation of life; cruel, excessive, and degrading punishment, including cases of torture and beatings; harsh and potentially life-threatening prison and detention conditions; arbitrary arrest and detention; lack of due process and judicial inefficiency; forced evictions without compensation; limits on freedoms of assembly, association, speech, and press; official corruption and impunity; lack of effective accountability and prosecution in cases of rape and other violence against women and children; discrimination against indigenous San; and limits on workers' rights.

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

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

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

There were reports that the government or its agents committed arbitrary or unlawful killings. On December 7, human rights activist and journalist Rafael Marques de Morais released a report, "The Field of Death," alleging Criminal Investigation Service (SIC) officers engaged in a campaign of extrajudicial killings of young men in Luanda from April 2016 through November 2017. According to Marques, many of the victims were accused of petty criminality or otherwise labeled as "undesirable" by residents of their respective communities. The report

alleged the national police at times coordinated with SIC officers in the killings. On December 11, the public prosecutor announced the creation of a commission of inquiry to investigate the allegations.

Fifteen months after the August 2016 killing of 14-year-old Rufino Antonio during an Angolan Armed Forces (FAA) demolition operation of allegedly unauthorized housing, authorities arrested and charged an FAA soldier with Rufino's death. The trial of the FAA soldier continued at year's end.

At year's end the Supreme Court had not rendered a decision on the appeal of the 28-year sentence imposed in April 2016 on Jose Kalupeteka, leader of the Light of the World religious sect, for the 2015 clashes between members of his group and police that left 13 civilians and nine police officers dead, according to official figures. There was no information on the status of the Attorney General's Office (PGR) investigation into the August 2016 clashes between police and Light of the World followers in Kwanza Sul Province that reportedly resulted in the deaths of five church members and three police officers.

b. Disappearance

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

For example, Union for the Total Independence of Angola (UNITA) representatives alleged that on June 28, MPLA party members kidnapped Adelino Joao Cassoma, a UNITA party member, tortured him, and threw him into the Cuango River in Lunda Norte Province. The MPLA accused UNITA of lying and concealing Cassoma's whereabouts. On August 8, a man alleging to be Adelino Joao Cassoma appeared before the media to insist that he had not been kidnapped but had hidden in the forest for more than 20 days due to fear of political intolerance. UNITA claimed that the man was an imposter and that Cassoma remained missing. There was no additional information on the case at year's end.

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

The constitution and law prohibit all forms of torture and cruel, inhuman, or degrading treatment or punishment, but the government did not always enforce these prohibitions. Periodic reports continued of beatings and other abuses of persons on the way to and in police stations during interrogations. The

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

On September 16, police found Dias Casa Mbata dead in a police station in Luanda following his arrest the previous day. An autopsy revealed Mbata suffered three skull fractures, a broken arm, and multiple bruises. The Ministry of Interior opened an investigation into possible unlawful arrest and police brutality in the case.

Security forces reacted harshly and sometimes violently to public demonstrations against the government. The visible presence of security forces was enough to deter significantly what were deemed by the government to be unlawful demonstrations. Authorities claimed known agitators who sought only to create social instability organized many of the public demonstrations.

Unlike in previous years, there were no reports of abuses by private security companies in diamond producing regions.

Prison and Detention Center Conditions

Prison and detention center conditions were harsh and potentially life threatening. Domestic NGOs, activists, and the media continued to highlight corruption, violence, overcrowding, a lack of medical care, and generally poor conditions.

Physical Conditions: In April 2016 Antonio Fortunato, director general of penitentiary services, acknowledged overcrowding in prisons was a serious problem.

Authorities frequently held pretrial detainees with sentenced inmates, and short-term detainees with those serving long-term sentences for violent crimes, especially in provincial prisons.

Prison conditions varied widely between urban and rural areas. Prisons in rural areas were less crowded and reportedly had better rehabilitation, training, and reintegration services. Prisons did not always provide adequate medical care, sanitation, potable water, or food, and it was customary for families to bring food to prisoners. Local NGOs stated prison services were insufficient. In 2015

Fortunato acknowledged that approximately five prisoners died each month in the country's prisons from diseases such as HIV/AIDS, malaria, and tuberculosis.

In 2016, while a prisoner inside the Viana jail, Bruno Marques took photographs that allegedly depicted the jail's deplorable conditions and sick and malnourished prisoners. Newspaper *Novo Jornal* published the photographs in a September 2016 article, and there were reports that members of the Rapid Intervention Police and Special Prison Services Detachment tortured Marques while he was still a prisoner in response to the publication. On March 25, unknown assailants shot and beat Marques to death in a Luanda suburb. Police opened an investigation into the killing, which was pending at year's end.

On July 20, the NGO Ame Naame Omuu denounced conditions in Peu Peu prison in Cunene Province. After receiving complaints from family members of deceased prisoners, the NGO contacted the municipal hospital, which confirmed the presence of nine deceased prisoners' bodies in the hospital morgue. No information was available on causes of death. The NGO filed a letter of complaint with the provincial-level representative of the Ministry of Interior, but authorities conducted no official investigation.

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

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

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

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

d. Arbitrary Arrest or Detention

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

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

Role of the Police and Security Apparatus

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

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

Local populations generally welcomed police presence in neighborhoods and on streets as enhancing general safety and security. Nevertheless, police routinely were believed to extort civilians to supplement their income. Corruption and impunity remained serious problems. The national police handled most complaints internally through opaque disciplinary procedures, which sometimes led to formal

punishment, including dismissal. They participated in a television series designed to show a gamut of interactions between police and civilians. The goal of the show was to encourage the population to collaborate with police while discouraging security force members' procurement of bribes or their payment. The national police also utilized social media to communicate with civilians. The PGR has an anticorruption unit, charged with oversight of police wrongdoing. The government disclosed publicly the results of some investigations that led to disciplinary action. For example, on October 3, the Zaire Military Court sentenced three police officers to between three and four years in prison for insubordination and facilitating illegal immigration in order to extort money from irregular migrants.

Police participated in professional training provided by national and international organizations that focused on human rights, combatting trafficking in persons, and law enforcement best practices during elections.

Arrest Procedures and Treatment of Detainees

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

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

If the public prosecutor determines a legal basis exists for the detention, a person can be held in pretrial detention for up to four months without charge and up to 12 months before a judge is required to rule on the case. Cases of special complexity regarding crimes 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 toward the total amount of time served.

The law states that all detainees have the right to a lawyer, either chosen by them or appointed by the government on a pro bono basis. The lack of lawyers in

certain provinces at times impeded the right to a lawyer. There was an insufficient number to handle the volume of criminal cases, and the geographical distribution of lawyers was a problem, since most lawyers were concentrated in Luanda. During the year the Angolan Justice, Peace, and Democracy Association published a study, “Angola: Justice Sector, Human Rights and State Law,” which reported 1,528 accredited and 2,426 unaccredited (those who have yet to pass the bar exam) lawyers in the country. More than 80 percent of accredited and unaccredited lawyers resided in Luanda Province. In 2015 the Ministry of Justice and Human Rights reported that all municipal courts were staffed with licensed lawyers, but at the same time it recognized access to a lawyer, especially in the provinces and in rural areas, remained a problem. Several lawyers and NGOs noted that even in Luanda most poor defendants did not have access to lawyers during their first appearance before a judicial authority or during their trial. When a lawyer is unavailable, a judge may appoint a clerk of the court to represent the defendant, but clerks of the court often lacked the necessary training to provide an adequate defense.

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

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

Arbitrary Arrest: Unlawful arrest and detention remained serious problems. According to the PGR, allegations of government wrongdoing on arrest practices made by local and international NGOs were due to a lack of understanding of national laws. For example, on April 17, police detained seven activists in the Cacucaco suburb of Luanda for holding a protest demanding transparent elections. The young men, charged with acts of rebellion and resisting arrest, received a sentence of 45 days’ imprisonment and a fine of 65,000 kwanzas (\$382); authorities released them on June 9 after they had completed their sentence.

Pretrial Detention: Excessively long pretrial detention continued to be a serious problem. An inadequate number of judges and poor communication among authorities contributed to the problem. In some cases authorities held inmates in prison for up to two years before their trials began. The Ministry of Interior

reported in 2016 that 11,000 inmates were pretrial detainees, approximately 45 percent of the total inmate population. 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. During the year the provincial government of Cunene held twice-monthly court sessions inside the Peu Peu prison to alleviate lengthy pretrial detention.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: In June 2016 the Supreme Court granted a group of activists known as the "15+2" a writ of habeas corpus, ruling that following their March conviction and sentencing to between two and eight years in prison by the Luanda Provincial Court, the appeal lodged by their lawyers had a suspensive effect and required their release pending the outcome of their appeal. Judge Domingos Januario, the judge of first instance for the Luanda Provincial Court, was later accused of concealing the activists' petition for habeas corpus from the Supreme Court. The attorney general launched an investigation of the judge's handling of the case, which was pending at year's end.

e. Denial of Fair Public Trial

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

There were long trial delays at the Supreme Court. Criminal courts also had a large backlog of cases, which resulted in major delays in hearings. There were only 22 municipal courts for 163 municipalities.

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

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

Trial Procedures

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

A separate juvenile court is designated for children's affairs. The juvenile court hears cases of minors between the ages of 12 and 16 accused of committing a criminal offense. Minors over age 16 accused of committing a criminal offense are tried in regular courts. In many rural municipalities, there is no provision for juvenile courts, so offenders as young as 12 can 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. Traditional authorities are defined in the constitution 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

The Ministry of Justice and Human Rights denied there were political prisoners in the country. Opposition political parties, however, often claimed authorities detained their members because of their political affiliations.

Civil Judicial Procedures and Remedies

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

Property Restitution

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

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

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

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution and law provide for freedom of expression, including for the press; however, state dominance of most media outlets, self-censorship by

journalists, and the existence of a media regulatory body limited the practical application of these rights. Most private media organizations were located in the capital. On November 9, newly elected President Lourenco dismissed and replaced heads of all major state-owned media outlets. On November 14, the president urged the new leadership of state media entities to ensure an editorial line that serves the public interest and upholds freedom of expression and the press.

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

Press and Media Freedom: Private radio and print media criticized the government openly and harshly. Authorities occasionally threatened journalists and publishers with harassment and arrest for covering sensitive stories. Journalists routinely complained of lack of transparency and communication from government press offices and other government officials. State dominance of major media outlets often led to one-sided reporting, with opposition and civil society figures frequently expressing their opinions in privately owned media outlets while government officials kept silent even on noncontroversial issues.

Official news outlets, including Angolan Public Television, Radio Nacional, and the *Jornal de Angola* newspaper, favored the ruling party and gave only limited coverage to opposition political parties. Official news outlets disproportionately covered ruling party candidates and campaign events in the period preceding the August 23 presidential and parliamentary elections, but at times included opposition party members and other commentators in nationally televised debates on issues such as elections, the rule of law, and the economy. Opposition parties received only limited coverage of their legislative participation in the National Assembly.

Violence and Harassment: Several journalists reported incidents of violence or harassment during the year. For example, a stringer for a foreign broadcaster investigating a series of mysterious fainting spells in Uige Province schools reported that police detained and beat him for photographing the transport of student victims to a hospital.

Censorship or Content Restrictions: In January the National Assembly passed a package of five regulatory media laws, one of which established the Regulatory Entity for Social Communication (ERCA), a body empowered to license and

delicense journalists and determine what constitutes appropriate media content. At year's end ERCA remained largely inactive.

Journalists practiced self-censorship.

The minister of social communication, spokesperson of the presidency, and national director of information maintained significant decision-making authority over the 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 and private media outlets owned by those close to the government rarely published or broadcast stories critical of the ruling party, government officials, or government policies.

In March Angolan telecommunications operator ZAP, owned by Isabel dos Santos, the daughter of then president Jose Eduardo do Santos, stopped broadcasting two Portuguese-owned television channels, SIC Noticias and SIC Internacional. ZAP notified neither the channels' owners nor ZAP subscribers in advance. Several journalists, such as *Expresso* newspaper correspondent in Luanda Gustavo Costa and the president of the Media Institute for Southern Africa-Angola, Alexandre Solombe, alleged that ZAP's decision to cease broadcasting the two channels was in response to their critical reporting on corruption and poverty in the country.

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

Several journalists in print media, radio, and political blogs faced libel and defamation lawsuits. Journalists complained the government used libel laws to limit their ability to report on corruption and nepotistic practices. According to the PGR, some journalists abused their positions and published inaccurate stories about government officials without verifying the facts or providing the accused the right of reply. On June 21, Attorney General Joao Maria de Sousa indicted journalist and human rights activist Rafael Marques for slander in response to an October 2016 article published on Marques' website, *Maka Angola*. The article accused de Sousa of corruption regarding an alleged illicit purchase of land and criticized then president dos Santos for failing to curb such alleged corrupt practices. Journalist and publisher Mariano Bras was also indicted for slander for republishing the article in the newspaper *O Crime*. Marques could face a penalty

of up to three years' imprisonment if convicted of slander, as well as the reinstatement of a six-month suspended sentence he received for a 2015 conviction of criminal libel. At year's end the court had not ruled on the merits of the indictments against Marques or Bras, nor had it set a trial date.

Internet Freedom

The law allows ERCA to determine what constitutes appropriate media content, including online content. The government did not, however, restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal oversight. According to the International Telecommunication Union, in 2016 approximately 13 percent of residents had access to the internet.

Academic Freedom and Cultural Events

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

b. Freedoms of Peaceful Assembly and Association

Freedom of Peaceful Assembly

The constitution and law provide for the right of peaceful assembly, but the government regularly restricted this right.

The law requires written notification to the local administrator and police three days before public assemblies are to be held. The law does not require government permission to hold public assemblies but it does require public assemblies to start after 7 p.m. The government at times prohibited events based on perceived or claimed security considerations. On June 3, thousands of UNITA supporters marched peacefully in Luanda to call for transparent elections while attended by a heavy presence of security forces. UNITA and members of government and security forces coordinated in advance of the march to ensure it took place without incident. Police and administrators did not interfere with progovernment gatherings. Nonpartisan groups intending to criticize the government or government leaders, however, often encountered the presence of police who prevented them from holding the event. Usually authorities claimed the timing or venue requested was problematic or that the proper authorities had not received notification.

Members of the Lunda Tchokwe Protectorate Movement (LTPM) held several protests during the year. LTPM leader Jose Mateus Zecamutchima called on supporters to protest on July 29 to demand autonomy. On July 27, Lunda Norte provincial authorities arrested nine Tchokwe individuals, including four traditional leaders. Zecamutchima subsequently canceled the protest due to the arrests and heavy presence of security forces. Some protesters nevertheless proceeded with the protest, resulting in the arrest of 38 individuals. There were reports that security forces used live fire and grenades to disperse the protesters, but there were no reported injuries.

The government at times arbitrarily restricted the activities of associations it considered subversive by refusing to grant permits for organized activities. Authorities generally permitted opposition parties to organize and hold meetings. Nevertheless, opposition officials continued to report obstructions to the free exercise of their parties' right to meet.

Freedom of Association

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

On July 5, the Constitutional Court declared unconstitutional a 2015 presidential decree regulating the operation of NGOs. Civil society had criticized the decree as potentially restrictive and intrusive for including requirements that NGOs obtain approval from the government before the implementation of any project, provide frequent financial reports to the government on NGO activities, and allow local authorities to supervise NGO projects within their municipalities. The government stated this regulation is part of its strategy to combat money laundering and terrorist financing. The court ruled that only the National Assembly had jurisdiction to legislate such requirements according to the clearly defined separation of powers in the constitution.

c. Freedom of Religion

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

d. Freedom of Movement

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

The government sometimes cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, or other persons of concern. UNHCR commended the government for its efforts to protect and assist more than 32,000 Congolese refugees who fled violence in the Kasai region of the Democratic Republic of the Congo (DRC) and sought refuge in Lunda Norte Province during the year. The government, however, continued to fail to provide adequate protection for asylum seekers and urban refugees.

Abuse of Migrants, Refugees, and Stateless Persons: Following a May 2016 visit, the UN special rapporteur on the human rights of migrants, Francois Crepeau, issued a report criticizing the government for its lack of adequate protections for refugees, asylum seekers, and migrants. Crepeau cited government failure to implement key elements of the 2015 asylum law, which had the effect of impeding refugee and asylum seekers' access to basic services and documents, such as birth certificates for children of foreign-born parents. NGOs working with refugee and asylum-seeker populations continued to cite security force harassment of and state discrimination against those communities. At year's end the asylum law remained unimplemented.

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

Protection of Refugees

During the year more than 32,000 Congolese, primarily women and children, fled the Kasai region of the DRC and sought refuge in Lunda Norte Province. During the early days of the refugee influx, the government was the sole provider of life-saving assistance, including food and medical care. The government cooperated closely with UNHCR, the World Food Program, and NGOs to protect and assist the community. UNHCR continued to press the government to grant the Kasai

refugees prima facie status. At year's end, however, the government had not formally granted them that status.

Access to Asylum: The law provides for the granting of asylum or refugee status, but the law did not function in practice during the year. The 2015 asylum law provides specific procedures for the submission of an asylum application and guidance on the determination of asylum and refugee cases. UNHCR and several NGOs reported that asylum seekers and urban refugees did not have a mechanism to apply for or resolve their status. The 2015 law changed the role of the Committee for the Recognition of the Right to Asylum, the former implementing mechanism to identify, verify, and legalize asylum seekers, to that of an advisory board; however, by October the government had not put into practice an alternative mechanism to adjudicate asylum and refugee cases in the committee's place. The law also established the creation of reception centers for refugees and asylum seekers where they are to receive assistance until the government makes a decision on their cases.

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

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

Section 3. Freedom to Participate in the Political Process

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

Elections and Political Participation

Recent Elections: On August 23, the government held presidential and legislative elections, which the ruling MPLA won with 61 percent of the vote. On September 26, the country inaugurated MPLA party candidate Joao Lourenco as its third president.

Domestic and international observers reported polling throughout the country was peaceful and generally credible, although the ruling party enjoyed advantages due to state control of major media and other resources. Opposition parties complained to the Constitutional Court aspects of the electoral process, including the National Electoral Commission's lack of transparent decision making on key election procedures and perceived irregularities during the provincial-level vote count. On September 12 and 13, the court rejected opposition appeals, citing a lack of evidence. The court concluded that two opposition parties, UNITA and the Social Renewal Party, forged election documents submitted in support of their appeals, a crime that carries a penalty of two to eight years' imprisonment and a monetary fine. The court referred the matter to the public prosecutor, but at year's end there were no additional details on the investigation.

The central government appoints the provincial governors, and the constitution does not specify a timeline for implementing municipal-level elections. By year's end government and ruling party officials had not announced a target date for 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 can enact laws, decrees, and resolutions, assuming most functions normally associated with the legislative branch. The National Assembly consists of 220 deputies elected under a party list proportional representation system. The National Assembly has the authority to draft, debate, and pass legislation, but the executive branch often proposed and drafted legislation for the assembly's approval. The MPLA retained its supermajority in the National Assembly in the August 23 elections; however, opposition parties increased their representation by winning 32 percent of parliamentary seats, up from 20 percent in the 2012 elections.

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

Multiple altercations between MPLA and opposition parties' supporters reportedly occurred during the year, both before and after the August 23 elections (see section 1.a.). Reports of political violence or intolerance were greatest in the provinces of Benguela, Huambo, Kuando Kubango, Uige, and Luanda. According to UNITA and human rights group Omunga, MPLA youth clashed with UNITA supporters on September 16 in the Bocoio municipality of Benguela Province. UNITA and Omunga alleged that police supported and participated in the violence, which reportedly resulted in several injuries, significant damage to UNITA property, and the arrest of individuals affiliated with both parties. Police countered that UNITA was responsible for the violence but promised to investigate the incident.

Participation of Women and Minorities: No laws limit the participation of women and members of minorities in the political process, and they did participate. Of the 220 deputies in the national assembly, 60 were women. There were no female provincial governors, but 10 women were cabinet ministers (out of 30). Some observers believed traditional and cultural factors prevented women from participating in political life to the same extent as men. The country has multiple linguistic groups, many of which were represented in government.

Section 4. Corruption and Lack of Transparency in Government

Although the law provides criminal penalties for corruption by officials, the government did not implement these laws effectively, and local and international NGOs and media sources reported officials engaged in corrupt practices with impunity.

Corruption: Government corruption at all levels was widespread, and accountability was limited due to a lack of checks and balances, lack of institutional capacity, and a culture of impunity. There were some institutions within the government, however, working to improve transparency and accountability. The judiciary was subject to political influence and conflict of interest. Public prosecutions of corruption cases were rare under the dos Santos government. President Lourenco announced during his inaugural address his intention to combat government corruption, and several new investigations or prosecutions of government officials allegedly involved in corruption were in process at year's end. For example, on October 10, authorities detained the Angolan General Tax Administration Administrator Nicholas da Silva and three other staff members on allegations of corruption and misappropriation of state funds. Neto and his three colleagues allegedly embezzled collected tax funds

designated for the national treasury. They remained in pretrial detention pending the outcome of the investigation, which continued at year's end.

On February 16, the public prosecutor of Portugal indicted then Angolan vice president Manuel Vicente on charges of corruption, money laundering, breach of judicial secrecy, and document forgery. The case extended back to 2012, when Vicente was under investigation in Portugal for alleged money laundering and corruption related to both the purchase of a luxury Lisbon apartment for 3.8 million euros (\$4.6 million) and the purchase of shares in the Angolan telecommunications company Movitel and bank BES Angola. Portuguese authorities alleged Vicente bribed then Portuguese public prosecutor Orlando Figueira to close both investigations with payments amounting to 763,000 euros (\$916,000). The case was moving through the Portuguese legal system at year's end.

As in previous years, there were credible reports government officials used their political positions to profit from business deals. The business environment continued to favor those connected to the government, including members of the president's family.

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

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

Following his election in August, President Lourenco ordered all presidential appointees to comply with the law.

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

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

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

The Law of Associations requires NGOs to specify their mandate and areas of activity. The government used this provision to prevent or discourage established NGOs from engaging in certain activities, especially those that the government deemed politically sensitive. On July 5, the Constitutional Court ruled that a 2015 presidential decree meant to regulate NGO operations was unconstitutional (see section 2.b.).

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

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

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

An independent Office of the Ombudsman existed to mediate between an aggrieved public, including prisoners, and an offending public office or institution. The office had no decision-making or adjudicative powers, but it helped citizens obtain access to justice and advised government entities on citizen rights. The office also published reports and educated the public about human rights and the role of the ombudsman.

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

Women

Rape and Domestic Violence: Rape, including spousal rape, is illegal and punishable by up to eight years' imprisonment. 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.

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

Sexual Harassment: Sexual harassment was common and not illegal. Such cases may be prosecuted under assault and battery and defamation statutes.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at:

www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

Discrimination: Under the constitution and law, women enjoy the same rights and legal status as men, but societal discrimination against women remained a problem, particularly in rural areas. Customary law prevailed over civil law, particularly in rural areas, and at times negatively impacted a woman's legal right to inherit property.

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

In an interministerial effort led by the Ministry of Family and Protection of Women, the government undertook multiple information campaigns on women's rights and domestic abuse and hosted national, provincial, and municipal workshops and training sessions.

Children

Birth Registration: Citizenship is derived by birth within the country or from one's parents. The government does not register all births immediately, and activists reported many urban and rural children remained undocumented. Pursuant to a 2013 plan, the government waived birth registration fees for all persons, including adults, through the end of 2016.

For additional information, see Appendix C.

Education: Education is tuition-free and compulsory for documented children through the sixth grade, but students often faced significant additional expenses such as books or fees paid to education officials. When parents were unable to pay the fees, their children were often unable to attend school. On November 9, the newly appointed governor of Luanda Province announced that students would no longer be charged enrollment fees in that province.

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

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

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

Early and Forced Marriage: The legal age for marriage with parental consent is 15 years for girls and 16 years for boys. The government did not enforce this restriction effectively, and the traditional age of marriage in lower income groups coincided with the onset of puberty. In September the Ministry of Family and Protection of Women reported that four in 10 children in the country between the ages of 12 and 17 entered annually into legal or common-law marriages, citing rural areas within the provinces of Lunda Sul, Moxico, Huambo, Bie, and Malanje as places where early marriage was most prevalent. For additional information, see Appendix C.

Sexual Exploitation of Children: All forms of prostitution, including child prostitution, are illegal. Police did not actively enforce laws against prostitution, and local NGOs expressed concern over child prostitution, especially in Luanda, Benguela, and Cunene Provinces. The law does not prohibit the use, procurement, offering, and financial benefit of a child for the production of pornography and pornographic performances. The law does not criminally prohibit either the distribution or the possession of child pornography.

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

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

Anti-Semitism

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

Trafficking in Persons

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

Persons with Disabilities

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

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

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

Persons with disabilities found it difficult to access public or private facilities, and it was difficult for such persons to find employment or participate in the education system. Women with disabilities were reported to be vulnerable to sexual abuse and abandonment when pregnant. The Ministry of Assistance and Social Reintegration 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.

Indigenous People

The constitution does not make specific reference to the rights of indigenous persons, and there is no specific law that protects their rights and ecosystems. The estimated 14,000 San lacked adequate access to basic government services, including medical care, education, and identification cards, according to a credible NGO. The government reportedly permitted businesses and well-connected elites to take traditional land from the San. During the year there were reports of discrimination against the San. In May, according to a credible NGO, two San men were admitted in the Central Hospital of Menongue, in Kuando Kubango Province, with acute tuberculosis. The men were denied treatment based on their ethnicity, and after two days, they died.

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

The constitution prohibits all forms of discrimination but does not specifically address sexual orientation or gender identity. According to the Ministry of Justice and Human Rights, the law does not criminalize sexual relations between persons of the same sex. The constitution defines marriage as between a man and a woman, and same-sex marriage is prohibited. Local and international NGOs reported that lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals faced discrimination and harassment, but reports of violence against the LGBTI community based on sexual orientation were rare. The government, through its health agencies, instituted a series of initiatives to decrease discrimination against LGBTI individuals.

Discrimination against LGBTI individuals was rarely reported, and when reported, LGBTI individuals asserted that sometimes police refused to register their grievances. In 2014 a group of LGBTI individuals formed the first openly gay association in civil society. The association continued to collaborate with the Ministry of Health and the National Institute to Fight HIV/AIDS to improve access to health services and sexual education for the LGBTI community.

HIV and AIDS Social Stigma

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

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

While the law allows unions to conduct their activities without government interference, it also places some restrictions on their ability to strike. Before engaging in a strike, workers must make a good-faith effort to negotiate their grievances with their employer. Should they fail to negotiate, the government can deny the right to strike. The government may intervene in labor disputes that affect national security and energy sectors. Essential services are broadly defined, including the transport sector, communications, waste management and treatment, and fuel distribution. In exceptional circumstances involving national interests, authorities have the power to requisition workers in the essential services sector. Collective labor disputes are to be settled through compulsory arbitration by the Ministry of Public Administration, Employment, and Social Security. The law does not prohibit employer retribution against strikers, and it permits the government to force workers back to work for "breaches of worker discipline" or participation in unauthorized strikes. Nonetheless, the law prohibits antiunion discrimination and stipulates that worker complaints should be adjudicated in the labor court. By law employers are required to reinstate workers who have been dismissed for union activities. There were no known cases of retribution against strikers during the year.

The government generally did not effectively enforce applicable labor laws. The Ministry of Public Administration, Employment, and Social Security had a hotline for workers who believed their rights had been violated. Labor courts functioned, but were overburdened by a backlog of cases and inadequate resources. The law provides for penalties for violations of the labor code and labor contracts, but the penalties were not an effective deterrent due to the inefficient functioning of the courts.

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

The National Teachers' Union urged teachers from primary and secondary schools to go on strike for three days in May to demand higher salaries, step increases, and fewer work hours. Media reported that teachers in 13 provinces joined the strike, resulting in the closure of many schools. The Minister of Justice and Human Rights, however, claimed a much lower participation rate in the strike. There were reports that some government administrators threatened teachers with disciplinary measures, including salary cuts, if they participated in the strike. During the strike police detained two teachers, one in Kwanza Norte and one in Luanda Province, for their participation. Police released the teachers without charge shortly after being detained.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor.

The government did not effectively enforce the law due in part to an insufficient number of inspectors. Penalties for violations are the same as those for trafficking

in persons, ranging from eight to 12 years in prison, and were insufficient to deter violations, primarily due to lack of enforcement.

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

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

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits children under 14 from working. To obtain an employment contract, the law requires youth to submit evidence they are 14 years of age or older. Children could work from age 14 to 16 with parental permission or without parental consent if they are married and the work did not interfere with schooling or harm the physical, mental, and moral development of the minor. The law also allows orphan children who want to work to get official permission in the form of a letter from "an appropriate institution," but it does not specify the type of institution. The Ministry of Public Administration, Employment, and Social Security; the Ministry of Social Assistance and Reintegration; the Ministry of Interior; INAC; and the national police are the entities responsible for enforcement of child labor laws. An interministerial commission to combat trafficking in persons was created in 2014 to coordinate enforcement actions. The commission generally effectively enforced child labor standards in the formal sector, but the government had difficulty monitoring the large informal sector, where most children worked.

Inspectors are authorized to conduct surprise inspections whenever they see fit. Penalties for violations were generally sufficient to deter violations. Penalties for not signing a written contract for children ages 14 and over is a fine of two to five times the median monthly salary offered by the company. Children over age 14 who are employed as part of an apprenticeship are also required to have a written

contract. The penalty for not having this contract is three to six times the average monthly salary of the company. For children found to be working in jobs categorized as hazardous (which is illegal under the law), the fines are five to 10 times the average monthly salary of the company. Nonpayment of any of these fines results in the accrual of additional fines.

Child labor, especially in the informal sector, remained a problem. According to media reports, in June the Free and Independent Labor Union denounced the recruitment and use of child labor by foreign companies, primarily in Benguela, Cunene, and Huila Provinces. The Ministry of Public Administration, Employment, and Social Security had oversight of formal work sites in all 18 provinces, but it was unknown if inspectors checked on the age of workers or conditions of work sites. If the ministry determined a business was using child labor, it transferred the case to the Ministry of Interior to investigate and possibly press charges. It was not known if the government fined any businesses for using child labor. The Ministry of Public Administration, Employment, and Social Security, other government agencies, and labor unions implemented a national plan to limit child labor. There was no additional information on the outcome of a June 2016 arrest of a bus driver in Bie Province allegedly transporting 20 children to work as child laborers on a farm.

Generally, work done by children was in the informal sector. Children engaged in economic activities such as agricultural labor on family farms and commercial plantations--particularly in orchards--as well as in fishing, brick making, charcoal production, domestic labor, and street vending. Exploitive labor practices included involvement in the sale, transport, and offloading of goods in ports and across border posts. Children were reportedly forced to act as couriers in the illegal cross-border trade with Namibia. Adult criminals sometimes used children for forced criminal activity, since the justice system prohibits youths under 12 from being tried in court. There were no credible reports of the use of child labor and forced child labor in informal diamond mining.

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

The government, through INAC, worked to create, train, and strengthen child protection networks at the provincial and municipal levels in all 18 provinces. No central mechanism existed to track cases or provide statistics. In 2015, in Benguela, Lunda Sul, and Bengo Provinces, local authorities uncovered 68 cases of child labor, but there were no reported prosecutions. The government also dedicated resources to the expansion of educational and livelihood opportunities for children and their families.

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

d. Discrimination with Respect to Employment and Occupation

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

Despite the law, persons with disabilities found it difficult to gain access to public or private facilities, and it was difficult for such persons to participate in the education system and thus find employment. There were no known prosecutions for discrimination in employment.

Discrimination against migrant workers also occurred.

e. Acceptable Conditions of Work

A minimum wage for the formal sector exists, is updated annually, and varies by sector. The minimum wage law does not cover workers in informal sectors, such as street vendors and subsistence farmers. The country had not established a poverty income level.

The standard workweek in the private sector is 44 hours, while in the public sector it is 37 hours. In both sectors the law mandates at least one unbroken period of 24

hours of rest per week. In the private sector, when employees engage in shift work or a variable weekly schedule, they may work up to 54 hours per week before the employer must pay overtime. In the formal sector, there is a prohibition on excessive compulsory overtime, defined as more than two hours a day, 40 hours a month, or 200 hours a year. The law also provides for paid annual holidays. By law employers must provide, at a minimum, a 50 percent of monthly salary bonus to employees in December and an annual vacation. Workweek standards were not enforced unless employees lodged a formal complaint with the Ministry of Public Administration, Employment, and Social Security. Foreign workers with permanent legal status or a temporary work visa were protected under the labor law. The ministry effectively enforced the minimum wage law within the formal labor sector. An employer who violates the minimum wage law faces a penalty of between five and 10 times the applicable sector-specific minimum wage payable to the affected employee. An estimated 60 percent of the economy derived from the informal sector, and most wage earners held second jobs or depended on the agricultural or other informal sectors to augment their incomes. Most workers in the informal sector were not covered by wage or occupational safety standards.

An August 2016 presidential decree established minimum employment standards for domestic workers, including national minimum wage protection, an eight-hour work day for domestic workers living outside of their employer's home, a 10-hour work day for domestic workers living inside their employer's home, compulsory employer contributions to a domestic worker's social security protection, and maternity and holiday allowances. The Ministry of Public Administration, Employment, and Social Security is charged with implementing and enforcing the law. Enforcement efforts were hampered by an insufficient number of adequately trained labor inspectors. Some companies reportedly received advanced warning of impending labor inspections.

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